NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Fifth Assembly
First Session

PARLIAMENTARY RECORD

Tuesday 1 May 1990
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Thursday 3 May 1990

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Fifth Assembly
First Session

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PART I

DEBATES

DEBATES

Tuesday 1 May 1990

Mr Speaker Dondas took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have message No 13 from His Honour the Administrator:

> I, James Henry Muirhead, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act of 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to make interim provision for the appropriation of moneys out of the Consolidated Fund for the service of the year ending 30 June 1991.
>
> Dated 27 April 1990
> J.H. Muirhead
> Administrator.

PERSONAL EXPLANATION

Mr COULTER (Mines and Energy)(by leave): Mr Speaker, at the last sittings of the Assembly much attention centred on certain allegations in connection with a Trade Development Zone company. Some of it was reported widely and some of it was reported out of context. I wish to put the record straight.

Allegations were made by myself on the basis of information made available to me and that information was passed to the Federal Police for investigation. As a result of those investigations, no charges were laid and no case was proven. I accept that finding totally and I wish to take this opportunity formally to withdraw any allegations against the Leader of the Opposition and the federal member for the Northern Territory in the House of Representatives.

I should make it clear also that the circumstances that I outlined in connection with the 2 honourable gentlemen were in the nature of allegations despite the way they may have been presented in the heat of the moment. I acted in good faith and in the public interest according to the information placed before me which I had no reason to disbelieve. I saw it as my clear duty to take such actions. However, events were moving swiftly at the time and mistakes were made in matters of detail. I sincerely regret those mistakes. Also I regret that the matter overshadowed the real circumstances of the central issue before the Assembly which was that a Trade Development Zone company had breached industrial relations awards and had placed the standing of the zone in jeopardy. The government moved swiftly and positively to rectify this situation, but this went largely unreported because so much attention was focused on the allegations which I had made.

With the wisdom of hindsight, I might perhaps have tackled the debate on this issue differently in the best interests of the government and the zone. In the same vein, I regret that so much of the last sittings was dominated by that tangential issue which may have distracted public attention from important legislation. I hope that the Assembly can address issues more positively in the current sittings.

PETITION
Widening of Tiger Brennan Drive

Mr HARRIS (Port Darwin)(by leave): Mr Speaker, I present a petition from 53 citizens of the Northern Territory relating to the widening of Tiger Brennan Drive. The petition does not conform with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable member for Port Darwin: the extensions and widening of the Tiger Brennan motorway are resulting in vastly increased volumes of traffic and accompanying higher noise levels. Darwin's heavy traffic is almost exclusively using this route at the present time. The increase in noise level is drastic for many Stuart Park residents. The area of Stuart Park between Woolner Road and Duke Street is the only residential section of Darwin subjected to this level of noise emanating from a motorway built for heavy industrial traffic. We the undersigned therefore request that you arrange for the construction of a sound-abating wall or some other suitable structure to provide a buffer from the noise.

EXPLANATION OF SPEECH

Mr HATTON (Health and Community Services)(by leave): Mr Speaker, I wish to clarify information given during the last sittings concerning staff turnover among nurses. The percentages provided in the February sittings may present a misleading picture of the situation. The percentages of turnover for various classes of nurses are capable of interpretation in different ways. For example, I gave for registered nurse class 3A a turnover of 3.4% of the total for all nurses. The turnover can also be expressed as a percentage for the class which, in this case, would have been 16.1%.

I place before the Assembly a table which contains fully-documented figures for nurse turnover. It will be obvious that the total turnover figure of 66.95% is virtually the same as that which I gave previously. It is also obvious that the turnover is mainly in enrolled and level 1 nurses, the most junior grades. The management of the nursing profession is therefore secure and stable, and ensures a high level of service.

The figures challenged by the member for MacDonnell should not be taken out of context. A comprehensive review of nursing in Alice Springs commenced on 24 April 1990. The team will make its first visit during May and a report will be given to me by late July 1990 in order to ensure that we do whatever we can to reduce nursing turnover wherever possible. A similar review has been completed recently in New South Wales. A recent Australian Bureau of Statistics survey, reported in The Australian on 14 April 1990, stated that 43% of nurses who graduated in 1989 were not working in the profession. It must be understood that there is a limited pool of nurses in the Territory and they have to be replaced when they go on leave or on courses.

The figures compiled by my department include casual and limited tenure nurses. During the Christmas and holiday period, extensive use is made of agency nurses in order to maintain services. While these factors account for high turnover amongst enrolled and level 1 nurses, they tend to distort the overall figures. They should not be used as conclusive evidence that there is something drastically wrong. On the contrary, the data provides a

picture of a committed and loyal group of professionals who are providing a high quality of service.

STATEMENT
Proposed Treaty and Compensation for Aboriginal People

Mr PERRON (Chief Minister): Mr Speaker, I am firmly of the view that the concept of a national treaty between non-Aboriginal Australians and Aboriginal Australians will be among the most significant subjects of political debate in the Northern Territory and, indeed, throughout Australia over the next 12 months. The treaty concept, as written in the official platform of the Territory Branch of the Australian Labor Party, calls for unspecified compensation to be paid to Aboriginal Australians as a consequence of the events which followed the arrival of the First Fleet in 1788. The ALP platform says that Australia was stolen.

The treaty advocates, who include the Australian Democrats, have asserted that compensation for Aboriginal people must include compensation for the loss of traditional lands which cannot now be restored to them. That must mean, at the very least, that the treaty advocates have in mind compensation for land on which our cities and towns are built and land used for roads and other public purposes. The term 'compensation' used by the treaty advocates clearly means that those who favour the treaty desire that, eventually, as a matter of course, Aboriginal Australians will receive as their due part of the national wealth simply on the basis of their Aboriginal blood.

During the federal election, I wrote to the Prime Minister on this very issue seeking from him, as he is a leading proponent of the treaty concept, a definition of how he saw the question of compensation being implemented. My letter to him arose out of my concern on behalf of Territorians that the Australian Labor Party was pledged to implement such a treaty, if it was returned to office, and to include within such a document a guarantee of compensation. I wrote to Mr Hawke on 19 March. As of today, the Prime Minister has still not advised me what his intentions are, nor did he advise the voters of Australia during the recent federal election campaign.

I have to say that the Australian Labor Party nationally and here in the Territory cannot now pretend in the treaty debate that, as a result of the 24 March federal election, it has a mandate to implement a treaty with compensation as the centrepiece of such a document. It has no mandate because it refused to canvass the issue during the election campaign. Indeed, the Labor federal member for the Territory ducked for cover during the campaign and, Judas-like, turned his back on his own professed words ...

Mr BELL: A point of order, Mr Speaker! I noted in the circulated statement from the Chief Minister a reference to the honourable member for the Northern Territory and the use of the adjective 'Judas-like'. I would suggest that that may be unparliamentary and it would be appropriate if the Chief Minister withdrew it.

Mr SPEAKER: I do not believe that there is a point of order.

Mr Bell: Okay. Fine! It is on, is it? Right.

Mr PERRON: Mr Speaker, the honourable member turned his back on his own words, as reported in the federal Hansard, that he believed Australia was stolen from the Aboriginal people and that this theft, as he alleged, must be the subject of compensation.

I believe that every Territorian and every Australian is owed a clear and unequivocal explanation from the ALP on where it stands. The people are owed an explanation by every Labor politician and by every card-carrying member of the ALP because of the denials made during the campaign. Despite those denials in the media, the ALP official written policy platform in the Territory is clear. Labor in the Territory supports a treaty and Labor supports compensation. I quote: 'The Northern Territory Labor Party recognises the need for the Australian government to provide appropriate compensation for Aboriginal people who have had their land stolen'.

This Labor policy is causing enormous disquiet within our community, as numerous letters to various Territory newspapers over recent weeks have indicated. There is even verbal speculation that, should Labor win office at the next Territory election, the ALP would impose its own brand of compensation within the confines of the Territory's borders, even if Labor failed to secure support nationally for its purpose, as it did fail to secure support for national land rights of course.

The reality is that, if a government pays anyone compensation, the funds for that compensation can come from only one source, and that source is the taxpayer. Territory taxpayers need to know, and the ALP in the Territory has a responsibility to tell them. The game that Labor plays is dangerous. On the one hand, the published organ of the Aboriginal land councils, Land Rights News, tells its readers that Labor will deliver them a treaty. Aboriginal people's expectations are being raised by this sort of propaganda. Against that, the urban Territory voters, who - and make no mistake about it - will be taxed to the hilt to pay that compensation should Labor ever win power, are not being told the truth about Labor's intentions. The ALP is treating them like fools.

Today, I am urging the Leader of the Opposition to be open and honest on this issue and to take Territorians into his confidence about the ALP's intentions. They have a right to know. I hold grave doubts that Territory Labor plans to hold even an internal debate on this issue during 1990 because I understand from media sources that Labor has deferred all such debate in a bid to maintain a facade of party solidarity in the lead-up to the Territory election. This suggests strongly that there is a difference of opinion within the ALP and real fears within the parliamentary Labor Party that any debate will lead to public dispute between the competing right and left factions. On the face of it, the 7 honourable members of the opposition must hold real fears that their party, with its papered-over cracks of factional difference, will split asunder should they allow their own membership the democratic right of expressing an opinion. My political opponents seem not only to be fooling the media and the general public but also members of their own party who hold strong views opposing the treaty concept and strong views opposing the compensation issue.

The left-wing faction of the Territory ALP has proved its dominance in the Territory. It is the supreme irony that, apparently, Territory Labor has denied democratic debate in its own ranks while, at the same time, it claims that, in government it would offer total honesty, total openness and total participation by the electorate in the affairs and processes of government. I challenge the Leader of the Opposition to begin proving this very day that he is an open and honest politician, and to stand up here and have recorded in Hansard exactly and precisely what he and his party are offering to Territorians. I also challenge the Leader of the Opposition and his colleagues to outline to this House and to the people of the Territory the substance of conversations and discussions held between officials of the Labor Party and representatives of the land councils on this very issue.

What undertakings has the ALP given, and what demands are being pressed internally within Labor councils by the member for Arnhem, Mr Lanhupuy, who is a Labor parliamentary spokesman on Aboriginal affairs and a former Executive Director of the Northern Land Council?

It is no secret that, since the federal election, the present Chairman of the Northern Land Council, Mr Yunupingu, has been advocating precisely what is contained in the ALP platform. He wants Aboriginal sovereignty, separate laws and a resources fund. He wants to split this country. He cannot deny any of that because it is a matter of public record - in his writings, in his speeches and media appearances, and in the so-called Barunga statement of 1988 which urges a treaty with compensation. In simple language, what deals, arrangements or understandings exist between the Territory ALP and Mr Yunupingu about the treaty and compensation?

Mr Speaker, let me make my government's position clear because I know that this speech will open the door for my political opponents to make unjust accusations about where we stand. By and large, Aboriginal Territorians are far better placed than Aboriginal people elsewhere in this country as a consequence of the 12 years of self-government since 1978. Even the Labor federal member has conceded this. They comprise approximately 22% of the Territory population and, through land granted to them under the federal Land Rights Act, this 22% controls nearly 50% of the Territory's land mass as well as substantial portions of our rivers and most of our coastline. In terms of Australia's total land mass, that is one-twelfth of the continent that is in the hands of no more than 35 000 people.

Even so, there are Aboriginal Territorians who have been excluded from the benefits of land rights claims. It is a fact that Aboriginals as a people are not united and they do not hold to the concept of belonging to one Aboriginal nation. Those who have won land rights do not consider that their new circumstances should necessarily be shared with those from another group elsewhere in the Territory or interstate. The assumption that there was ever one united Aboriginal nation is demonstrably untrue as may be determined by simple observance of what has transpired in the Territory over the grant of land rights. Aboriginal groups have made land claims on the basis of tribal tradition, not on the basis of having been a nation.

It is also unarguable that Aboriginal people from different groups do not mix harmoniously together. I do not raise this to denigrate the Aboriginal people. Historic and recent practice has shown that there are deep divisions between groups of Aboriginal people, which are based on thousands of years of tribal customs. These customs were not invented overnight, nor were they invented during the last 200 years. Surely this is sufficient evidence to deny forever the notion that there is or ever was one Aboriginal nation with which a treaty could be negotiated.

On the one hand, the combined forces of the left wing of the ALP and people like Mr Yunupingu and the Tasmanian activist for Aboriginal causes, Mr Michael Mansell, are seeking to invent a sovereign Aboriginal nation which has never existed. On the other hand, each duly recognises the unique separateness and independence of different tribal groups. If pressed, I dare say that they would also admit that, historically, some of these groups warred with each other, stole from each other and doubtless fought over and contested hunting areas from time to time. To stretch the point, one has to wonder if the losers in tribal land disputes ever received compensation from those who defeated them.

Let me now more clearly shape the argument for why a treaty is no go in our view. Those who propose a treaty couch their advocacy in language which claims that such a document would bring about a reconciliation between Aboriginal and non-Aboriginal people. My government agrees that everything reasonably possible must be done to draw Aboriginal and non-Aboriginal Australians closer together and to help Aboriginal people share fully in the opportunities and benefits that this country offers. More has to be done to accommodate their particular needs and to help them feel that their culture and contributions are valued, respected and appreciated. Indeed, this view formed the very substance of my statement to this House last October, wherein I detailed the significant advances made by Aboriginal Territorians since the 1978 grant of self-government. In those 12 years, the CLP government has outlaid an amount on Aboriginal Territorians which is 83% higher per capita than our expenditure on non-Aboriginal Territorians.

This government is doing the right thing to address the problems of Aboriginal housing, health, essential services, education and so on. Obviously, we could have done more if the savage funding cuts imposed on the Territory over the last 5 years had not been made. Our efforts to help Aboriginal Territorians have been sabotaged by Labor politicians. They now raise the treaty as a palliative, a cargo cult compensation promise, which can only mislead Aboriginal Australians because I am convinced that, while compensation talk helps to win Aboriginal votes, the treaty itself will never come to pass.

Far from bringing Aboriginal and non-Aboriginal Australians closer together, I believe that a treaty would drive us apart. It would create barriers, cause divisions and incite a backlash. It would hinder the genuine efforts which are being made to advance Aboriginal interests. Even public discussion about a treaty, its possible terms and the form it could take, is divisive. Such discussion is raising unrealistic expectations which will leave many Aboriginal people feeling bitter and frustrated because Labor's sweet talk, its honey pot to catch Aboriginal votes, can surely never lead to the hand-outs which are being mooted. Or can it? Some advocates want 5% of Gross National Product to be handed over as compensation to Aboriginal Australians each and every year forever. That would be tantamount to saying that every person with Aboriginal blood would win the lottery every year, guaranteed. Surely this is nonsense. We need to shelve the idea of a treaty before the whole situation gets out of hand. I hope that the Leader of the Opposition is taking notice of this because I know that he now faces somewhat of a dilemma. Should he side with logic or should he reveal to us what his party's true intentions are?

If I thought for a moment that a treaty would set the stage for a new era in interracial understanding, I would happily entertain it. However, from public reaction so far, I know that Labor's course will create a new wave of confrontation and ill-feeling, a tide of resentment which will set Aboriginal progress and advancement back on its tracks. While we cannot deny the facts of history, surely it is unreasonable to expect present-day Australians to carry the guilt for acts committed by past generations against past generations. Is it reasonable to expect today's Japanese tourists to feel guilt over the wartime bombing of Darwin? I think not. I can understand that an admission of guilt by today's non-Aboriginal Australians might help some Aborigines to feel better towards non-Aboriginal people. It may even help them feel better about themselves, but it would create ill-feeling towards Aborigines among many Australians who, quite naturally, feel no sense of guilt at all.

Most non-Aboriginal Australians and, in many cases, their forebears arrived in this country long after the first European settlers had taken over the country. The great majority of the present generation of European and other non-Aboriginal Australians would almost certainly resent the prospect of having to pay compensation for something not even their ancestors were involved in. Will the Greek community and the Italian community, the Europeans whose numbers built up as a result of post-war immigration, and our Chinese and other communities, agree readily to having to foot a bill the size of which Labor refuses to tell us? I doubt it.

To avoid this problem, some proponents of a treaty say that compensation is not part of the plan. Who are they trying to fool? Compensation has always been on the agenda. Why have a treaty if you cannot get something tangible from it? The only questions about compensation that treaty supporters such as the ALP and Mr Yunupingu have to answer are: what options do they have in mind, and how much will these cost each of us and unborn generations of Australians? All Australians should ask themselves where a treaty would lead. The very term 'treaty' implies an international agreement between independent states. How can a country have a treaty with itself?

If we proceed down this divisive road, a chain of events will be set in motion which could lead ultimately to Australia becoming either 2 separate countries or a federation of black and white states. The unacceptable face of apartheid and separatism is being advocated, and my government will have no part of it. If Labor ever manages to have a treaty enshrined in law, and possibly international law at that, the implications will include long-term legal conflict for generations to come. Members should consider the example of the Treaty of Waitangi which has led to massive compensation claims in New Zealand a century and a half after it was signed in 1840. It is no secret that our present Prime Minister sees the New Zealand situation as providing his government with some ideas in relation to its Australian treaty plans, as reported earlier this year in the Land Rights News.

Let us be clear about one thing. Territorians, both Aboriginal and non-Aboriginal, have a big stake in the treaty debate. If the Labor opposition and the ALP's fellow travellers were to see sense and withdraw their support for this most divisive of proposals, it would be a red letter day for every Territorian. The challenge in the Territory is to help Aboriginal people achieve their full potential, not under a separate form of administration or government along racial lines, but as a part of the overall community. We need policies and programs that unite, not divide. Regrettably, Mr Speaker, I have to say that I do not anticipate that those who are playing with racial dynamite will desist. That being so, the challenge for them is to spell out clearly and unequivocally what their intentions are so that Territorians at least will be able to pass their judgment at the ballot box.

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

Mr LANHUPUY (Arnhem): Mr Speaker, what we have heard from the Chief Minister is the remainder of what was supposed to be a successful attempt on his behalf to campaign during the federal election. He raised the issues of compensation and royalties in his debate through the press with the Chairman of the Northern Land Council, Mr Galarrwuy Yunupingu. As the Chief Minister's government approaches an election, he is really scraping the bottom of the barrel.

The votes are not there for the Chief Minister. That has been shown in remote areas. His mentality is to seek to create division once again. When you are down and out, what do you do? You kick the lowest people, the people at the bottom of the ladder. That has been all too obvious in the behaviour of the CLP ever since it has been in power, and I certainly do not support the approach being put forward by the Chief Minister in this debate.

The Labor Party has pursued consistently policies of social justice. The CLP, on the other hand, has pursued policies of social division. This is another instance of that. It is the Chief Minister's last-ditch attempt to win votes in the northern suburbs in the forthcoming Territory election. He should know that the federal election results indicated that his government would hold only 1 seat in the northern suburbs - the seat of the member for Nightcliff. If that is the case, the CLP might form an opposition of 1 after the NT election.

Mr Speaker, let us look at the real issues. The Chief Minister has raised a subject which is on the minds of many people.

A member: It is in your platform.

Mr LANHUPUY: Even though it is in the platform, it is not being discussed at the moment. We intend to consult generally with Aboriginal people in the Northern Territory before coming to any sort of arrangement to strike an accord which would be socially acceptable to that 33% of people in the Northern Territory of whom I am one. That is the issue.

I advise the Chief Minister that some organisations have the treaty proposal on their agenda. For example, the Chairman of the Northern Land Council, Galarrwuy Yunupingu, is in a position to pursue hotly the interests of Aboriginal people in the Northern Territory and to protect those interests. That is what he is required to do. The NLC is a statutory organisation whose responsibility it is to represent traditional Aboriginal people. Mr Yunupingu has raised the question for debate, and I would have thought that the mob opposite would have had the capacity to debate it openly. However, the Chief Minister tries to cause division. He referred to letters to the editors of Northern Territory newspapers and, whilst such letters may have appeared, the silent majority is not happy with the CLP's handling of the Territory economy and other matters, and will not be fooled by the Chief Minister's efforts to use this debate to divide the races in the Northern Territory. On this side of the House, we see it as our duty to represent those people, both in this House and in our dealings with our federal colleagues in Canberra. As members of the Labor Party, we will ensure that we represent those views at every level possible.

The issue of the treaty is on the agenda of people like Mr Mansell of Tasmania and Galarrwuy Yunupingu, and of organisations like the Northern and Central Land Councils. The matter has been raised. Let us now start talking properly about it. A plank of the Labor Party platform relates to a treaty. The Labor Party's policy is to support the aspirations of Aboriginal people who have been dispossessed of their land. In the ALP, we believe in our policies and we are concerned with righting the wrongs which have been done to those people. There is a very high expectation among those people that the government will do something socially justifiable to help address their needs. As far as compensation is concerned, that is a matter that the Labor Party is still considering. As Galarrwuy Yunupingu said, the question will raise a few concerns in the community. However, he has put the question forward to get people's views.

Mr Yunupingu is the Chairman of a statutory organisation which represents a percentage of the Territory's population. The Chief Minister is supposed to represent the people of the Northern Territory. What does he do? He attempts to create division between the 2 groups of people who live in the Northern Territory. That is what he has done with this statement. He should realise that Aboriginal organisations do not have the same ability as government departments do to ensure that particular needs are taken into account in our parliaments and courts. At the same time, the Labor Party has been the only political party which has listened, at least to an extent, to the concerns of the Aboriginal people. As long as I am a member of this Assembly, I will voice those concerns whether it be in committee stages ...

Mr Hatton: Here is your chance. State your position.

Mr LANHUPUY: It is all right for the Minister for Health and Community Services to state his views on matters. In our work with committees, the minister and I travel together a great deal, and it is pleasing to note that his views are changing, almost on a daily basis. When he is out in remote communities like Galiwinku, it is a case of bang, bang, bang: 'I support you. I will do this'. However, that support is a very thin layer when he goes into meetings with his parliamentary colleagues and the CLP organisation where he is put under the thumb again.

It is not fair for the Chief Minister to ask what deals the ALP has done with land councils and Aboriginal organisations. We have often asked the same question of him and his government. What deals have they made with certain parties in the Northern Territory? We have made no deals, Mr Speaker, I can assure you of that. However, we will ensure that consultation takes place with the people concerned. We will seek their views before rushing in legislation such as that relating to the Sacred Sites Authority or totally outrageous legislation such as that extending Darwin's boundaries to 40 km in order to block the Kenbi Land Claim.

Mr Hatton: Do you support your party's platform?

Mr LANHUPUY: Mr Speaker, I support my party's platform. There are differing views that I have to express. There are organisations which do not agree with the party's policy. However, we will not adopt a confrontationist attitude like that of members opposite. We will have consultation.

Mr Firmin: What does your party policy state?

Mr LANHUPUY: Mr Speaker, I have indicated my support for my party's policy and I agree that there are issues on which Aboriginal organisations and the Labor Party in the Northern Territory do not agree. We have never had a harmonious and rosy relationship. We have had differences on a whole range of issues and we will continue to have those.

Given the move towards statehood, is that the attitude of this government towards my people's representatives in certain areas? The Labor Party in the Northern Territory, especially the parliamentary wing, is on about compensation and not only in cash terms. We aim to achieve equality in education, the legal system and health services. The Chief Minister said that we will give $10 to every Aboriginal person living in Australia on the basis that some argument will be fought and supported by the Labor Party in the federal arena. There are ways and means. It is a matter of interpretation. What the Chief Minister did earlier was create the fear of the Territory government raising its taxes to hit people in the Northern

suburbs. He created the fear that taxpayers of the Northern Territory, the man in the street, will be paying taxes for compensation for land that has already been built on or for the purpose of distribution throughout Australia to Aboriginal people. I believe that it is dishonest of the Chief Minister to suggest that.

Mr Perron: Where will the money come from?

Mr LANHUPUY: There are other areas where the Chief Minister could inject funds: education and health services, housing and water programs. I would support that in terms of giving those people more recognition and more services to improve their lives.

I am disgusted by the Chief Minister's statement. It may be the case that, in the end, taxpayers might be asked to provide funds. However, there should be no tunnel-vision interpretation of compensation by the Chief Minister. His mentality is pathetic. As I said earlier, all he is doing is creating fear in people. Social justice means providing jobs, opportunities, education and health services. These people should enjoy equality of opportunity in the public service or wherever. That is what we are on about. We would encourage these people. We would not provide services at a bare minimum level. That would not be the way that we would operate.

Mr Speaker, I refer again to some of the statements made by Galarrwuy Yunupingu in relation to the whole issue of the treaty. People throughout Australia have their own ideas on how to consult in respect of this important issue. The people in Western Australia have their own ideas. In government, we will not raise the issues that Mr Mansell raised concerning the people in Tasmania. We will concentrate on issues relating to the Northern Territory. That is what this government is not doing. It is introducing issues that are related to matters affecting people throughout Australia. We will concentrate our efforts first and foremost in the Territory where our people live.

This government should have responsibility for governing the people of the Northern Territory. Surely Aboriginal organisations such as the Central Land Council and the Federation of Land Councils have an obligation to ensure that their brothers and sisters in the states are being listened to and that their views are shared and supported. Surely that is within their charters. Those people need support, and the organisations here will provide that in order to ensure that their voice is heard in parliaments and elsewhere. However, our first obligation will be to ensure that there is consultation in the Northern Territory with our Aboriginal people. As a Labor government, that will be our first and foremost aim. We will not be distracted by issues relating to the states although we appreciate that there may be issues of common interest among states.

As I said earlier, what we have seen is the last effort of the Chief Minister to make a statement which will create a backlash in the Northern Territory. As we have said over the years, what does this government do when it is down and out? It goes for the lowest person on the list. In this case, that happens to be the Aboriginal people. This is what the Chief Minister has done. For the sake of the Northern Territory, I hope that he accepts some of the arguments that we will put forward today and that he will listen to his advisers if they are giving him the right advice. Without land, Aboriginal people will lose much of their identity. We have seen that. Mr Speaker, you would be very much aware of the social structure

of communities of Aboriginal people who have land as compared to Aboriginal people who do not have land. The classic example is ...

Mr Tipiloura: Elliott.

Mr LANHUPUY: ... the one that the member for Arafura refers to in Elliott. If they have no land, they have no self-dignity to enable them to project themselves as a very strong force.

I only hope that, during the course of this debate, the Chief Minister does understand our views, and I hope that he will take note of some of the arguments put to him, not only by the opposition in this House but by the Aboriginal people in relation to achieving something that might be worth while keeping for the Northern Territory. We have lost it in all the states. The way in which the Chief Minister has chosen to raise this debate is pathetic. Mr Speaker, I do not support the motion.

Mr COULTER (Deputy Chief Minister): Mr Speaker, I happen to agree with much of what the member for Arnhem has just said. In particular ...

Mr Lanhupuy: Good. Sit down.

Mr COULTER: Mr Speaker, there is an example. We have sat and listened to the honourable member and, when I express some measure of support for him, that is all he wants to hear. Now he tells me to sit down. We talk about a bipartisan approach and about looking at it from both sides of the House, yet that is an example of the arrogance displayed by the member for Arnhem in relation to such a sensitive issue. That is an example of the arrogance that we are talking about. Let me assure honourable members that there are differing views on the Labor Party's platform, and he said something to that effect. Take the following statement in the platform: 'The Northern Territory Labor Party recognises the need for the Australian government to provide appropriate compensation for Aboriginal people who have had their land stolen'. If people believe there are not differing views on that, they are very wrong.

The means to achieving the ends of which the honourable member spoke - of equality and jobs - has been a driving force behind my actions since I entered parliament, particularly in the portfolio areas for which I have responsibility at the moment. We have to build bigger and better cakes if we want to distribute wealth. It is as simple as that. We cannot continue dividing the existing cake in Australia into ever-diminishing pieces and expect everybody to benefit. We must create wealth, and that must be done in 4 ways: growing crops, tourism, manufacturing or mining. Those are the 4 simple things that need to be done in order to create wealth, and we have forgotten that in this country at present. Indeed, the honourable Senator Walsh has been an advocate of it for many years. He has been speaking about those very basic principles for a long time. That is the means by which to create greater wealth in Aboriginal communities, and it can be done. It is simply a question of the way of going about it. To expect money to come out of Australian government coffers ...

Mr Tipiloura: What about giving us back our land?

Mr COULTER: A very important point. At present, 47.4% of the Northern Territory, one-twelfth of Australia, is under the Aboriginal Land Rights Act 1976. That is not a bad effort, and I will speak about that in a moment and make comparisons with Canada and America and a number of other places.

We will talk about that. Already, one-twelfth of Australia is under the Aboriginal Land Rights Act 1976.

Mr Ede: They used to have 12-twelfths.

Mr COULTER: And I agree with the honourable member for Arafura.

What the member for Stuart says is true. Once they had all of it, but that was 1790 or earlier, and things have changed. Does the member for Stuart consider that we should all pack up and leave? Is his starting point that the Greeks, Chinese, Italians and Sri Lankans who have set up home in Australia should leave and that it belongs to the Aboriginal people because they used to own it all? Is that his position? Is that where he is coming from?

Mr Smith: Barry, you are a joke.

Mr COULTER: Those are his words, not mine.

Like so many other debates on issues affecting Australian society today, this one is about public perception rather than reality. There is not the slightest doubt that the public, at least the Northern Territory public, is alarmed by the nature of the debate so far. The issue is complex, but Territorians see it in simple terms. They see the prospect of a system of apartheid being set up, with a special set of rules that will apply to Aboriginal people but not to non-Aboriginal people. They see the prospect of apartheid in reverse and race discrimination in reverse. This is really the focal point of the whole debate - not whether or not there should be an Aboriginal treaty but whether, under the terms of such a treaty, fellow Australians win rights and privileges purely on the basis of skin colour.

Spokesmen for Aboriginal organisations have done nothing in recent weeks to dispel public concern about that. Galarrwuy Yunupingu in the Territory, Michael Mansell in Tasmania and Bob Weatherall in Queensland make similar points of principle. These are that white Australians must perform acts of contrition, admit that land in Australia has been wrongfully occupied, and compensate for historically illegal actions by ceding to Aboriginal people special powers, rights and privileges. It is a starting point of principle with all these spokesmen that Aboriginal sovereignty must be recognised formally. The question in the minds of Territorians is what all this means to them. They have largely done no wrong to Aboriginal people and bear no ill-will towards them. All honourable members know that the central point, that Australians in 1990 must pay for any sins that occurred in 1790, is viewed with overwhelming cynicism by the public generally.

Mr Bell: At least you should read it properly, Barry.

Mr COULTER: People do not accept it; it does not wash and it will never wash.

Mr Ede: Your new glasses are not working.

Mr COULTER: The vast majority of white Australians do not have ancestors who were among ...

Mr SETTER: A point of order, Mr Speaker! I thought I heard the member for Stuart make a comment that was quite unparliamentary. If that was the case, I would ask that he withdraw it.

Mr SPEAKER: There is no point of order. The honourable member for Stuart said that the minister's new glasses were not working. That is not unparliamentary.

Mr SETTER: Mr Speaker, if I may continue to speak to the point of order, could I suggest that perhaps you did not hear the comment.

Mr SPEAKER: What was the comment?

Mr SETTER: I would prefer not to repeat it.

Members interjecting.

Mr SPEAKER: There is no point of order.

Mr Setter: Mr Speaker, I will tell you privately later.

Mr Ede: Your ears are not working, you dill.

Mr SPEAKER: Order!

Mr COULTER: Mr Speaker, one cannot help but comment on the mirth of the opposition and how seriously they are treating this issue. Obviously, they think they are on a ...

Members interjecting.

Mr COULTER: ... and that is the end of it. They do not want to listen. They do not want to get on with the job of trying to resolve this issue and they are quite happy, in the circumstances ...

Members interjecting.

Mr COULTER: The vast majority of white Australians do not have ancestors who were among the first settlers. Many in the Territory are first-generation Australians from countries such as Greece, China and Sri Lanka. They ask, with some considerable degree of justification, why they should compensate Aboriginal people for events which had nothing to do with them. Nevertheless, that is what is being sought. The Aboriginal treaty principle is that all non-Aboriginal people share in guilt. How should that guilt be expressed? Mr Speaker, I will tell you what Territorians fear, and I stress that I am not giving a personal opinion but acting as a representative of those people who have expressed their views to me. They fear that all the difficult areas of compensation will be shunted into the Northern Territory arena. They fear that, in Sydney, Melbourne and Canberra, the attitude will be that it is a Northern Territory issue exclusively. They fear that the social showcase will be established in the Territory to show the world what fine people Australians are and how they react to affairs of conscience. They fear that Aboriginal sovereignty will become a reality only in the Territory and nowhere else, exactly like the land rights reality.

Mr Yunupingu and others say they want a separate Aboriginal parliament and a separate Aboriginal judiciary. Territorians fear that they will get them, but only in the Territory. This would then establish a reverse system of apartheid, in the Territory, with a minority of its inhabitants above and beyond the law which applies to the majority. Such views are deeply embedded throughout the Territory, and honourable members opposite are kidding themselves if they think otherwise.

Cynicism about participation by peak Aboriginal organisations in the development of the Northern Territory stems, of course, from close observation. Mr Yunupingu frequently argues publicly that all Territorians should stand shoulder to shoulder and work in harmony for mutual benefit. Unfortunately, these admirable sentiments are not borne out by the facts when it comes to the Northern Land Council's attitude towards mining development, the Territory's biggest industry and the cornerstone of our economy. The Territory mining industry directly contributed 20.3% of the total Territory product, compared to 6% by the Australian mining industry to the total Australian product, and that figure does not include oil and gas production. That is how important mining is to economic stability in the Territory, and that means business survival and maintenance of jobs throughout the whole Territory community. As the member for Arnhem said, we cannot have mineral development without mineral exploration, and the Northern and Central Land Councils have demonstrated an extremely casual attitude towards exploration for minerals on land over which they hold sway.

Let us look at the facts. At October 1989, only 23 exploration licences in 8 agreements were approved from 359 applicants. Not all exploration licences should be approved and there can be valid reasons for rejection, but I suggest to you, Mr Speaker, that 23 out of 359 is hardly a demonstration of goodwill and harmony on the part of the land councils. The effect is that almost 50% of Territory land is ruled out from mineral exploration, and it contains some of the world's best mineralised regions.

The Northern Territory recognises the rights of Aboriginal people to maintain their traditional lifestyle and to protect sites of cultural significance. In fact, this happens only in the Northern Territory and nowhere else in Australia, but there has to be room for sensible compromise. Access to land should not be denied unreasonably by vested interest groups to the economic detriment of all the people of the Territory.

Nobody advocates open-slather exploration on all land in the Territory. However, I believe the land councils should be meeting the mining industry and the Territory government at some halfway point. It is a question of give and take, with a little more give and a little less take on the part of land councils. They are in a luxurious position in comparison with other regions of the world where competing land use has involved the rights of indigenous people. In the United States, 12% to 16% of land is inaccessible for mining purposes. In the federally-controlled Canadian province of Yukon and in the Northwest Territories, about 6% of land is unavailable. In the Northern Territory, the figure is closer to 50%.

In both overseas countries, similar competing land uses make the issue no less contentious than it is here. Those issues are land for indigenous people, national parks, and conservation regions in the midst of a highly-mineralised zone. Nevertheless, they seem to be able to reach far more economically effective compromises. The difference is the Aboriginal Land Rights (Northern Territory) Act of 1976, which is draconian by comparison with vaguely similar legislation elsewhere in the world. Of course, it applies only in the Northern Territory - Australia's playground for the conscience-stricken social engineers running the control panels from a safe and comfortable distance. The Aboriginal Land Rights Act urgently needs amending to reflect the changing economic circumstances of the Northern Territory in 1990. The absolute power of veto on exploration and mining currently held by Aboriginal landowners desperately needs compromise. I do not see how the Northern Territory can ever strive successfully towards future economic self-sufficiency while the Aboriginal Land Rights Act continues in its present form.

Mr Ede: Just resign. We will have an election and show you.

Mr COULTER: You need to have a fireside chat with your father-in-law and then come back and see me.

On the one hand, we are criticised by senior federal Labor ministers because we are mendicant and forever running to Canberra with our begging bowls whilst, on the other hand, senior federal Labor ministers turn a blind eye to our legitimate claims for changes to legislation which would improve our capacity to generate income. I might say, Mr Speaker, that we will mine $1500m in minerals and hydrocarbon wealth in the Northern Territory this year. That is not a bad effort.

I acknowledge quite openly that, prior to 1976, something like 90% of all mineral wealth in the Territory came from Aboriginal land. Operations such as those at Nhulunbuy and Groote Eylandt were on Aboriginal land at that time. It was a very high figure. The social engineers are now flirting with an Aboriginal treaty which could remove the Territory from the frying pan but place us directly on the hotplate. All honourable members need to be especially vigilant about the impending moves. We will be failing in our duty to the whole of the Northern Territory community if we are not.

I share the views of the member for Arnhem. The social welfare industry that has been set up across the Northern Territory has to be dismantled. We have to provide equity. We have to provide health services, schooling and a range of other services for the Aboriginal community and for all Territorians. To do that, we have to create wealth. It is not possible to make a payment of 5% of GDP if nothing is being produced. We have to produce. That is the answer. As Territorians, we can work together. There are only some 156 400 of us. Surely we can work together to lift the standard of living in Aboriginal communities by generating more wealth, not by starting from the principle that the land has been stolen and that everybody, no matter how long they have been in Australia or whether or not they are related to the first settlers, has to pay compensation.

That principle is contained in the Labor Party platform. It was made famous in a press release first issued on 14 June 1988 by the Leader of the Opposition and regurgitated recently. That press release said: 'Opposition Leader, Terry Smith, today called on the government to pledge full support for negotiation of an Aboriginal treaty'. This support is not something which he dreamt up last week. It has been on his agenda for almost 2 years. He said: 'The CLP government has consistently played on both sides of the issue in the past 10 years'. We know where the Leader of the Opposition stands on this particular issue. He has made it quite clear that we must pay compensation to Aboriginal people. He has made that very clear.

Mr Ede: Where does he say that?

Mr COULTER: It is in his party's platform, Mr Speaker. He is the Leader of the Opposition. Ask him if he supports his party's platform!

Mr Ede: I was just wondering where it was in the press release.

Mr COULTER: There is no need for it to be in the press release. It is in the party platform. You elected him or the Caucus elected him. It took 4 people to elect him, and do not try to tell me that you were one of those who did not vote for him.

A treaty is not on. There are ways to provide the increased living standards which the member for Arnhem spoke about. That will not be done by making recompense for the sins of the first settlers who travelled to Australia in 1788.

Mr EDE (Stuart): Mr Speaker, the interesting point for me about the Chief Minister's statement is not so much what was in it, but why he made it. That is an amazing question. The only reason I can see is that, because the CLP has been thrashed roundly the last 5 times that it has gone to the polls, he has cast his mind back to the last time that it had any success, and that was in 1983. Thus, the whole policy is back to 1983. We are seeing the first shot in the 1990-91 election campaign.

There is an interesting article by Mr Frank Alcorta in today's NT News which members might wish to read. He makes the point very strongly that possibly the Territory cannot survive another 11 months of the type of mismanagement and lack of direction that we have had from the current CLP members due to the stagnation and paralysis that has crept on them and their inability to make decisions. I would suggest to members opposite that the answer is not to go back to 1983 and the politics of racial division and hatred and stirring up the community into 2 different camps, but to go forward into the 1990s and to the year 2000. The CLP should look towards pulling people together and allowing everybody involved in the Northern Territory's economy to be part of the development of this Territory and to share in its benefits. That is what the Labor Party is on about. It seems that that is where we will part company with members opposite because they want to go back to 1983 and we want to go forward. What we want is to bring the Territory together and to regard it as a collection of people who have fundamental rights and obligations to each other.

There were 2 major points raised in the Chief Minister's speech which I wish to tackle. The first is this question of guilt. The entire question of guilt has an interesting context if we look overseas at different countries which have argued that some nation is guilty of offences against them because of something that its forefathers did. This has built up what almost amounts to racial hatred in different countries overseas. There are European countries, especially in the Balkans, where that concept has got totally out of hand. I reject the concept of guilt for what my forefathers did. I do not believe that I or my children are guilty for the failings, the misdemeanours or the sins of my forefathers. I do not believe that that is the reason or the basis for pursuing social justice for Aboriginal people. I pursue social justice for Aboriginal people because it is my duty as it is the duty of every member of this House. You are not guilty of the failings or the sins of your forefathers. However, if you are in a position of power, in a position where you can do something to rectify the problems that arose as a result of the sins of the forefathers and you fail to do so, you will be marked as guilty before future generations - not because of what your forefathers did but because of what you failed to do when you had the power and the ability to do it. We believe that members of this House have a duty - a duty which we will carry out when we get into government - to deal with the problems which Aboriginal people have suffered as a result of the dispossession of their lands, the loss of their culture and the loss of the basis for their being. We will tackle those problems.

That brings us to the second issue raised by the Chief Minister: the issue of compensation. There is a difference in perception between the 2 sides of this House on this issue, as there is on the issue of guilt. Further, there is a difference between the point of view that I am putting and the point of view of a number of Aboriginal people and non-Aboriginal

people around Australia. There are a number of different views on this issue. The member for Arnhem mentioned a number of people who have articulated their views, including Mr Galarrwuy Yunupingu who has his own idea of what the whole matter should be about and what it should encompass. Other people, including Michael Mansell from Tasmania and Bob Weatherall from Queensland, have their own ideas as to what should be on the negotiating table and what they believe should be in the final treaty. That is not my position. My position is as set out in the Northern Territory Labor Party platform. It has nothing whatsoever to do with guilt. In fact, as I said, I reject guilt as the basis for a treaty because I uphold the principle of social justice for all people in the Northern Territory. That is the basis for my views.

The Chief Minister is saying that compensation is a cash pay-out to individuals on the basis of their Aboriginality. That is drawing a very long bow. It is an extremely narrow definition of 'compensation', certainly in terms of the way I see it and how I believe we intend to deliver it in the Northern Territory. Nobody can deny that, since the commencement of colonisation, Aboriginal lands have been lost to Aboriginal people. Presumably, no one will try to deny that. Nobody can deny that those lands were the source of the Aboriginal wealth and culture which has been lost. Surely no one can deny that the result of that dispossession has been the creation of a class of people who, by about every measure - health statistics, poverty, employment and the rest - are either at the bottom or nearly at the bottom of the social table throughout Australia. That has come about as a result of Aboriginal people losing their lands.

The people who have been dispossessed and impoverished by this whole process have been denied social justice. We intend to restore social justice which is the cornerstone. It is the compensation. It includes the provision of water supplies, living areas, adequate shelter, equal access to education, and equal access to jobs which will allow Aboriginal people to have the opportunity to share in the wealth of the Northern Territory on an equal basis with all other Territorians. That is not the situation as it exists in 1990. No one here will try to argue that the broad mass of Aboriginal people share equally in the wealth of the Northern Territory.

We will put programs in place which will address the problems. They will be part of agreements which we will be working out in consultation with Aboriginal people. These will say: 'This is what we are providing. This is what you are expected to achieve'. It would have been an appropriate step if, in 1988, both sides of politics had made a commitment to pursue a national goal set for the year 2001, the true centenary of Australia, that goal being the abolition of those circumstances which place Aboriginal people on the bottom rung of the social ladder. Pursuit of such a goal would involve a well-ordered provision of water supplies, housing, educational programs and so on.

Of course, everything cannot be achieved overnight. The government keeps saying that it would like to fix up all these problems. At the current rate of the development of housing in the Northern Territory, by the year 2001, it will only match the rate of family formation. It will not have dealt with the backlog. When we come into government, we will address these issues and clear up the backlog. It will not be a matter of imposing horrendous taxes on Territorians. Amongst those who have worked for any length of time in the field of Aboriginal affairs, whether it is in Aboriginal organisations in town or in the communities, there are few people who will not tell you that the waste and inefficiency associated with the delivery of services to Aboriginal people is a national scandal.

Members of this government often talk about what they are doing, and the Chief Minister spoke about amounts of money earlier. If he was serious, the housing program which honourable members opposite coordinate with ATSIC, and which they are largely responsible for implementing on the ground, could have involved a rolling budget. Training programs could have been implemented with people possibly making bricks on site, from compressed earth, as they are doing at Amoonguna or, at least, of rammed earth so that the people themselves could be involved in the provision of housing in their communities. At the moment, if you are lucky enough to have 2 or 3 houses built in your community, a group of builders from one of the major urban areas builds them. The economic benefits to the community are basically zilch. This provides the housing, but not the flow-on economic development. It is that flow-on economic development in the Aboriginal communities which is required to generate the economic take-off so that people can share in the wealth of the Northern Territory. That is not being done wherever it is possible.

Mr Finch interjecting.

Mr EDE: That is the old cop-out, Mr Speaker. We have heard from the Minister for Transport and Works, and I have been writing letters to him about the total incompetence with which he is administering his portfolio. Houses are not being built to the specifications and they are not inspected before payouts are made. It is total incompetence, and demonstrates a total disregard for putting quality assets in Aboriginal communities. It is an absolute shame, and the minister will cop some more on that during the course of these sittings.

Mr Speaker, that is what we mean by compensation. Our aim is to ensure that people have equality of opportunity.

Members interjecting.

Mr EDE: The Chief Minister and members opposite ask how this relates to the treaty? Let me tell the Chief Minister something. To begin with, is the Chief Minister aware that he has not read the full paragraph of the platform? Is he aware that Australia is the only former colony of the British Empire, where a group of aboriginal people were living before that country was taken over, that does not have a treaty?

A member: Rubbish.

Mr EDE: It is absolutely true. If the honourable ministers go through all of former colonies, they will find that treaties were struck.

Mr Firmin: Where is the treaty in Kenya?

Mr EDE: The member for Ludmilla does not know his Kenyan history too well if he does not know of the treaties ...

Mr Firmin: My wife was born there. Your wife was not.

Mr EDE: ... there and in Rhodesia, South Africa, Canada, America and New Zealand. That was the whole process. None of those countries applied the theory of terra nullus under international law. That was applied only in Australia and that was why no treaty was involved at that time.

We believe that a treaty, an accord, a compact, a makarrata or whatever can put in place a set of agreements on what Aboriginal people, governments

and the entire society will be doing so that we can redress those wrongs, put all that behind us and move into a situation where there is equality of opportunity and opportunity for all Territorians to share equally in the wealth that we will generate within the Northern Territory. That is what people in the Labor Party aspire to and that is what we will do, following the next election.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, let us be crystal clear about this. Despite all of the hype from ALP members opposite, a treaty and compensation under a treaty are very much on their agenda. I quote from the Australian Labor Party platform on compensation issues in June last year:

> The Northern Territory Labor Party recognises the need for the Australian government to provide appropriate compensation for Aboriginal people who have had their land stolen and who have been alienated from their culture and heritage. The NT ALP, acknowledging the absence of any treaty or agreement with Aboriginal people over compensation for dispossession, supports the call for federal legislation to address this question of compensation.

That has been denied by the previous 2 speakers from the opposition. Obviously, they do not support this party platform of June last year. I think that the left-wing of the Labor Party, which undoubtedly put that into the platform, ought to be very much aware of where those 2 honourable members stand.

The federal member for the Northern Territory, the honourable Warren Snowdon, also supports a treaty and the concept of compensation, and I quote from his maiden speech to the House of Representatives given on 17 September 1987:

> This nation cannot pretend to wear the mantle of maturity until the indigenous rights of Aboriginal Australians are given formal recognition and the demands by Aboriginal and Islander people for compensation for land stolen and for social and cultural disruption are addressed.

Clearly, the member for the Northern Territory supports his platform unlike, I gather, the 2 members opposite who have not been game to support what exists in that platform. They have not been game because they know that it is not a popular platform for the people of the Northern Territory.

I can go further and quote the member for Arnhem. I must say that he was rather contradictory throughout his statement this morning. However, he did say that 'compensation is a matter that the Labor Party is considering'. He said that the Labor Party in the Northern Territory 'is on about compensation, and not only in cash terms'. It is wider than dollars. It is compensation in whatever terms the Labor Party sees fit. Let there be no mistake: compensation is firmly on the agenda of the ALP. The Prime Minister himself has been probably one of the most vocal proponents of a treaty with Aboriginal people. During the election campaign in Alice Springs on 5 March 1990, the Prime Minister said: 'A treaty with Aboriginal people is very much a Labor commitment'. He said that Labor would concentrate on the treaty if re-elected and that he hoped the treaty would be signed during the life of this federal parliament. Do members opposite support their Prime Minister? I wonder about that, given the waffling of the 2 earlier speakers who denied even that it existed in their platform.

The Prime Minister has said many things about the Aboriginal treaty, including making comparisons between it and the Treaty of Waitangi in New Zealand. During a visit to New Zealand in February this year, the Prime Minister said that the Treaty of Waitangi was 'a mark of New Zealand's maturity'. He was reported to have publicly envied the Treaty of Waitangi's consensus approach. He went on to say that the government should put in place an education campaign to convince Australians that they will benefit from a treaty. I stand ready to be educated. Unfortunately, however, the Prime Minister has made no move to educate himself about the Treaty of Waitangi. Despite his platitudes about the Treaty of Waitangi, the Prime Minister has never availed himself of briefings from either the Waitangi Tribunal or the Waitangi Policy Unit, the major players in implementing that treaty.

I was in New Zealand 2 weeks ago for the Local Government Ministers Conference. I took the opportunity to go to Wellington and to sit down with the Waitangi Tribunal and the Waitangi Policy Unit in order to discuss the Waitangi Tribunal in detail - how it operates in New Zealand, where it originated and where it is going. I spent a very informative morning with those people. They have considerable literature and information on how the Waitangi Tribunal works in New Zealand. It became very obvious to me that the Waitangi Tribunal is based on very different precepts to those of any treaty that Australia might consider. One of the people with whom I spent some time during that morning was Buddy Mikaere, the Director of the Waitangi Tribunal. When I asked Buddy what, in his view, a treaty should contain, he said that probably all it should contain is that all men are created equal. That was what he believed it should be based on.

The Waitangi Tribunal was established in 1975 by the Treaty of Waitangi Act to make recommendations on claims. The act was amended by the Treaty of Waitangi Amendment Act of 1985 to enable claims to be made on issues dating back to the day the treaty was signed on 6 February 1840. The tribunal can hear from any Maori who claims that he or she is likely to be prejudicially affected by any ordinance, regulation, order, proclamation or other statutory instrument, by any policy or practice or by any act done or omitted at any time since 1840. Once again, that comes from a very different precept to the one from which the proposed treaty of the Labor Party is coming.

The Treaty of Waitangi gave the right of governance over New Zealand to the Crown. Until that time, New Zealand had been seen as an independent territory. What the treaty did was join 2 independent nations and give birth to the nation of New Zealand. We really need to understand what a treaty is about. The Macquarie Dictionary defines a treaty as 'a formal agreement between 2 or more independent states in reference to peace, alliance, commerce etc'. Clearly, in the case of Australia, such an agreement is superfluous. Australia is already a nation. Already, its indigenous people have access to all facets of Australian life. I was amazed to hear speakers from the opposition say earlier that Australian Aboriginals do not have access to all services and all benefits which are enjoyed by other Australians or other Territorians.

I challenge the member for Arnhem and the member for Arafura, who has not graced the Chamber with his presence since lunchtime but has now returned, to stand up in this Assembly and tell me that they are not part of this nation. If they are not part of this nation, they have no right to sit in this House. Clearly, in doing so, they recognise this nation and they recognise this parliament as the authoritative voice in this part of the nation. Obviously, they cannot stand up and deny that we are already a

nation because already they take part in the democratic procedures of this nation.

The Treaty of Waitangi has not translated itself into an alternative system of government, unlike the treaty being sought by Aboriginal Australians. It is important to look at what is being sought by some Aboriginal Australians, and I say 'some' advisedly. I am not talking about all Aboriginals, but about the power-brokers in the recognised Aboriginal society of today. The Chairman of the Northern Land Council, Galarrwuy Yunupingu, talks about a nation within a nation. He says that the proposed treaty must allow for a separate black judiciary. Where are we heading? The members opposite try to tell us that the treaty will bring Aboriginal and non-Aboriginal people closer together. How they reach that conclusion in the context of talk about a nation and a separate judiciary mystifies me. I am amazed that they can even consider that it would bring us closer together. Of course, it is rubbish and it should be dealt with as rubbish. Mr Yunupingu went on to say that a formal admission of guilt by white Australia must be included in the treaty. He said: 'Admit it. Admit this country was stolen by the cruel white man's law. There is no embarrassment about it'.

The member for Arnhem talked about consultation on the treaty. Whom does he believe should be consulted? He certainly does not believe that the Northern Territory should be consulted because he told us this morning that we should not be talking about the issue at all. He said: 'Don't get confused in issues affecting the states'. The treaty affects us all. It affects all Australians. It affects all Territorians. If a matter which affects all Territorians is not a matter for the Northern Territory government or the Northern Territory parliament to discuss, what is? A treaty is a matter for all of us. If it is to be imposed on us, we should all have input to it. If it is to be imposed so as to divide us, we should all put every effort into taking part in the debate and should know clearly what it is that we are talking about, unlike the Prime Minister who did not avail himself of any briefings on the Treaty of Waitangi. If he had done so, he would know that the circumstances of its birth were very different to any which apply in Australia.

In 1788, who would have been the party to a treaty with the British? Would the treaty have been with the people of Sydney Cove, the people of Tasmania or the people of the west coast? How could such a treaty have applied to Australia in its entirety? There was no sovereign nation in Australia in 1788. We would have hundreds of separate treaties with the separate Aboriginal nations that existed, if indeed the separate Aboriginal tribes which existed around this country could be called nations. Any concept of Aboriginal nationhood has come about in very recent times. There is no way that a treaty could have been written in 1788 with the Aboriginal nation because there was no such nation. There were Aboriginal people in this country and Aboriginal people are in this country still, but they are a part of this nation. To form a treaty with ourselves is obviously ridiculous.

Perhaps the member for Arnhem and other members opposite agree with the official publication of the Northern and Central Land Councils. In its February edition, the Land Rights News said: 'The Prime Minister, Bob Hawke, has promised a treaty. Aboriginal and Islander people must control any talks about what the treaty should say'. An agreement is made between 2 parties and is talked about by both parties. Nevertheless, we are told that we should have no part in it, that it is something for Aboriginal people only to talk about. Again, that is clearly nonsense. It is

absolutely ridiculous to consider that we could have an agreement between white Australia and black Australia that had been talked about by 1 party only. Clearly, that a ridiculous idea.

I have taken the opportunity, as I am sure few members opposite have done, to obtain considerable information in relation to the Treaty of Waitangi. I have followed the debate closely and I know what I am talking about. Whilst I suspect that some members opposite do not believe what they are saying, they should know something about what this proposal really means for Australia. They are not prepared to admit it because their sole agenda at present is to spread a misconception in the Aboriginal community about what currently exists in this country - a misconception about the good work and effort which this government puts into looking after the affairs of Aboriginal people. Mr Speaker, we do that well. We do it better than anyone.

Mr Ede: What about Elliott?

Mr McCARTHY: Mr Speaker, I do not have a great deal of time left. I could talk about Elliott all day if members opposite wanted me to. The member for Arafura, the shadow spokesman on local government, does not know what is occurring at Elliott. I have heard him quoted and I heard him speak. He does not know the difference between Gurungu, the so-called Aboriginal council, and the Elliott Community Government Council. He compared the Borroloola Community Government Council with the Gurungu Council. They do not equate. He is the shadow spokesman on local government. He does not believe that the local government body in Elliott is capable of doing the job. He should be ashamed. He should be totally ashamed of his effort in that debate. He was given some information and he did not know what he was talking about.

Mr Tipiloura: Support the Aboriginal people in the community there.

Mr McCARTHY: Mr Speaker, I will conclude by quoting from Mr Yunupingu again. The Institute of Public Affairs Journal reports him as saying: 'If Australia is ready to talk about a treaty or an agreement, it has to also be ready to talk on our terms and to understand that we need to talk about it in our own way'. Mr Speaker, I have no problem with Aboriginal people talking about this issue and I look forward to hearing the member for Arafura talking about it. However, he has to expect that the rest of Australia will be very interested in what he says.

Mr BELL (MacDonnell): Mr Speaker, the Chief Minister's statement and the comments made so far by government members in this debate indicate the desperate pass to which this government has come. I will not expatiate on that subject because the Deputy Leader of the Opposition has already done so. However, I will pick up a couple of comments made by the member for Victoria River.

I really wonder how his constituents at Daly River and Port Keats will react to his expansive claim, from the fastness of his family domicile in Batchelor, that Aborigines have access to all the benefits of the Australian way of life. I have visited the Daly River Mission. I have visited various parts of the honourable member's electorate, as well as visiting the central Australian Aboriginal communities in my own electorate. I know that people in those places would not consider themselves as having access to all the benefits of Australian life. The sheer arrogance demonstrated by the member for Victoria River is appalling. That would be bad enough but there is worse, and that is his sheer ignorance. We heard his carping criticisms of

the member for Arafura who was not immediately aware of some of the distinctions between forms of local government when he visited Elliott.

Mr McCarthy: There is only 1 form of local government in the Northern Territory and that is under our act.

Mr BELL: The honourable minister interjects that it is 'under our act'. He has an army of public servants to advise him on those things and that is terrific. The whole problem with this debate and this statement is that this government wants to say that everything it does is terrific and everything that the federal government does is evil. As I have said on previous occasions, the truth is many shades of grey. The Territory electorate has already woken up and it is about time this government woke up.

Let us look at this word 'nation'. The word 'nation' comes from the Latin word 'natus' meaning 'having been born'. There is a Latin word 'natio' which means the 'place of being born'. I am passionate about having been born in Australia. I have the privilege to represent in this Assembly people who are passionate about having been born in the Petermann Ranges. They feel themselves to be part of the Pitjantjatjara nation. The member for Stuart has referred to the mighty Walpiri nation in the context of debates like this. I believe the fatuous comments attacking the idea of the variabilities of nationhood made by the member for Victoria River not only do him no credit and will find no favour with his constituents in Victoria River, but are selling the Territory and this country short. If this parliament has one obligation, it is an obligation to draw together those aspirations.

The fact is that the treaty concept is possible on those terms. Certainly, if you get hung up on a particular idea of nationhood or a particular idea of your identity as an Australian, you may have problems. I believe that we need to be as expansive as countries like the United States, Canada and New Zealand have been. The Chief Minister referred to the Treaty of Waitangi. The member for Victoria River gave an explanation of his research into that treaty and said that problems have been created by it. I have no intention of involving myself in debate about particular aspects of such treaties. However, I have no doubt that the making of treaties is an appropriate way for colonisers to behave. There may be treaties that are more or less just ...

Mr Collins interjecting.

Mr BELL: I pick up the interjection from the member for Sadadeen so that he may be informed about this. I am not a coloniser either. I use the word 'colonisation' in an unemotive sense. In the last 200 years, this country has been colonised in the same way as the Italian peninsula was colonised by the Greeks in the second or third century BC. I have exactly the same feeling about that process of colonisation as I do about the colonisation of this country. I have absolute bipartisanship with the government on the issue of guilt, but I do not see, in answer to the honourable member's interjection, that there is a problem with the use of the term 'colonisation'. It simply describes an historical process. A process of colonisation may be more or less just and it may have constructive and destructive effects for the colonised. I do not believe there is anybody in this House who would disagree, least of all the constituents of the member for Victoria River, that many of the effects of that colonisation in Australia have been destructive. In fact, one of the arrogances of this statement was for the Chief Minister to contend that the only benefits from that process of colonisation that have derived have done

so because of self-government in the Northern Territory. If we look at these things in an historical context, as I have attempted to do, we realise the idiocy of that particular idea.

Let me turn now to the question of compensation. Goodness me, I thought the Chief Minister's statement was bad enough, but the member for Victoria River became decidedly worked up about compensation. I think he decided that is was un-Australian. If he had another go, probably he would tell us that it is un-Christian as well. I really wonder what his constituents at Port Keats would say if we took the logical extension of his argument and said that there should be no special benefits, no special programs and no attempts to find a place for Aboriginal people in modern Australia ...

Mr McCarthy: That is ridiculous. You are drawing a long bow.

Mr BELL: The member for Victoria River tells me that I am drawing a long bow. Let us just look at this concept of compensation that he rejected so trenchantly. Compensation means to provide a benefit to somebody in return for some loss. That is what compensation means. I will refrain from the temptation to go into etymology. It is unnecessary in this case because everybody accepts that definition. Compensation means to provide a benefit to a group of people for something that they have lost. I do not think that even a government member will interject and suggest that Aboriginal people, the Aboriginal nations, have not lost a great deal in this country. I do not hear a word of interjection.

Mr Collins: Is that singular or plural?

Mr BELL: For the benefit of the member for Sadadeen, I used the term 'Aboriginal nations'. The Aboriginal nations have lost a great deal. However, the mistake that the Chief Minister and subsequent speakers made was to suggest that compensation was something envisaged only in Labor Party policy. The fact is that, particularly but not only, in the last 2 decades, a great deal of effort has gone into that process of compensation. Not all of it has been successful. Not all of it has been necessarily just, but certainly an attempt has been made by the governments of this country, and not only by the Northern Territory government despite what the Chief Minister tried to tell us, to provide such compensation.

The basic tenet that will apply to the next Labor government in the Northern Territory will be that that process of compensation will look at the past and at the present, and at what might be possible in the future. Let me give an example that will strike home with the member for Victoria River. He talks often about community government. Let me say that I believe that many of the efforts made by the honourable minister's department in that regard have been positive. It has taken a very constructive attitude to community development. However, when his party is no longer the government in the Northern Territory, a Labor government will continue that process. We will not become involved in the sort of vituperative name calling that we heard from the member today or the sort of hairsplitting comments about one form of incorporation versus another that my colleague was aware of.

Mr McCarthy interjecting.

Mr BELL: At least the honourable minister has the good grace to be embarrassed about his hairsplitting comments.

Mr McCarthy: Rubbish!

Mr BELL: As I say, the approach of the next Labor government in the Northern Territory will be a much more constructive one than has been evidenced in this debate.

There are a couple of other points that I would like to make. The first is a comparison with the ATSIC debate. Last year, the government tried to tell us that the introduction of the Aboriginal and Torres Strait Islander Commission would see the end of civilisation as we knew it. I do not think we are likely to hear complaints of that sort again from the government. I become a little sick and tired of these people playing politics with arrangements in Aboriginal affairs. The fact is that the needs are so acute that they do not need to have those sort of games played. I remind the Chief Minister that this debate is about as relevant as were the government's complaints about ATSIC last year. If the Chief Minister or any of his colleagues want to analyse Labor Party policy to the extent that they have, I appreciate the interest that they take. I am sure that the interest that they take in Labor Party policy will increase in future months as interest in Labor Party policy will increase throughout the Territory electorate because Labor will win the next election.

Another comment that I want to make is in relation to the benefits that have been made available to Aboriginal people - the compensatory arrangements, such as the Aboriginal Land Rights Act. A compensatory arrangement in these terms is a form of compensation and there is no doubt about that. The minister has said to us on various occasions that he supports the Aboriginal Land Rights Act. I really wonder if, in 1976, Malcolm Fraser had said that the Northern Territory legislature could have responsibility for the Aboriginal Land Rights Act, what the future would have been for the benefit of those honourable members on the government benches. They may not be aware that a decision taken by the Fraser government in 1976 was to have complementary legislation in the form of the Aboriginal Sacred Sites Act in the Northern Territory. We have seen what this government has done to that act. I wonder what the fate of the Aboriginal Land Rights Act would have been if it had been handed over to this government. I wonder what arrangements would have been made by companies like CRA in the Petermann Ranges. Would they be solicitous about the concerns of traditional owners? No. I will tell you what would have happened, Mr Speaker. By now, those companies would have been able to march into the Petermann Ranges on the basis of the minister signing a letter in his office in Darwin.

Territorians accept the basic justice of consulting Aboriginal owners. It is really only in the last 2 or 3 years that this government has come to accept the justice of that arrangement, and it still has a fair way to go. This statement indicates clearly that this government and this Chief Minister have learnt nothing. The more they try to score cheap political points on the basis of questions of policy of this sort, the sooner they will be sent into the wilderness.

Mr Speaker, I am not opposed to the concept of a treaty. That is point 1. Secondly, I am not opposed to a continuing process of compensation.

Mr Coulter: For land that was stolen.

Mr BELL: The Minister for Mines and Energy interjects 'for land that was stolen'. I am delighted that the honourable minister feels the urge to interject in such emotive terms. I do not think of it in terms of land stolen ...

Mr Coulter: Well, your party does.

Members interjecting.

Mr BELL: Could I have an extension of time?

Members interjecting.

Mr BELL: I would like to examine the meaning of the word 'stolen' and its relationship to the word 'colonised', but obviously the government will not give me the time to do that. The fact is that this statement is a very sad attempt to rescue a sick, dying government.

Mr MANZIE (Lands and Housing): Mr Speaker, so far, we have witnessed an absolutely unbelievable performance from the members opposite in relation to the Chief Minister's statement. We are talking about a proposal to undertake a treaty arrangement with a group of Aboriginal people - and we are not sure with whom, how or when - and about compensation for land stolen. It is a pretty simple concept, and it is one that the Northern Territory Branch of the Australian Labor Party endorses 100%. It should be made quite plain that the platform of the ALP in the Northern Territory, as amended in June 1989, states very clearly:

> The Northern Territory Labor Party recognises the need for the Australian government to provide appropriate compensation for Aboriginal people who have had their land stolen and who have been alienated from their culture and heritage. The Northern Territory Australian Labor Party, acknowledging the absence of any treaty or agreement with Aboriginal people over compensation for dispossession, supports the call for federal legislation to address this question of compensation.

It is very clearly stated. The platform of the Northern Territory Branch of the Australian Labor Party spells out the commitment of that party to the process of a treaty and the payment of compensation for land stolen. It is unequivocal.

What I find amazing is that no speaker opposite, who is a member of the Northern Territory Branch of the Australian Labor Party, has been honest enough to stand up in this House for what his party believes in. I find that astounding. This policy document is the basis of how they intend to operate, and the demonstration of how honest they are is their total lack of commitment to that party platform. Let us have a look at what the member for Arnhem said.

Mr Bailey: What does it say in yours, Daryl?

Mr MANZIE: In answer to that interjection from the member for Wanguri, I can say that there is no commitment to a treaty in the CLP party platform, nor is there any commitment to the payment of compensation for land stolen. I make that quite clear. I am proud of my party's platform and I do not hesitate to tell the community unequivocally what is in it. We do it all the time in this House, and we do not find members of the government pretending that what is in their party platform does not exist. What a wimpish performance! Members opposite lack the intestinal fortitude to stand up for what they believe in. Why? What is the hidden agenda? It is pretty frightening. If they do not have the guts to say what they stand for when they are in opposition, what in the world will they be like if the

remote possibility of their coming to power ever occurred? The community must step back and have a good hard look at that sort of performance.

The member for Arnhem started by claiming that this is a leftover from the federal campaign and that we are out to kick Aboriginal people because there are no votes left in the rural area. It is a fact that, on the agenda for the Australian community, there is a proposal to come to terms with a group of Aboriginal people right throughout the country in terms of a treaty and payment of compensation for land stolen. That is part of the ALP's platform. Either the member for Arnhem does not know what was in his party's platform or he is pretending that it is not there so that he will not alarm the greater constituency of the Northern Territory or possibly of Australia. It is unbelievable.

He went on to talk about pursuing social justice and how the ALP will consult with Aboriginal people. It does not say that in the document. It states quite clearly what their position is. I have philosophical differences with that position, as many people in the community would have. However, that is not the point that I am making. They are pretending that it does not exist and that they really do not believe in that. Talk about dishonest! It is a fine example to the rest of the community. I wonder what people in the gallery and the rest of the community think about members opposite not having the strength to stand up for what they believe in. What an example!

The member for Arnhem said that compensation would not be made only in cash terms if it occurred. He said that it would be concerned with raising standards and redistributing wealth. He went crook at the Chief Minister for inferring that a special tax could be raised. Then, he went on to say that, in the end, we might have to ask the taxpayers to pay for the compensation. That is what he said. The community should know that. There is no money tree in the Northern Territory. The taxpayer will have to pay. The member for Arnhem said quite clearly, in the end, that the taxpayers will have to pay for the funding of compensation. Do not forget that we are already providing 80% more per capita for the provision of services to Aboriginals in the Territory than we are for other members of the community. We do not have a problem with that. Almost twice as much per head is spent by the Territory government on Aboriginal people.

How much more does the member for Arnhem think is appropriate to compensate them? Should it be 3 or 4 times as much as is spent on the rest of the community? Should it be $300m, $400m, $500m or $1000m a year? The community has to know. It is a question that needs to be answered. The cost to Territory taxpayers has to be quantified. I ask the next speaker of the opposition to state unequivocally how it is intended to raise the funds to pay the compensation that is clearly outlined as part and parcel of the ALP platform. Do members opposite support the member for Arnhem when he says that, in the end, Northern Territory taxpayers will have to pay for it? If they do not support him, let them chastise him publicly for making a mistake, and then explain where the funding will come from. In passing, it was interesting to note that both the member for Arnhem and the member for MacDonnell stated, in wishy-washy terms, that they would remove the Aboriginal sacred sites legislation. I am sure that that will be something they will trumpet loud and clear. That is fine as long as the community is aware of it. The community should be aware that they want to go back to the days of division and confrontation in relation to sacred sites.

The member for Stuart spoke about his philosophical approach to compensation. He is a wimp. He did not say: 'This is what we believe in.

This is what our party stands for. This is what our platform says'. He was wishy-washy: 'Maybe we will have some consultation. We might do this. We will talk about it. It is a matter that needs discussing'. It is past discussion for the ALP: it is part of its platform. How will it be funded? He said that there is waste in Aboriginal affairs funding and that that is a national scandal. He will take it out of that. When, last year, Senator Tambling brought that national scandal to the Australian community's attention, did the member for Stuart say that it was a national scandal? He was one of the loudest screamers. He was like a stuck pig: 'Unfair! Lies!' Now he is saying that that is where the money will come from. It is unbelievable, isn't it?

Just 2 weeks ago, members opposite were running around telling Aboriginal people not to vote for the Coalition because they would cut expenditure. He is now saying that, if they have to pay for compensation, they will cut the expenditure because it is wasteful and a national scandal. We know the sort of things that will happen: close down Batchelor College, close down Batchelor radio and take funding from housing, water drilling, roads and perhaps health. Those are all the areas that I am sure the member for Stuart realises constitute a national scandal in terms of over-expenditure. That is fine, but let him tell the community what he intends to do. He cannot sit on the fence and jump backwards and forwards on a weekly or monthly basis.

He spoke about a disaster with housing. I do not know how that comes into the compensation area. He is the old mud-brick man, isn't he? The straw house or the mud house. Aboriginal people do not want mud houses. The community councils everywhere in the Territory, including those in the member for Stuart's area - Amoonguna, Docker River, Kintore - are all making their own choices. They are letting their contracts and deciding on the designs. The Aboriginal people are deciding which designs they want. They are deciding who will build their houses. They are calling tenders, not the government, but that does not suit the member for Stuart. They are becoming a bit flash for him. He says they should be getting into mud bricks. It was a disgraceful performance. What a wimp! If he believes in self-determination, the communities should get what they want, not what he thinks they should get.

The member for MacDonnell gave another great performance. He went crook at the member for Victoria River and said that he had the effrontery to say that Aboriginal people had access to all the benefits of Australian life. Aboriginal people do have access to all the benefits of Australian life. People in rural areas do not have access to the same benefits that people have in city areas, and that is pretty obvious. However, people in rural areas, whether they are black, white or brindle, have access to housing, to schools, to health services and to the media except in respect of telephones. The Territory government is taking the federal government to court because of its absolutely pathetic performance in providing telephone services to Aboriginal communities. It is not treating Aborigines equally. We are the ones who have to take the federal instrumentality to court. That is a disgrace. However, to say that those people do not have equal access because they are Aboriginals is ridiculous. That is one of the points that has to be made strongly. Aboriginal people are equal under the law. They have the same rights as do other Australians and the same protections. There is no discrimination because of a person's colour or race. The law is clear about that and there are penalties for people who contravene the law in that regard, and rightfully so.

A treaty will not make the life of people better or be a magic panacea. A treaty will divide this nation. He said that a treaty is possible. It is important that we understand what the treaty means, and that has been spoken about by some members during this debate. The Chairman of the Northern Land Council is very clear about what he sees a treaty doing. He sees it first of all as establishing a separate judicial system for Aboriginal people. I certainly do not hold with that. I think that that sort of suggestion is one that we all must ensure never happens. We live in one country and we must all be equal before the law. Our race or the colour of our skin must not determine the way we are treated in terms of the law.

The editorial in the NT News of 23 March 1990 made a very good point. In talking about the proposed treaty, it said:

> The demarcation lines between Labor and the Coalition are very clear on this issue. Labor supports the treaty while the Coalition opposes it. Starting from that departure point, it is up to both sides to explain their positions so voters are clear about what is proposed and why. In the meantime, there is no need to be too shy about debating publicly and without false accusations of racism the merits or otherwise of the treaty. Not only is it a matter of very clear public interest, but it is also a matter that will help shape our future.

I do not think that anyone in this Chamber should disagree with that point of view. It is important that the matter be debated although the member for Arnhem said that it is not a matter we should be discussing in here. Is it ALP policy that these matters should not be discussed in the Territory parliament? If it is, that is fine. If it is not, I think the Leader of the Opposition has to censure the member for Arnhem for suggesting that it is a matter that is foreign to this House. We should not be shy about debating it. We should be open about it. The ALP should be open about what its party platform says. It should not try to hide behind mumbles about housing, access to benefits and everything else except the treaty. It needs to be put very clearly. Members of the public need to understand that they have a clear choice in this area. The CLP is very clear about where it stands. The ALP has to ensure that the community knows where it stands and how much it will cost to follow its policies.

Members of the opposition have an opportunity to start today. They are fast running out of speakers, but let us see if any one of them has any intestinal fortitude and can come up with something that makes some sense instead of the waffle they have been giving us. Of course, a couple of weeks earlier, the Chairman of the Northern Land Council said that there would be a treaty. He was quoted in a front page article as saying that they did not want any compensation under the treaty. The election came and went, and suddenly he was up there with all lights flashing. It is pretty honest stuff.

What about the views of the community? We have to take notice of them. A number of letters have been written to newspapers throughout the Territory, and it is probably relevant to quote from a few of them. A letter published on 16 April said: 'On being counted and standing up, I am an Australian and proud to be one. I am one who feels no guilt or shame at what my family, past or present, has done in the development of Australia for Australians. Australians we are, black, white, yellow, grey, whatever colour or ethnic origin. I ask for one law, one people, with the same basic rights for all, and extra for personal effort'. That is pretty plain stuff, and I believe that we should all be fighting for equality before the law and

for equality in every area of endeavour, regardless of our race. When we start pigeon-holing people and saying that special provision will be made for them because of their colour or race, we all have to take care. Once we move away from equality for all, we are walking on really dangerous ground.

Another letter headed, 'United regardless of colour', appeared in the NT News of 19 April. It concluded: 'There is hope only for one united Australia where all the people share the same responsibilities, rights and benefits, regardless of colour, to call themselves Australian proudly'.

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

Mr TIPILOURA (Arafura): Mr Deputy Speaker, I will not take too much of the time of the House. However, I want to say a few things about the treaty and compensation. From his statement, it was not clear to me whether the Chief Minister was talking about the treaty, compensation or our policy. These 3 matters need to be clarified.

Firstly, in relation to providing services to Aboriginal people in the Territory, the ALP has pursued a policy of social justice. Rather than being negative about it, we are looking at the problem instead of simply making comments and doing things that the people do not want done as is happening in the communities. A couple of years ago, Bob Hawke promised a treaty with the Aboriginal people. It is almost 2 years since he made that statement and I am wondering whether he will keep his word because nothing has happened since that time. I think it was just words. I believe the Chairman of the Northern Land Council raised the matter last week in order to wake people up and remind the Prime Minister and perhaps this government that the Aboriginal people are sick and tired of empty promises. It is about time that this government took notice of what is said by people like the Chairman of the Northern Land Council. Time and time again, many things have been promised to the Aboriginal people, but nothing has been delivered.

A couple of weeks ago, I visited the Elliott community and saw people living in car bodies and tin sheds. I was raised in a big tin shed, and that is sad. We are in the 1990s now, yet people are living in these conditions in Elliott. It makes me sick. It is 10 years now since self-government, and nothing has changed there. That community is suffering. The federal government has ignored those people as well. Three groups of people are living there and that state of affairs has existed for far too long. Elliott is not the only community that is suffering. At Kintore and other places, people are still living in tin sheds. They dig for water in the dirt. They have no proper facilities. When government members talk about a treaty and compensation and so on, I think they should look in their own backyard and see the problems there. Let us solve our own problems first, instead of worrying about the older nations.

Mr Setter: That is right. How will a treaty help?

Mr TIPILOURA: A treaty will help a great deal. It will make people take notice. There are people in the communities who need help. As I said, it is 2 years since the Prime Minister made that statement, and nothing has happened.

Mr Setter: Exactly.

Mr TIPILOURA: All right, and all members of the Territory government do is criticise. They criticise people like the Chairman of the Northern Land Council who has tried to speak up for and on behalf of his own people and

put across the message that those people need help. He has a reason for doing that, and he is not the only one. People like Michael Mansell see their people struggling in communities in their states, because they receive nothing from their governments. They are treated as our people are treated by this government. It is the same. All they receive is promises and nothing more.

Mr McCarthy: I suggest you have a look at a good Labor state like Western Australia and see how far ahead Aboriginals are getting.

Mr TIPILOURA: It is about time ...

Mr McCarthy: Go and have a look, Stan.

Mr SPEAKER: Order!

Mr TIPILOURA: ... that this government looked at the situation very seriously instead of merely talking and making election promises. During the campaign for the last federal election, the CLP used this statement in an effort to have Helen Galton elected. It did not work. In Australia, in the Territory, racism will not work. Nowadays, people are more open-minded and they know what is happening on a day-to-day basis. Nevertheless, in places like Elliott, people are still struggling and we are here talking about a treaty and everything else. That is all we can do in this House. It is garbage.

It is about time that we started to be serious about this matter. Let us talk together instead of criticising each other. People in the community are more open-minded. They know what is happening. Even the Aboriginal people know. They have television and they have transistor radios and they know what is going on, but they are sick and tired of hearing the same thing all the time. All we can do in this House is argue against each other while they continue to suffer. That is all we can do.

However, as I said, this treaty business is all garbage to me. It will never happen. The people in the communities will still be suffering in 100 years time because we will still be in here debating the situation among ourselves and fighting with each other. Nobody is trying to fix the problem. It is 10 years since the Territory gained self-government yet look at the living conditions of those people; they are still living in tin shacks.

Mr McCarthy: It was under the control of the Commonwealth.

Mr TIPILOURA: And what has the Northern Territory government done about it? It is happening in our own backyard. The government has done nothing at all.

Mr McCarthy: We have included them in TCHIP.

Mr TIPILOURA: Recently, they tried to obtain funds in order to provide jobs for their people and build their own houses. What did the Northern Territory government do? It blocked their funds.

Mr McCarthy: That is not true, Stan. You do not understand the situation.

Mr TIPILOURA: That is what it did. The people at Elliott want to do their own things. They want to do all these things on a day-to-day basis.

They cannot do that because they cannot obtain access to funds. The funds are not available to them at all.

Mr McCarthy: That is not true. You do not understand the situation.

Mr TIPILOURA: You go down and you spend 5 minutes there, but I know what it is like. I grew up in a tin shed. That was 10 or 20 years ago, but it is no good seeing people still living like that. It is awful.

Mr McCarthy: You should avail yourself of the history, Stan.

Mr TIPILOURA: Let us forget about the history. Why don't we fix up the problem now instead of simply talking about it? It is 10 years since self-government. How many years is it since the federal government has been around? Nothing has happened. The people are still living in ...

Mr Palmer: Since 1901.

Mr TIPILOURA: Have you been down there?

Mr Palmer: You should have seen it in 1978, Stan. You should have seen it in 1970.

Mr TIPILOURA: Have you seen how the people live down there?

Mr Palmer: It is much better now than it was then, mate. It is not good, but it is much better now.

Mr Coulter: Who is going to pay for it? How are we going to fix it up?

Mr TIPILOURA: Who is going to pay for it? What is this government doing?

Mr Coulter: The government is buying new houses for them.

Mr TIPILOURA: Nothing at all.

Mr McCarthy: You know that is not true.

Mr TIPILOURA: Likewise with the federal government.

Mr Deputy Speaker, the Chief Minister spoke about 3 things in his statement. The first 2 were the treaty and compensation. The dictionary says that 'to compensate' means 'to make up for, make amends for, make equal return to' etc. It does not necessarily mean money. When you talk about compensation, you do not necessarily mean money.

Mr Palmer: What else would you put in a trust fund?

Mr TIPILOURA: You talk about money all the damn time.

Mr Deputy Speaker, the Chief Minister spoke also about guilt. Whilst we cannot turn the clock back by 200 years, there are still problems in the community which need to be solved. If we do not do something about them, nobody else will. I think that we need to get our act together and start doing positive things, and being positive about ourselves.

There are Aboriginal people around Australia, including representatives of the NLC and other organisations like that, who are talking about treaties

and so forth. I do not think that a treaty will come about; it is just a word which people want to use. Nobody is fair dinkum about it. I do not think that it will happen. That is a fact. We will have to live with what has happened, whether we like it or not.

Mr McCarthy: What do you think?

Mr TIPILOURA: What do I think?

Mr McCarthy: Yes. Should there be a treaty or not?

Mr TIPILOURA: I think there should be a treaty. It would help to motivate people to work and to have more understanding of today's way of life. It is like land rights. When we did not have land rights, we had nothing.

Mr McCarthy: Land rights certainly did not motivate people to work.

Mr TIPILOURA: People who have their land back are starting to work on that land. That is what land rights have done for people. Before they had land rights, they were struggling. I believe that 100 years or so will pass before we can obtain a treaty. I think that we should have a treaty just as the New Zealand Maoris have a treaty. I know that it has not solved their problems, but we have to do something. Members opposite say that we do not need a treaty. It is 200 years since Europeans came here and we are still living in squalor. What do we do?

Mr McCarthy: We spend 80% more per capita in the Territory on Aboriginal people than on non-Aboriginal people.

Mr TIPILOURA: I do not think so.

Mr McCarthy: It is true, whether you like it or not.

Mr Coulter: What happened about excisions and living areas, mate?

Mr TIPILOURA: We are not talking about Canberra. What about our people in the Territory? What has this government done?

Mr McCarthy: Look at what we do in relation to Aboriginal affairs as compared with what the Commonwealth does. It is better by two-thirds.

Mr TIPILOURA: Mr Deputy Speaker, the Labor Party's beliefs are spelt out in its policy, which I support. The Chief Minister proposes that compensation means direct cash pay-outs to individuals. That is what he said in his statement. He thinks that money is everything. His statement said nothing about creating jobs and things like that. All he did was criticise our policy and the idea of compensation in terms of money. He asked where the money would come from if compensation were to be paid. But what has he done in his statement? What answers has he given? None. All he has done is make more problems for everybody.

Mr McCarthy: He has tried to find out what the Labor Party platform means in relation to the treaty proposal.

Mr TIPILOURA: It is set out in the Labor Party policy.

Mr McCarthy: Nobody knows what you really mean by what you have in there. You say you support it.

Mr Smith: Don't be patronising.

Mr McCarthy interjecting.

Mr SPEAKER: Order! The honourable member will be heard in silence. The Leader of the Opposition and the Minister for Labour, Administrative Services and Local Government are both on very dangerous ground.

Mr TIPILOURA: The Northern Territory Labor Party recognises the need for the Australian government to provide appropriate compensation for Aboriginal people who have had their land stolen. It is stated clearly. If the members opposite cannot understand that, there must be something wrong with them. Compensation does not necessarily mean money. It means the creation of jobs, health services and so on. The policy clearly refers to 'appropriate compensation' and if members opposite cannot understand that, there must be something wrong with them. It refers to appropriate compensation for Aboriginal people whose land has been stolen from them. We will help those people by providing good jobs for them, trying to provide funds for them and providing better housing and water services. That is all there is to it. We are not worried necessarily about giving them money.

Mr Coulter: That is money. How else do you get it? The cargo cult mentality finished a long time ago.

Mr TIPILOURA: Yes, but the Chief Minister is talking about giving out money.

Mr Coulter: Did you see it 200 years ago?

Mr TIPILOURA: He did not say anything in his statement about creating jobs or anything like that. That is all I want to say, Mr Speaker

Mr HATTON (Health and Community Services): Mr Speaker, in the general thrust of debate, the member for Arafura probably provided the most honest viewpoint among the members opposite. He made the fundamental and important point that he does not believe Mr Hawke will keep his promise about a treaty. He will waffle on about it for a while, but he will not deliver.

The member for Arafura pointed out that the real need in Aboriginal communities is for something which I would call access and equity. It applies to housing, health, education, jobs and a future for Aboriginal people and their children. Nobody in this House would really deny that. I certainly will not. In fact, I fully support that view. There are real needs in terms of access to the type of physical and social facilities which the community should have. I believe that we should work towards ensuring that there is adequate protection and reinforcement of the language, culture and law of Aboriginal people as an important part of the Northern Territory. That is also a policy of the Country Liberal Party and such a policy will continue to apply. We do not deny that. We might be arguing about how we achieve that objective, but there is no dispute that it is the objective.

I have actively addressed those issues in other forums. The member for Arnhem referred to some of my discussions in bush communities. These have even included the possibility of entrenchment in a proposed Northern Territory constitution of protection of Aboriginal law, Aboriginal traditions and possibly land rights. These are matters for the community to debate. None of us denies their importance. I certainly do not. Anybody who does so is either ignorant or lying.

The fact is that conditions are abysmal in quite a number of Aboriginal communities. There is no question about that. The issue is not whether there are problems, but whether anything is being done about them. I argue quite strongly that we are making an effort to address those problems. It is true that it does not always work, but we are trying. We are trying to consult with Aboriginal people. We are trying to work on processes of self-determination and the involvement of Aboriginal people in issues concerning their health, education, housing, community access to facilities and services, job opportunities, and a future for their communities. We are working on that.

In his statement, the Chief Minister made the point that, on a per capita basis, since self-government, Territory government funding to Aboriginal people has been 83% higher than funding to non-Aboriginal people. That is an indication of effort. We could put in more effort if we had more money. It is always a question of finding more money to do more things. If the money is not there, it cannot be done. You put as much as you can reasonably put into doing the job, and that 83% higher funding is a good effort. It is dishonest to deny that.

Let us be clear about this issue of a treaty. Why is it being debated? As it always does when any matter concerning Aboriginal people arises, the opposition immediately attempts to paint the Northern Territory government as racist or claims that the government is trying to beat up a racist campaign or to play politics. The opposition has attempted to confuse the argument. Members opposite talk about our splitting hairs but, Mr Speaker, try to comprehend the hair-splitting gobbledegook that we heard from them in relation to compensation. It was amazing. I do not think anybody in his right mind could possibly believe that load of garbage.

But let us look at why the issue is being raised now. After all, it was Prime Minister Hawke who raised the question of a treaty - or accord, as he termed it - at Barunga in 1988. At an Australian Aboriginal Affairs Council meeting - that is, a meeting of the federal, state and territory ministers responsible for Aboriginal affairs - which was held in Perth from 14 to 16 February 1990, it was noted that, recently, the Prime Minister had reaffirmed the Commonwealth's support for the treaty concept at the Treaty of Waitangi celebrations in New Zealand. Mr Hand, then the Minister for Aboriginal Affairs, stated that the difficulty in progressing the matter thus far had been the lack of a suitable consultation process. He added that the elected ATSIC commissioners would be asked to facilitate the consultation process and that funding would be available for an immediate start. Thus, it is on the agenda and ATSIC will be used as the vehicle and will be funded immediately to move into the process of negotiation for a treaty. He indicated that the Prime Minister had identified the treaty as a priority issue following the federal election. That occurred a month before the election. The Minister for Aboriginal Affairs said that the Prime Minister identified it as a priority issue immediately after the federal election. Is it any wonder that it was raised in the election campaign?

Mr Rann from South Australia proposed that the Chief Judge, Edward Dury, Chairman of the Waitangi Tribunal and Chairman of the Maori Lands Court, be invited to address the AAAC on the Treaty of Waitangi and related issues. A resolution was passed accordingly. Clearly, the issues associated with the Treaty of Waitangi are on the agenda. The nature of the treaty is on the national agenda. Mr Zammit from New South Wales proposed that the Commonwealth and New South Wales exchange legal opinions so that debate could ensue on the legal and constitutional implications of a treaty. He made the succinct comment that, when you seek to change the status of a

country from one that was colonised to one that was conquered, you are asking for trouble. Mr Zammit had made the same proposals at the special meeting of the AAAC on deaths in custody in February 1989. Again, Mr Hand avoided the question of an exchange of legal opinions, calling instead for a mature discussion over the next 3 years.

There was a general consensus that repeated mention of the treaty served only to heighten expectations that were not being met and that might not be able to be met and that the Commonwealth should be making a definitive statement rather than leaving things up in the air. Since 1987-88, we have been asking what it means by a treaty and by compensation. We have asked the Commonwealth to put its cards on the table and be honest with the community. We want to know what it is talking about so that we can assess what the implications are for the people of the Northern Territory and for the people of Australia generally. That is not an unreasonable request.

Some of us believe that a treaty process will act to divide the community, not unite it. We honestly hold that view. We have a right to debate that, we have a right to have that brought out into the open and we need to understand what people are talking about. If members opposite think that we have it wrong, let them tell us what they are talking about. Let them tell everybody what they are talking about.

Mr Bailey interjecting.

Mr HATTON: Are you frightened that we might actually agree with you? My goodness.

I quote again from the Chief Minister's statement. At page 11 of the circulated copy, it says: 'My government agrees that everything reasonably possible must be done to draw Aboriginal and non-Aboriginal Australians closer together to help Aboriginal people fully share the opportunities and benefits that this country offers. More has to be done to accommodate their particular needs and to help them feel that their culture and contributions are valued, respected and appreciated'. That is the position that the Chief Minister adopted in his statement and now he is being accused of running racist games. That is a clear and definitive statement from the Chief Minister on this CLP government's policy of supporting the culture of Aboriginal people and recognising the need to work to overcome their disadvantaged status. I do not have anything to apologise for. The Labor Party raised the debate.

Mr Ede: Who raised the debate?

Mr HATTON: The Prime Minister put it on the agenda for this current 3-year period. The opposition is putting itself before the Northern Territory people as the alternative government for the Northern Territory and the Northern Territory people have a right to know in detail what the blazes it stands for. On this issue, among many others, opposition members should have the courage of their convictions and not give us the mealy-mouthed nonsense that we have just heard. The Leader of the Opposition has not spoken yet and perhaps he has been saving a surprise for us. Perhaps he will actually tell us something for a change or perhaps we might have another 'Simon says' speech.

Mr Speaker, I refer you to the ALP policy statement of last year. I do not know whether the ALP will hold an annual conference this year. I hear that there will be no conference because they are frightened that they might let people know about the divisions in their organisation. However, I

understand this is the current policy. It says: 'The Territory Labor Party recognises the need for the Australian government to provide appropriate compensation for Aboriginal people who have had their land stolen and who have been alienated from their culture and heritage'. Does that mean that they do not support a treaty for Aboriginal people who have not been dispossessed of their land and who still have their culture and heritage intact? Are they excluded from consideration for compensation because they have their land, their law, their culture and their heritage intact?

Mr Lanhupuy: Where is our law?

Mr HATTON: Read our own recognition of Aboriginal law. It has been in our legislation for a number of years. The Law Reform Commission recommends that the states adopt the approach that has been adopted by the Northern Territory.

The policy goes on: 'The Northern Territory ALP, acknowledging the absence of any treaty or agreement with Aboriginal people over compensation for dispossession, supports the call for federal legislation to address this question of compensation'. They say that there is no treaty. They want legislation and they do not mention that part of that compensation is the existing Land Rights Act and the specific purpose funding that has been provided through DAA-cum-ATSIC that the member for MacDonnell is promoting as the mechanism for compensation. If that is the case, what is the argument? That funding is being provided in increasing amounts and more is needed. The processes of self-determination are proceeding with the processes of community government, the Aboriginal housing associations and even independent health services funded by the Commonwealth and separate from the Territory's. The real problem is that, as a state-type government, we have responsibility for the provision of services to the community. How do we wrestle with the complications of competing Commonwealth and state jurisdictions where, without consultation, the Commonwealth decides to fund an independent health service to provide services in a particular area? The Grants Commission deducts funding for that from the general revenue granted to the Territory, and that affects the overall funding available for health services in the Territory. Do they then take over a slice of work that would otherwise be a Northern Territory Health Department service or not?

When DAA or ATSIC want to do something, why don't they coordinate that with the Territory government? Why don't they use our infrastructure to obtain a coordinated approach in the delivery of services? Why is it that we are able to work successfully with the TCHIP programs in Alice Springs and Tennant Creek - with the Tangentyere and Julalikari Councils? These are working pretty successfully. However, the opposition would have to deal with the fact that the Tangentyere Council obtained the contract to build Aboriginal housing in the town camps in Alice Springs and then proceeded to let contracts to white contractors. It did not follow the ALP's proposal of using it as a job training program to build mud brick houses. Then again, that was a process of Aboriginal self-determination and therefore the ALP cannot really oppose it.

There is too much gobbledegook in this exercise. There are real problems and we need to work on practical solutions. We need to work together to persuade the federal government to provide funding to support the Territory funding and to provide a coordinated approach on dealing with the social and economic problems that exist in Aboriginal communities. We need to all work together to develop a process of genuine consultation with the Aboriginal communities and their representative organisations, although not necessarily only through their representative organisations. We are

working to build both of those channels of communication between Aboriginal people, the government and the non-Aboriginal communities in order to try to develop programs. We are seeking to give people responsibility, as well as rights, to encourage them to accept responsibility for the direction of their lives, and to provide the support mechanisms that will be needed in that process.

That might sound like waffle. Probably, it is too generalised but, in the short time available to me, I cannot go into greater detail. Later this year, I propose to give more detailed examples within my own portfolio area of precisely how that can and will operate, particularly in respect of health and community services and a program that we have been developing for some 6 months now. That will be developed in the not-too-distant future.

We can do more in the communities in a practical sense, treaty or no treaty. It is a question of bringing people together. I am concerned that, in the debate about treaties and compensation, the people in Sydney are talking about a very different treaty from what we are discussing here today. That statement in the Northern Territory Labor Party platform is consistent with what is being said by people who live in Redfern. I hope the Leader of the Opposition will put in crystal clear terms what the Northern Territory Labor Party means by a treaty and by compensation. We need to know how his branch would see that as being structured and how the Territory, state and federal governments, the non-Aboriginal community and the Aboriginal community would be involved. I look forward to hearing that. It will be interesting to know whether the opposition has anything more than the cute, broad-brush statement that appears in this policy.

Mr SMITH (Opposition Leader): Mr Speaker, it is appropriate for me to speak after the Minister for Health and Community Services because, in fact, I agree with much of what he said. I must say that I agreed also with one or two of the comments made by the Deputy Chief Minister, and I will come to that a little later.

Mrs Padgham-Purich: That is one for the book.

Mr SMITH: It is one for the book but, after receiving an abject apology from the Deputy Chief Minister, one can afford to agree with him where appropriate.

I thought that the Minister for Health and Community Services outlined quite well the case for a treaty because it enables one to put in a framework what one is trying to achieve with this disadvantaged group in our community over a period of time. That is certainly where I stand. I think that, in Australia, we need a framework, hopefully a bipartisan framework, that will enable us to handle the extremely serious problems that Aboriginal communities have in the Northern Territory, and in other parts of Australia, that have been caused by their dislocation following their loss of land.

The danger in not having such a framework, in not having such a treaty that has bipartisan support, was demonstrated in the election campaign when the federal opposition, and thankfully it still is the opposition, promised to cut $100m from Aboriginal funding. If that had happened, it would have been catastrophic. There was one simple reason why the Labor Party vote in the bush was dramatically increased in the last federal election. It was because people were very much aware of that and, thanks to Imparja Television, they could see federal opposition spokespeople saying repeatedly that something that a Coalition government would do was to cut Aboriginal spending by $100m. That is a perfectly good reason why we need a treaty to

tackle the extremely important and serious problems that Aboriginal people are experiencing throughout Australia.

Unfortunately, this debate has centred on the question of compensation. I say again what each of my colleagues has said: compensation does not mean cash paid individually to Aboriginal people for loss of their land. What it means is a commitment to compensate them for their dislocation and a commitment to compensate them by making them equal to everybody in the rest of Australia.

In a typically disgraceful performance, the member for Victoria River said that Aboriginal people have equal access to all aspects of Australian life. If that is the case, why are there Aboriginal people who still live in car bodies? Why is the average life expectancy of Aboriginal people 10 to 15 years less than that of the European community? Why do they have the highest baby death rate in Australia, and why do they have the lowest education rates? It is nonsense to talk about equal access because, if equal access is to mean anything, there has to be equal opportunity. Quite clearly, we do not have a situation in Australia that affords equal opportunity.

Mr Speaker, let me give you an example from the NT News of 28 April. A headline reads: 'NT has highest baby death rate in Australia'. Now that is not news. We have always had it, but the disturbing aspect was the comment of the health spokesperson, and I will not name her because I know that she is doing a good job. However, this indicates a mental attitude that we have in the Northern Territory. She said: 'The Territory's high Aboriginal population accounted for the overall high death rate in the Northern Territory. One of the biggest factors is that we have more people living in the remote areas and they are more prone to infection'. That is a fact but, as the Leader of the Opposition, I am not prepared to accept that we cannot change that situation. I am not prepared to use the fact that we have the highest population of Aborigines in Australia as an excuse for having the highest baby death rate. That attitude of mind has to change.

In this parliament, we have to make a commitment that recognises that that is not good enough and that those people who live in those remote communities and who happen to be black are equal citizens and deserve equal opportunities for good health and for having their children survive the first few months after birth and continuing with the same life expectancy as other children have. Those people deserve to see their kids benefit from the opportunity to attain the same educational achievements. That is what we are on about and, unfortunately, attitudes like this, expressed by senior Health Department people, do not indicate that those opportunities are available. We need to provide a shock to the system to jolt people out of that comfortable assertion that, because it has more Aboriginal people, the Territory will experience higher baby death rates. That is an appalling state of mind for people to have in the Northern Territory or anywhere else.

We will alter that only by a change in our mind set, and I am suggesting that an appropriate way to change our mind set is for us to consult widely with Aboriginal people on how we might achieve those things for them and with them over the next 10 to 15 years. The year 2001, the 100th anniversary of federation in Australia, might be an appropriate timetable over which to institute a treaty saying that we are aiming to provide Aboriginal people, wherever they are, with the same health, education, housing and other opportunities as the rest of us take for granted. I would have thought that that was an aim that we could all accept - an aim that in fact we should all positively endorse.

I do not accept guilt for what has occurred before, but I do believe that we have a duty as legislators to recognise that there are people in our community who have been disadvantaged by previous actions, and to make a commitment to ensure that those people overcome that disadvantage with our help. That is putting the situation very simply. Unfortunately, there are a number of indicators that seem to show that we are moving in the reverse direction. Tuberculosis has begun to become a major problem in some Aboriginal communities in the Northern Territory in the last couple of years. Leprosy is starting to raise its ugly head again. Not too much improvement is being made in relation to Aboriginal mortality, particularly the baby death rate.

Progress is not being made in this regard because we have adopted the comfortable mind set that things are not too bad and that Aboriginal people are different from the rest of us. We seem to accept that we can expect the baby death rate to be higher among Aboriginal people and that more of their children in comparison with other children will not advance beyond grade 7. We can expect Aboriginal people to have a greater chance of contracting tuberculosis or leprosy and other life-threatening diseases. That is what we are saying. That is what the senior Health Department official said, and it is not good enough. It is time we changed that attitude and said, as I have said before, that there are people in this community who are seriously disadvantaged and who cannot play their full part in our society. As reasonable, humane people, we have to do something about that.

There are people in the Northern Territory today who do not have an adequate water supply - at Tara, for example. In some communities, people are obliged to drink impure water and, not surprisingly, they become sick. In other communities, people do not have a regular water supply at all. Frankly, there are reasons which explain that to some extent. There has been a dramatic increase in the outstation movement and I guess it is fair to say that some inappropriate choices of location have been made by some Aboriginal groups. The point to be made, however, is that those people are fellow Territorians and fellow Australians. They have a right to what people like ourselves take for granted and, in this case, it is an adequate water supply. I do not think that it is asking too much that we to enter into a compact or treaty with those people which says that they have a right to an adequate water supply and that we will work with them to ensure that, by the year 2001, they have such a supply, together with educational opportunities for their children and an improved medical system.

It is not only in the interests of Aboriginal people that we should be doing that. It is in our own interests also. For example, we can make dramatic savings on the amount of money we spend on health if we can provide adequate basic services instead of packing sick Aboriginal people into our hospitals. I do not know the precise figures but well over half the people in hospital in the Northern Territory are Aboriginal. That is an indictment of the health services that we provide to Aboriginal people at the basic level. If we can make a long-term commitment to take the necessary steps to improve the health situation on Aboriginal communities, we will make enormous long-term savings in terms of the delivery of health services in the Northern Territory.

I take this opportunity to indicate that the Labor Party is committed to a concerted campaign to improve Aboriginal health in the Northern Territory. We will deliver that by putting in place long-term programs, developed in consultation with Aboriginal communities. The most dramatic way in which we can accelerate economic development in the Northern Territory is to make the 25% of the population, who currently are not part

of economic development, essential players in the development process. We are already seeing the results of land rights in that process. Aboriginal people are starting to see their land as providing the opportunity to gain a secure living and are beginning to use that land to improve not only their economic circumstances but their social circumstances. That is extremely encouraging but, every time they take a step forward, they are hit on the head by members opposite who want to use debates on issues such as treaties to widen the division that has existed in the past in the Northern Territory community.

At a time when divisions over land rights are starting to heal and the scabs are starting to disappear, when people in the non-Aboriginal community are starting to recognise that Aboriginal people can use their land to make a very valuable contribution to our economic development, this government, for its own political purposes, is trying to reopen the wounds. Thank God that the people of the Northern Territory have improved their attitudes in relation to these matters and that attempts to create divisions along racial lines, which CLP governments have always indulged in, do not work in the Northern Territory community any longer.

Mr Speaker, I make my point again. In terms of our economic development, about 25% of our population essentially has been alienated. Those people have not been contributing, but now they are starting to contribute very significantly. In Tennant Creek, for example, every business man and woman knows that, without Aboriginal money, they would be out of business tomorrow. A study in Alice Springs has indicated that one-third of the total money circulating in that community is Aboriginal money. That will become an increasingly important trend. We will see Aboriginal people using their funds, both those provided through Social Security and from royalties, to generate increasingly useful and profitable activities which will be of economic benefit to us all. If you want an example of that, Mr Speaker, look at what is happening in Kakadu. All the accommodation in Kakadu is owned by Aboriginal organisations. That is very positive, fruitful and productive, and something that we should support.

The Deputy Chief Minister is right about one thing. We have to increase the size of the cake in the Northern Territory, and we will not increase the size of the cake if we continue to hold down 25% of the population. The best way to increase the size of the cake is to have that 25% of the population participate in the economy on an equal basis with the rest of the community. That entails a government commitment to the provision of proper housing, education and health services. There should be enough self-interest, in terms of savings in the delivery of health services and, more importantly, in increasing the size of the economic development cake by having 25% of our population participate and contribute more actively, for any government to want to commit itself to a treaty with Aboriginal people in order to achieve those aims. If we look at that self-interest, and at how we might all benefit from a treaty that helps Aboriginal people to gain what the rest of us have already, we might all be better off.

As I have said on a number of occasions, Aboriginal people in the Northern Territory will achieve true equality and that will happen sooner than most of us think. They will have economic power and economic clout, and that is when they will achieve true equality. That is when they will be represented equally on both sides of this House in terms of their numbers in the community. That is when they will be represented on boards and advisory bodies right throughout the Northern Territory in terms of their proportion of the population. That will occur when they have economic clout. I would have thought that that would be a highly desirable thing for all of us to

aim for. Of course, it requires a change in mind set, not only on our part but also on the part of many of the Aboriginal people themselves.

I do not underestimate the problems. There are serious problems of alcoholism and dependence on social security. Those problems have to be tackled. However, by talking about the treaty in those terms, we have a wonderful opportunity to tackle them by saying to both the black community and the white community: 'Here are the objectives that we want to achieve in relation to making you equal partners in the future development of the Northern Territory. Let us talk the issues through in the coming months and years and, in the end, let us devise a compact, a treaty, or whatever term is appropriate, which achieves the objectives and puts goals in place within a broad timetable'. If we went about it properly, I would hope that we could even do it on a bipartisan basis. Certainly, our plans for the development of programs such as our Aboriginal health program need to be carried out on a bipartisan basis as far as possible. That is because the problems are too big, too important and involve too many people for them to be the subject of cheap political point-scoring.

Mr TUXWORTH (Barkly): Mr Speaker, I have listened with great interest to the various contributions made to this debate in order to help develop my own thinking on the matter. Some of the contributions made during the last hour have started to clarify what this debate is all about. It seems that we are talking about an Aboriginal development agreement between the white people of the Northern Territory and the black people of the Northern Territory. Such an agreement would find a certain amount of favour with all parts of the community but, certainly, there would be no mileage at all for a treaty.

I would like to go back a few years to the time when a previous public servant, 'Nugget' Coombs, launched a proposal for a makarrata. I think it was in the days of Malcolm Fraser's prime ministership. The proposal was hit on the head and things went quiet for a while. A little later, during Clyde Holding's stewardship of the Aboriginal Affairs portfolio, the Prime Minister talked about a compact, but I never understood what the makarrata or the compact would actually involve. During the last 12 months, the issue has been raised again in the form of a proposal for a treaty. I have to say again that I am not quite sure of exactly what is being talked about. Listening to the various contributions made today and in the public arena during the last few weeks, it has been very difficult to define clearly any of the issues arising in relation to the treaty proposal. In fact, I cannot find anybody who agrees on any aspect of it at all and therein, Mr Speaker, I see its flaw.

I would like to be able to say that I do not support the treaty on the basis that I do not believe in it, that it is unconstitutional, that we cannot afford it or for some other specific reason. I have to say, however, that I do not support the treaty because I do not have the faintest idea of what it is all about and who is talking about what. Mr Speaker, you cannot expect people in the community to support the concept of a treaty when they do not know what it means. Obviously, the treaty proposal is a matter of community interest. Many Aboriginal people think that it is a great idea. It sounds good and it makes them feel warm inside. Many other Aboriginal people - and I can name some of them - think that it is a load of hogwash and do not want it. Many other Aboriginal people whom I could name think that a form of words between black and white Territorians would be pretty good, although they would not see anything like compensation being built into it. Whilst there is obvious interest in the issue of the treaty, there

is certainly a lack of understanding in the black and white communities about what the respective interest groups want.

At this point, I would say that, if a treaty, an Aboriginal development agreement, a makarrata or a compact - I do not know what to call the thing - is ever likely to come about, the first thing that has to happen is that the Aboriginal community has to get its act together and propose a form of words that everybody understands and can debate. At this stage, my assessment is that the only Aboriginal person who has made any contribution to the public aspect of the debate is Mr Yunupingu. A few days ago, Mr Yunupingu commented in the media on the treaty proposal. I think it would be fair to say that he has turned off completely every white Territorian who would have supported the idea of a treaty and, in fact, made many of them quite angry with his approach and his attitude. That is regrettable, but I think it is also fair to say that Mr Yunupingu's remarks do not have total support in the Aboriginal community. Many Aboriginals were as horrified as members of the white community when they heard what he said.

Most honourable members referred to the comments made by Mr Yunupingu in relation to the matter of guilt. I think it is fair to say that none of us has any guilt about the past. If we asked Mr Yunupingu whether he or his people felt guilty about their forebears' activities, I am sure he would say they were not guilty about that either. The guilt issue has absolutely no weight to it at all.

However, when it comes to compensation, I can say that I know of at least 5 different views about compensation coming from various quarters in the debate. There are some people in the Aboriginal community who think that there should not be any at all because land rights have taken care of it. There are some people who think that 5% of Australia's GNP should be provided to Aboriginals in cash. Others think more land should be handed over. Some people think there should be a cash grant. As has been enunciated today, members of the Labor Party see compensation in terms of facilities being provided so that people can have a fair break in life. Before I am prepared to support the concept or even look at the idea of a treaty or an agreement, we have to talk about this compensation: to whom, by whom and for what? There are a few other questions that follow on from that and, if somebody would like to address those and get them out in the open, we might have ourselves a topic for discussion.

In relation to the nation within a nation, this is dream fantasy stuff that you would expect kids to come home with after a night on marijuana. I think it was pretty fairly dealt with by Senator Collins on ABC radio the other day. He was asked his and the Labor Party's views on the nation within a nation. Senator Collins made it quite plain that, as far as his party was concerned, there is no possibility at all of a nation being developed within a nation. Some people might find that a bit confusing, but I guess it confirms the point that I made a moment ago: no one really knows what it is that we are talking about with this treaty, compact, makarrata, agreement or whatever. Until the Aboriginal community gets its act together and identifies exactly what it is that we are all supposed to address and agree on, it will not go anywhere. It is fair to say that there is absolute hostility in the white community about Mr Yunupingu's views. Quite frankly, I would have to say that they are out of court.

During the course of the debate today, some pretty good points have been made. I refer to the comments made by the Minister for Mines and Energy. Ostensibly, he was saying that, if you want to have any wealth to be able to

spread around, you have to develop or use wisely the land that you have. In terms of the discussion that might ensue about such an agreement with Aboriginals in the future, their approach to the use and development of the land that they already own is one of the factors that needs to be discussed pretty carefully.

The Attorney-General raised the point about who pays. There is a perception in the minds of most taxpayers that, if there is to be a treaty, and any ongoing benefits to Aboriginals from that treaty, whether it is compensation or other things, the taxpayer will be smacked in the mouth again and asked to empty his pockets in the name of the cause. In view of past records, that probably is not an unreasonable assessment by the taxpayers. The issue of who pays, who pays what and how much is another one of those very delicate issues that cannot be swept under the carpet, cannot be treated glibly and cannot be brushed off to the federal Treasury because, at the end of the day, just about everybody pays tax in one way or another and they are all sick of seeing it blown on crazy handout schemes.

The member for Arafura made 2 points that I thought were relevant. He implied that the treaty should be designed to help. I gathered from his remarks that he was talking about the development of the Aboriginal people and that the treaty was not really a treaty but an agreement between the black and white communities that something ought to happen to enable Aboriginals to get out of their present dilemma. He went on to say that he thought the treaty proposal was garbage. Those were his words and I thought that was a pretty succinct assessment in light of his position on the Labor benches. He thought it was garbage because it has been talked about for so long, nobody will say yes or no to it and, once again, Aboriginals will hang around in the hope that something might happen. That type of frustration is pretty common in the Territory. It really engenders the demands, and the expectations that Aboriginals have for things to happen. There are some Aboriginals who believe that a treaty is their right. They believe it is their just desserts and it is the line of compensation that they believe they ought to receive. In my view, they are a pretty small but vocal minority and it is unlikely that they will get their way. I do not think we should let their outrageous behaviour and demands distract us from the other considerations.

The Minister for Health and Community Services raised the comparison of the Redfern Aboriginals and the Northern Territory Aboriginals. I think that is a relevant point. If the Aboriginals in Australia are to talk about a treaty, how the Northern Territory Aboriginals balance off against the Redfern Aboriginals will be interesting. It will be even more interesting to see how the Northern Territory Aboriginals balance off against themselves with their diverse backgrounds and interests. It will be as hard for the Aboriginal community in the Northern Territory to find the form of words that they would like Europeans to consider as it will be for the Redfern people to agree with us.

This debate should continue. I do not think it should end today as a bit of political brouhaha. In his remarks, the Leader of the Opposition started to focus the debate on the fact that this treaty, compact, makarrata or agreement ought to be a framework for the development of the Aboriginal people. I have held that view for while and I do not think it ought to come in the form of a treaty or words like 'treaty'. The time has long gone in Australia when we ought to be sitting around talking about making treaties. If we had done it 100 or 200 years ago, it would have made sense.

Mr Smith: You suggest a better word.

Mr TUXWORTH: I will pick up the interjection because it is relevant to the debate. Today, I do not have a better word but I can say to the Leader of the Opposition that the words 'treaty', 'compact' or whatever will alienate the support of the white community that is essential for such an agreement to be successful. If the word is the problem, let us come back in a few months time and talk about how to discuss this without calling it a treaty, if that is what everybody wants to do.

I would like to conclude by saying that I do not believe this discussion will go away. It will raise its head in different forms. It started as a makarrata, then it became a compact and now it is a treaty. Next year or the year after, it will be something else. Until it is resolved, it will be on the agenda whether we like it or not. I suggest that we conclude the debate and give some sober thought to it over the next few months. The debate today has been very helpful to me anyway in forming some views. In the days ahead, if we look at some form of agreement between our respective black and white communities that enhances and improves the possibility for Aboriginal development in a way that satisfies both groups, we will have achieved something. To continue the head kicking and the bucket tipping that we go on with politically about the compact, the makarrata and the treaty will not have much weight.

Many people have spoken today and it has been an enlightened debate. I have listened carefully over the last few months to people like the federal member, the federal senators, senior ministers, the Chairman of the Northern Land Council and some comments by the Central Land Council. The discussion that is occurring at the moment is totally disjointed. The lack of understanding among the people about the terms being using to describe the issues of the argument are so far apart that I do not think it is possible to continue a reasonable debate until we start to focus on some of the detail. This debate today will not give us a chance to do that, but it has opened up the thought process for other things to follow. I do not support a treaty or a compact or a makarrata, but I could lift my sights to an agreement between the black and white communities for future development of Aboriginal aspirations. I think most people in this House could do that and perhaps that is the direction for us to go in the future.

Mr SETTER (Jingili): Mr Deputy Speaker, there have been many sound comments made today with regard to problems that Aboriginal people in the Northern Territory have to address. There has also been a lot of garbage and nonsense. There is no doubt that Aboriginal people in the Territory have many problems. Like the member for Arnhem, the Minister for Health and Community Services and yourself, Mr Deputy Speaker, I have visited many Aboriginal communities in the Territory over the last 12 or 18 months. I have seen the conditions under which those people live. I know full well we have a long way to go before those problems are fully addressed. I do not believe that they will be totally addressed in my lifetime or indeed in the next generation. It will take a long time because this conflict is there. I am speaking of the conflict experienced by the traditional people in the communities who are seeking to maintain their culture while, at the same time, trying to bring themselves into the 21st century. They are doing that by gradually forgoing their traditional lifestyle and perhaps in time, as the older people pass on, that will be almost totally lost.

At the same time, of course, the young people are being educated. There are improving health systems, improving communication and transportation. We all know that the majority of the communities these days receive Imparja Television. They have videos and they can switch to the events that are happening around the world just as you and I can in our lounge rooms every

night of the week. No longer are they isolated in the bush, and coming in contact with the rest of the world only very occasionally when they come to town or when somebody visits them.

Whilst I recognise all of those issues and, indeed, many speakers have referred to the difficult problems with education and health and so on today, I can assure you, Mr Deputy Speaker, that a treaty or whatever you like to call it, is not the answer, because you could produce a document which sounds warm and satisfies those people ...

Mr Collins: Which people?

Mr SETTER: The Aboriginal people ...

Mr Collins: What about the white people?

Mr SETTER: I am coming to that. You could produce a document that satisfies those Aboriginal people, but it will not make one iota of difference to their situation. Having been around those communities and spoken to many traditional Aboriginal people in communities from the South Australian border through to the Arafura Sea, I can say that there are not many of those traditional people who support a treaty. It is very low on their list of priorities. The people who are interested in a treaty are the people who are involved in politics or in the radical Aboriginal movement, and I will come back to them.

I want to address some of the issues that the Leader for the Opposition raised earlier when he was being very emotive about the dreadful conditions under which these people live and the shocking health services that they have. In part, that could be correct. The member for Arafura pointed out that, apparently, some people at Elliott are still living in car bodies. I know for a fact that some very nice houses have been constructed at Elliott for Aboriginal people, but some people may still be living in car bodies. The reality is that we have come a long way in the last decade or two. The Leader of the Opposition spoke about the fact that more babies die in the Northern Territory per capita of population than in any other place in Australia, and that is probably true. It is very sad to have to admit that, but probably it is true. However, I point out that, 10 year or 20 years ago, the infant mortality rate measured against total population was much higher than it is today. We have made tremendous inroads into addressing that problem and, of course, all of the other problems there.

Mr Bailey: What about TB and leprosy?

Mr SETTER: What about TB and leprosy? We have made enormous inroads into leprosy and a whole range of diseases including trachoma. Look at the good work that is being done by the Menzies School of Health Research and the excellent work done by the Department of Education in taking educational services to the very remotest of communities. As I said earlier, I have seen those. I know how difficult it is for teachers, the health workers and many other people who work in this area to provide those services, but we have made tremendous advances. There is no doubt about that.

Treaty or no treaty, that situation will not be affected other than by the very good programs that have been put in place by this Northern Territory government. Of course, I give credit to the Department of Aboriginal Affairs and the Aboriginal Development Commission when that was in place. I think that has been disbanded, and I hope that the ATSIC will continue that good work as far as the Commonwealth is concerned. That is

another issue, and I do not intend to become involved in that now, because I really have a concern about the ATSIC and where 'some' people see that organisation going.

As the member for Barkly pointed out, the notion of a treaty is nothing new. In 1981, Dr H.C. Coombs, affectionately known as Nugget Coombs, was the person who started really to run with this issue. In that year, in a journal entitled 'Identity' which, incidentally, was available in those days through Communist bookshops, he said: 'We decided to work for a treaty between your people', meaning Aboriginal people, 'and the Australian government which would say for the first time that you have been fighting for almost 200 years for your land and that people from other countries took that land from you by force'. At that time, Dr Coombs was heading up what was known as the Aboriginal Treaty Committee. That was as long ago as 1981. In fact, I think it began much earlier than 1981 - in the early 1970s.

However, treaty or no treaty, that will not alter the situation. As I said, I do not believe that the majority of traditional Aboriginal people want that. On several occasions recently, we have heard the Chairman of the Northern Land Council, Mr Yunupingu, speaking through the media about treaties. In fact, in October 1987, prior to the bicentennial, when things were starting to hype up and Mr Hawke was about to make all sorts of promises about compacts and treaties, Mr Yunupingu was reported in the NT News of 7 October 1987. The article was headed 'Blacks want quiet treaty', and I quote:

> The Northern Land Council Chairman, Mr Galarrwuy Yunupingu, distanced himself today from a draft treaty calling for Aborigines to be given 40% of Australia's land mass and an annual payment of 7% of Gross National Product. In a radio interview, Mr Yunupingu said Aborigines were looking for a healthy, non-radical treaty with the Australian government in the bicentennial year. He said the suggestion that Aborigines should get 7% of the Gross National Product in place of welfare benefits was nonsense and would not be discussed by the land councils. 'We want to settle this without asking for money and cutting off half of Australia for the Aboriginal nation. That is not on', said Mr Yunupingu. 'We want to talk more constitutional matters. Constitutional power and recognition is more important than compensation and money'.

So said Mr Yunupingu in 1987. However, it is interesting to note that, on 8 April 1990, the same Mr Yunupingu was reported in the NT News, under the heading, 'NLC boss sets treaty terms', as follows:

> Northern Land Council Chairman, Galarrwuy Yunupingu, says the proposed black/white treaty must allow for a national Aboriginal royalties fund and a separate black judiciary.

That is rather a turnaround, isn't it?

> The treaty should also provide for what Mr Yunupingu describes as a 'nation within a nation'.
>
> As part of the treaty Australia should also become a republic. This is critical to get away from the monarchy, and to ensure sovereignty. Mr Yunupingu said Aboriginal sovereignty was central to a treaty between black and white Australia. Sovereignty was the

only way to ensure Aboriginal people could maintain their own identity.

He went on to say that it was a crime for England to have taken possession of Australia:

> We are not interested in 200 years of history. We are interested in 40 000 years of history. Admit it. Admit this country was stolen by the cruel white man's law. There is no embarrassment about it. We do not want you to get down and bow to us.

Well, I am pleased about that.

> Mr Yunupingu said the formal admission of this guilt by white Australia in the treaty was important for Aboriginal self-esteem.

I have news for Mr Yunupingu and for the Leader of the Opposition and for the Australian Labor Party, whose policy we have mentioned here today on several occasions and which wants to formulate this treaty and compensate Aboriginal people for the wrongs of the white man. I have news all them and for the member for Arnhem who made the strong point earlier that 33% of Northern Territory people are Aboriginals. He is wrong because, at the last census, it was 22.4%.

A member: Very good.

Mr SETTER: I thought you would be impressed by that. If we intend to start quoting figures, let us get them right. The other important thing that he needs to know ...

Mr Vale: What year?

Mr SETTER: It was several years ago.

The other important thing that the member for Arnhem needs to be aware of, and if I were him I would be quite concerned about it, is that Aboriginal people in Australia make up 1.4% of the total population. Whilst the vast majority of people in the community, including myself, have a great concern for the welfare of Aboriginal people, I can only treat with contempt the comments by Mr Yunupingu and the other radical, so-called Aboriginal people like Mansell who are creating problems and division within this country.

I do not like using the phrase 'the white Australian community'. I think that it is racist to talk about white and black. I do not like that at all. I much prefer to talk about the Aboriginal and non-Aboriginal community because the latter phrase includes many people who would not consider themselves white - people from South-east Asia, the subcontinent, the Arab nations and so forth. Let us talk about Aboriginal and non-Aboriginal people.

There are many people in the community who would be most upset by the comments of Mr Yunupingu. I am concerned that the wider Australian community may be turned against the cause of Aboriginal people and the improvement of their welfare. The possible end result of that worries me. People like the member for MacDonnell and the member for Stuart have stood here today and told us about the dreadful conditions under which Aboriginal people live. I might remind them that Mr Yunupingu, the person who is making these claims and calls for compensation, does not happen to live in a

car body or a tin humpy such as that which the member for Arafura said he was born in. He happens to be one of the very fortunate people in the Northern Territory. He has a wonderful block of land with a beautiful view and a fantastic house, and I understand that he has just bought himself a new boat, having recently traded in his old one. He is in business and I think that that is great. He is one of the people in the Aboriginal community - and I am very sorry that there are all too few of them - who has been able to develop a career for himself. I admire him for that but I want him to remember the plight of the remainder of his people. I would like him to tell us how a treaty, which I believe is unlikely ever to be accepted by the wider, non-Aboriginal community, will ever help his people.

The member for Arafura said that we need to talk to each other and help each other and that a treaty was garbage. I agree that we need to talk to each other and help each other. There is much to be done. We will not do it by scoring cheap political points here. The member for MacDonnell said that today. He said that, in addressing issues of great importance, all we do is attempt to score cheap political points at each other's expense. If ever I saw anybody trying to score cheap political points, it has been the member for MacDonnell and some of his colleagues. They do it time and time again in this place, to the detriment of the Northern Territory. I can name a number of instances when that has occurred. The practice has nothing to do with the welfare of the Northern Territory. It is to the detriment of the Northern Territory, and we need to be getting together. We need to talk about improving the lot of Aboriginal people in a sound and non-emotive manner. We need to address the issues.

I hope that the honourable Warren Snowdon and his colleague, Senator Bob Collins, will go to Canberra and fight for additional funding, not only to help the Northern Territory government to implement its programs but also for the ATSIC in the Territory. Of course, we want to minimise the size of the bureaucracy in this exercise, and that is one of the things that concerns me about the ATSIC. How much of the $1000m per year set aside for Aboriginal programs will be siphoned off and sucked up by the enormous ATSIC bureaucracy? At the grassroots level, we need to cut out the political nonsense and put an end to the politicisation of Aboriginal people which the Labor Party has been involved in for the last decade or more. Let us get to the root of the problem and take steps honestly to solve the problems that the Northern Territory government has to address in Aboriginal areas.

I turn now to the Barunga statement which was presented by Mr Yunupingu and some other Aboriginal people to the Prime Minister in 1988. I happened to be present at the time and, when the Prime Minister arrived, I was really put out by the way he was whizzed off by Warren Snowdon. He totally ignored Senator Bob Collins; he walked straight past him. I am particularly concerned about the way in which the Barunga statement has lifted the aspirations of many Aboriginal people. I regret to say that those people will be let down very badly and that, as the member for Arafura indicated, the Hawke government was only indulging in rhetoric, making a promise which was destined not to be fulfilled. It is another in the long list of broken Labor promises. I do not support the treaty.

Mr COLLINS (Sadadeen): Mr Speaker, where does one begin? So many matters have been raised today that I could spend a couple of hours on the subject. However, I have only 20 minutes and I will do the best that I can in that time.

Recently, I read a story about a park in America where visitors had formed the habit of bringing in food to feed the bears. The bears grew fat

and lazy. The winter came and the tourists stayed away. The bears starved. They had lost their capacity to look after themselves. In some ways, this is analogous with the situation we have been talking about today. Obviously, before European settlement - and I use that term advisedly - the Aboriginal people knew how to look after themselves. We can argue that they had much more land and resources but, from what one can gather, they were relatively few in number, although it is very difficult to obtain demographic information and one has simply to extrapolate from historical accounts. However, those people learned to survive in a very harsh land. We know from our experience of fires, floods and droughts that this country is extremely harsh and yet they survived in those days. As one Uniting Church leader said quite a few years ago: 'The Aboriginal person has always been a hunter. He learned to hunt kangaroo. Today, he is hunting white men'. I think that there is a great deal of that in what has been discussed today. Some people believe that, by making the white man feel guilty about having come here and about things that happened then, sustenance can be gained.

The situation is that the Aboriginal people are dependent to a very large extent on welfare and handouts. I wonder what will happen if this country gets itself into an even bigger mess. Some people would deny that we are even in a mess. In his policy speech, for example, the Prime Minister made virtually no reference to our debt. That is a good Labor tactic: if you don't like something, fudge it. Don't mention it. It does not exist. It will go away.

It is interesting to note that the primary vote for the ALP was 39%. The Labor Party used to be pretty good at digging the knife into Joh Bjelke-Petersen when he governed with 38% of the primary vote, and 39% is pretty low. However, Labor was returned. When the Prime Minister is prepared to fudge the most important issue for the people of Australia, one can only thank heaven for Senator Walsh. Even in his case, however, one has to ask why he did not have the courage of his convictions and speak up before the election to make people sit up and take note. I rather think that the Labor Party wishes that it had not won the election. If we suffer the recession which many believe will be the result of Labor's policies, the Labor Party will be left with the responsibility for the mess and it will be wishing that someone else had to carry that responsibility.

To return to the subject of this debate, it concerns a treaty, not a makarrata or an agreement or a framework. It is about a treaty. That was the term used and that is what should be addressed. Just about everything but that has been addressed. That is the term used in international law. Mr Deputy Speaker, I do not support a treaty. I accept Aboriginal people as Australians first and foremost. I think that, if Aboriginal people saw themselves as Australians - and many of them do - we would be in a much better position. You do not make a treaty with your own people.

I can accept certain things that the member for Barkly had to say. I would not use the terms that he used and I would not use the terms 'Aboriginal' and 'non-Aboriginal'. I would talk about disadvantaged people, and that includes disadvantaged immigrants who, as a result of their non-understanding of English, end up doing the most lowly jobs in our southern cities. They are disadvantaged people and we should be looking to put in place programs that will help them. But, time and time again, it is what we should do for them. I am reminded of what John Kennedy, the late US President, said: 'Ask not what your country can do for you, but what you can do for your country'.

I can sympathise with the comments of the Leader of the Opposition. He has vision. We need to have the 25% of Aboriginal people contributing to the economy in a real way, and not just by the spending of welfare money, although I do not deny that that helps the Territory. However, that is nothing compared to what could be involved if they were contributing wealth created on their own behalf, paying tax and being part of the country. I do not believe the problems ...

Mr Ede: Building their own houses.

Mr COLLINS: Yes. I totally agree. I have said that for many years since a visit to Sri Lanka when I saw the houses they had built there out of mud and then whitewashed. That is a technology those people have had for many thousands of years. The same could be done here, and with materials that are available here.

While the Aboriginal people remain dependent on the taxpayer of this country, we will always have problems because, deep down, I believe that any adult males or females lack dignity if they are unable to play their role to support their families and themselves. That is really true and, to their credit, some Aboriginal people accept that. They deserve all the encouragement that we can possibly give them, but the final solution rests with themselves. I look at the way we do it. We pour more and more money into Aboriginal endeavours. We build houses and they are wrecked. We build hospitals and they are smashed up before they are even occupied. That happens because we are doing it for them. In that way, we are simply promoting the dependence of Aborigines on the rest of the community. That does not satisfy them nor does it satisfy us, and it is creating division. They will have to get off their backsides, to put it plainly, and start to make an effort.

I agree that it will not be easy. There is very little that affords economic wealth-creating possibilities in their own communities, but they sit around day after day when they could be making their mud bricks and learning how to build houses and how to look after themselves and so restore that pride and dignity. No treaty in this world will do that for them. That has to come from within and, the more that we talk about guilt etc, and the more that the cheques arrive in the mail, the more firmly we hold the Aboriginal person to the bottom rung. That is the plain truth.

An Indian anthropologist made a report on Aboriginal people whom he had been studying for 12 months. Somebody asked him what the solution to the Aboriginal problem was - the subject that we wring our hands over and talk about in here. He said: 'It is very simple. Send them all to India for 12 months'. That is a pretty drastic solution. However, it reminds me of a story that I have told the House before. A few years ago, representatives of the Royal Council of Churches came through Australia and looked at various Aboriginal settlements and places where the Aborigines had nothing more to live in than tin humpies. They said it was a national disgrace and that Australians ought to be totally ashamed of themselves. Then along came Mother Teresa. She looked at the situation and said: 'Aborigines are very lucky. In India, if you do not work, you starve'. Until that reality is faced by the Aboriginal people and their leaders ...

Mr Bailey: Does that help the people of India?

Mr COLLINS: It is simply a fact of life. They do not have the social services that we have, and Mother Teresa was dead right.

Mr Bailey: Is that what you are advocating?

Mr COLLINS: For the benefit of the honourable member, I am simply saying that, while money is handed out as a crutch for people to lean on, we are taking away the capacity for those people to look after themselves. It cannot happen overnight. We cannot turn off the welfare money and see what happens.

Mr Bailey: It has never been on in India and still they starve.

Mr COLLINS: And it is most unfortunate. However, the Aboriginal people here are fortunate.

Mr Bailey: That is a choice they have: to starve. Good on you. I am glad you appreciate that.

Mr COLLINS: Don't be ridiculous!

Mr Bailey: That is what you are suggesting.

Mr COLLINS: It is a fact of life in India that many people do starve as a result of the size of the population and the lack of food. The Aboriginal people in Australia are not in that position, and Mother Teresa said that they are very lucky.

If the Aboriginal people want to make a real contribution, and thank heavens there are some beaut examples of Aboriginal people who are battling in the private enterprise system and making a go of it, they need to be encouraged. However, there are very many more who are leaning on the welfare prop and who have no intention of letting go of it. Something needs to be done. In a sense, that is fudging the issue and therefore I will come back to the treaty because there is much more to it than that. I think every member who has spoken from the Labor side has a different idea about it. I concur with some of those ideas. I certainly concur with the member for Arafura. When he speaks from the heart, he makes a great deal of good sense. He said that we should forget about the past and concentrate on the present situation. It is rather like trying to eat a whale. If you try to swallow it whole, you will get nowhere but, if you take a spoonful at a time, you might get through it. At least you can make a start and you will not choke yourself in the process.

'Treaty' is a term in international law. It is an agreement between 2 nations, and I do not accept that we or the Aboriginal people would be advanced by a treaty creating 2 nations. Nevertheless, there are people, of course, who have been pushing the treaty, the makarrata, for quite a long time. I understand that 'makarrata' is an Aboriginal word meaning treaty. The member for Jingili said that Mr Galarrwuy Yunupingu stated that we had to agree that this country was conquered. I opt for the term 'settled' because the Aboriginal people had no buildings. There was the odd camper or two. When white people first came here, probably there was very little contact in a real sense. The Aboriginals were nomadic. Whether the term 'settled', which I prefer, or the term 'conquered', which Mr Yunupingu requires us to use to demonstrate that we admit that we conquered the people, is used is not unimportant. Students of international law will tell you that, when one nation agrees that it conquered another nation, that gives that conquered nation the status of sovereignty under international law. In international law, sovereignty requires land and sovereign possession of that land, and that simply means absolute and total control.

Extremists have been working on that, from Nugget Coombs and his makarrata to those who propose a treaty that recognises that the Aboriginal people were conquered. That would give them international sovereignty and sovereign rights over land. I would remind honourable members that one of the extremists, Pat Dodson, is on the record as having said that the giving of the Northern Territory to Aborigines is not too much to expect as a compensation to the Aboriginal people. That would mean sovereign control. The Aboriginal people would be able to invite whom they wished to this country such as Colonel Gadaffi or people from Moscow - and Moscow may seem much more benign these days, but these are the possibilities.

I object very strongly to the word 'treaty' being used. It is something I raised when an Aboriginal person gave me 'Red Over Black' to read. It was handed to me with the suggestion that I read it and see what I thought about it. I said that it was pretty stunning stuff. The Aboriginal person said: 'That explains to me a feeling which has been deep in the Aboriginal community - almost secret feelings about things to work towards'. The real concern of the author of that book, Geoff McDonald, who was formerly a communist, was about the security of this country. He outlined that simple plan as I have outlined it to the House.

Those people may be the extremists, Aboriginal people might make up 1.4% of the total population and the rest of us would say that we would not allow it to happen. However, if it is enshrined in international law, the United Nations would be onside. If the United Nations decided to apply sanctions, that would lead to a very divisive situation. That is closer to the truth about the implications of the word 'treaty'. Let us not use it loosely or lightly. I believe that Aboriginal people will feel a part of this country only when they are looking after themselves, when they are standing on their own feet, when their dignity and pride is restored and when they are looking after their families and contributing to the country. They have much to contribute. There are no easy solutions but darned if I believe that the continual handout mentality will solve the problem.

Mr BAILEY (Wanguri): Mr Deputy Speaker, I am prompted to speak on this issue because of a number of positions that have been placed before the House today. It would appear that all members of the House, except the member for Sadadeen, accept that the Aboriginal people are seen as a disadvantaged group within Australia at the moment and that steps are being taken and should be taken to deal with that situation. Before I go into that, I would like to look at the question of the agenda of the Chief Minister in raising the issue at this time.

He said that, if it won office at the next election, the ALP would 'impose its own brand of compensation within the confines of the Territory's borders even if Labor nationally fails to secure it'. He said also: 'The urban Territorian voter, make no mistake about it, will be taxed to the hilt to pay that compensation should Labor ever win power'. Throughout his statement, references were made to the next election. It is quite clear this statement is an indication of the beginning of the election campaign by the CLP on the issues that it has run on previously. It believes that they are the issues on which it won previously: the division of the Northern Territory community on racist grounds and the creation of fear within the community that, if Labor gets in, everyone will pay significant amounts to some sort of separate nation within the Northern Territory. However, while that appears to be the CLP's main agenda, most members opposite have indicated quite genuinely that they are concerned about the aspirations and the development of the Aboriginal people and the conflict that has occurred between Aboriginal and non-Aboriginal people over the years.

We need to understand what is meant by a treaty. It has been pointed out quite clearly that that is within the Northern Territory ALP's policy. It states quite briefly that we support a treaty between the Aboriginal people and the government. It does not go any further than that. In a similar way, the CLP platform contains statements relating to its environmental policies. Our policy statement says that the Northern Territory ALP supports the principle of a treaty, and we have been criticised for not having more detail as to what exactly that means. I am trying to point out that both parties have policy statements that do not go into exact details. For instance, within its environment policy, the CLP says it will minimise pollution in the environment and preserve and manage our areas, places and buildings of significant cultural interest.

At the moment, the CLP has 2 major policy documents dealing with heritage and the environment which seek the views and proposals of people in the community. It is saying it will do those things but exactly how they will be done is being discussed in the community. My colleagues have indicated today why we support the principle of a treaty. The wording has not been specified because that discussion process has not been completed. As Mr Hawke has said, the process for a treaty is beginning.

I would like to turn to the member for Sadadeen's definition of a treaty which he seemed to become so upset about. He has the belief that a treaty exists only between nations. That is not the case. I refer to the House copy of the Shorter Oxford. The definition has considerable reference before it refers to something between nations. Basically, in its simplest form, a treaty is a treating of matters with a view to settlement. It does not refer to nations whatsoever.

Mr Collins: I suggest that you look at international law.

Mr BAILEY: I accept that a treaty has a definition in international law. However, a treaty can mean more than the definition in international law.

Whether or not we accept that exact word, it is important that a treaty relates to a settlement. One of the most significant issues that has arisen from all of this is that there is conflict and a wide variety of views within the country over the situation of Aboriginal people. It seems interesting that the detractors of a treaty always quote from the extremists on one side while, at the same time, showing how reasonable and middle-of-the-road their own position is. Within any debate, there are extremes and, as long as you do not try to resolve those extremes, the debate will continue. If we look at the situations in Northern Ireland and the Middle East, it is clear that the conflict will continue as long as the extremist positions are held. There is no one within this House probably who would not like to see a treaty between, say, the Israelis and the Arabs which settled their disputes or even a treaty between the Protestants and the Catholics within Ireland to the effect that they will live together in peace and harmony. Even the member for Sadadeen would probably agree with that.

Mr Vale: What a nonsensical comparison. They are fighting.

Mr BAILEY: Mr Speaker, when I use a strong example to illustrate the purpose of having a treaty, they say: 'But they are at war'. We have a dispute that has continued for 200 years. I do not believe that anybody today should feel guilty about that. However, there is a race of people who still exist within Australia and whose association with Australia goes back

much further than that of any other group of people within Australia. That is accepted even within the CLP party platform. The party accepts and endorses the concept of Aboriginal land rights in the Northern Territory. If the CLP accepts, as it says in its policy, that Aboriginals deserve land rights in the Northern Territory - and nowhere else in its policy does it say that any other group deserves land rights - then it has identified that Aboriginal people should have some special or different treatment from whites in terms of land rights. If that is not the case, why have it?

Mr Manzie: We usually qualify what land rights is. You ought to make yourself aware of our 10-point package and then you will understand what we are talking about.

Mr BAILEY: You have acknowledged that Aboriginals have a right to land rights within the Northern Territory. That acknowledges some difference between Aborigines and other members of the community. I would think that, if you talked to members of the CLP, you would find that the basis of that is because Aboriginals were here prior to the white man.

Mr Manzie: It says that they are disadvantaged.

Mr BAILEY: Yes. The conflict has gone on for 200 years. There are extremists on both sides. There are people like Mansell and, on the other side, there are extremists who say that the easiest way to solve the Aboriginal problem is to shoot them. What is necessary with disputes or conflicts is an end point. That has never occurred with this matter in Australia. What is necessary is a process towards a settlement. That is quite common with, say, cases of injury from accident.

Mr Vale: How can you compare a car accident with a treaty?

Mr Collins: How can you put those 2 things together?

Mr BAILEY: Will you let me finish? In many cases, when there is litigation or a dispute between 2 groups, one way to settle the matter is to bring the 2 groups together to try to achieve an acceptable compromise. Often, that is a very difficult process. If you do not solve the problems between the 2 groups, those problems continue. They do not simply go away.

Mr Vale: What problems do we have? Tell us the problems and we will tell you the answers.

Mr SPEAKER: Order!

Mr BAILEY: If, however, you are prepared to sit down and negotiate a settlement, then the ability to move forward is greatly enhanced once that settlement has been reached. The fact that the Aboriginal people were here prior to white settlement has never been acknowledged formally by the Australian people or the Australian government. Basically, that has not been officially acknowledged anywhere. The member for Sadadeen implied, more or less, that our forebears took over an empty country. It was as if, finding that there were no 4-storey mansions on the beach, the settlers moved in and shot the odd Aborigine and, finding that no one came back to complain, slowly took over the country.

Mr Palmer: Speak for yourself.

Members interjecting.

Mr BAILEY: Mr Speaker, as long as members opposite devalue this debate with the type of comments they are making now, the Territory will have problems. I ask the government a simple question. If, as members opposite say, there is no conflict within the community over racial issues, why is it that, every time an election is due in the Northern Territory, the CLP suddenly raises black-versus-white issues?

Mr VALE (Tourism): Mr Speaker, I will take up the last point first. It is not the government that is raising the issue of a treaty. It is the Australian Labor Party. We are simply seeking to determine what is the opposition's public stance on the treaty. Does it still support it, or is it trying to do what it has done in the past - run 2 campaigns, 1 for the city and 1 for the bush?

If you want an example of that, Mr Speaker, just look at what happened in Darwin on 20 March when the Chief Minister quoted remarks made in the federal parliament by the federal member for the Northern Territory, Mr Snowdon. Mr Snowdon is on the record as saying that Australia had been stolen from Aborigines and that they should be compensated. He then hit back and said, and I quote him verbatim: 'Mr Perron is lying and misleading the public. Well, he is telling a lie. I didn't say that. He is misleading you and he is misleading the whole of the Northern Territory'.

The Chief Minister had quoted Mr Snowdon's own words, the same words which the member for Victoria River quoted: 'This nation cannot pretend to wear the mantle of maturity until the indigenous rights of Aboriginal Australians are given formal recognition and the demands by Aboriginals and Islander people for compensation for land stolen ...'. It is not this government which has raised this issue but the Australian Labor Party. It is high time that members of the ALP in both the federal parliament and this House came clean on the issue. Most members present today would remember the dishonest campaign which the ALP ran years ago. In the bush, it had slogans, brochures and posters saying, 'Land Rights for All'. The advertising material in urban electorates was completely different and did not mention land rights at all. The speech made by the member for Wanguri was an apologetic and half-hearted effort if ever I heard one.

The member for Arafura said: 'You have to help us. You have to help us. You have to help us'. The Diabetic Association of Australia has a slogan which reads: 'Self-Help, Not Self-Pity'. It is more than time for many Aboriginals to get off their backsides and say: 'What can we do for ourselves? How can we work together with the Northern Territory government and other community agencies to help ourselves?' There are some examples in the Territory of Aboriginal people helping themselves.

The member for Arafura said that there are people in Elliott who are living in old car bodies. Let me refer to a shining example of people who lived in car bodies when I first met them in 1974. A group of Aboriginal men and women lived in old, upside-down car bodies on the eastern side of the Stuart Highway at Aileron, 85 miles north of Alice Springs. Every morning, the Aboriginal women would have to walk 3 or 4 miles with billy cans to bring back the water supply for the day. It was brown, muddy water from a dam which was well to the west of the camp. After the election, I went back to Aileron and met with those people. They told me that they had been waiting for years to get a block of land at Ti Tree.

Following some detailed discussions with them, I went to the Department of Lands and others, including the owners of the pastoral property, the Heffernins. As a result of discussions and action taken, that Aboriginal

community moved to Ti Tree in late 1975 if my memory is correct. Those people moved on to the property. That is what I am talking about when I refer to 'self-help'. Those people started to clean the block, fence it and to plant trees and shrubs. The member for Sadadeen would know the block that I am talking about. The Aborigines and I still laugh about it. We still refer to the place as New Camp. Its correct name, of course, is Pmara Jutunta, and it is a credit to those people and the work that they have done. That is only one example.

In the north-eastern part of central Australia, a community living at Alcoota decided that it wanted much more shade in the camp. The people dug the holes and gathered the rocks. Indeed, the member for Sadadeen assisted as well. I must say that he and I did the least amount of work. We acted more or less as supervisors. The Aborigines planted the trees at Alcoota.

Another event is about to occur in central Australia. Many Aboriginal women have said: 'Enough is enough. We have to do something about the booze problem in town'. They have organised a march. It is far too easy for members to say in this Assembly that we must help the Aboriginal people. Many of them are helping themselves and, in fact, are setting a fine example to other members of their community.

In 1976, Territorians were told that the passage of the Aboriginal Land Rights Act would see Aboriginals regain their self-respect and become able to handle housing, education, health, welfare problems etc. The vast majority of Northern Territory people were sceptical about that, but they took it at face value, accepting that they would be the first to support such legislation if it worked. Mr Speaker, 16 years after the passage of the act, are Aboriginal people any better off in all of those areas? Most Territorians would sadly agree that, in many cases, they are worse off. At the time when the act was passed, it was widely criticised by Aboriginal people in central Australia who felt that it would not represent Aboriginal law and that it would not assist with the problems. In particular, the drinking problem in Aboriginal communities is now far worse that it was.

Mr Bell: Provided that they play for Pioneers and try to be white fellows, they are okay, aren't they, Roger?

Mr VALE: Mr Speaker, the member for MacDonnell and the member for Stuart puff their chests up and strut around the place quoting a little Pitjantjatjara and regarding themselves as experts on central Australia. I have lived in central Australia for longer than the combined residency of both those members and I guess that I have just as great an understanding of the Aboriginal community as they have, if not greater. The member for MacDonnell obviously has never seen the translations carried out in central Australia by the Finke River Mission. The mission spent many weeks in all of the communities, explaining the content of the Aboriginal Land Rights Act and recording the dismay expressed by those traditional owners about that legislation. That is what I have been referring to. As for the member for MacDonnell's insulting remarks about Pioneer footballers, he would not know a football if it hit him in the back of the head.

The member for Stuart said that the opposition wants to deal with issues of concern to all Territorians. I can tell him that this proposed treaty and compensation payments are of concern to all Territorians, black and white. They want more details, not the waffle that we heard today from the Leader of the Opposition, his deputy, the member for MacDonnell, the member for Arafura, the member for Arnhem and the member for Wanguri. The only bloke who has been decent about the whole operation is the member for

Nhulunbuy who shot through like a Bondi tram. He is not game to get up and waffle like the rest of his colleagues.

The member for Stuart talked about social justice and the Land Rights Act. Social justice will come to the Northern Territory only when political parties start to try to unite people rather than to divide them as the Australian Labor Party has done. The proposal for a treaty, be it in the Northern Territory or Australia-wide, is probably one of the most divisive proposals ever put forward by a political party in this country.

Mr Bell: If it was as divisive as the Aboriginal Land Rights Act which you blokes were campaigning against for years ...

Mr VALE: Pull your bleeding head in for 2 minutes, will you? I listened to you in silence.

Mr BELL: A point of order, Mr Speaker! I would suggest that the minister for Tourism, having been a member of this House for as long as he has, should be aware that he should be directing his comments through the Chair.

Mr SPEAKER: Quite right.

Mr VALE: Mr Speaker, would you ask the member for MacDonnell to pull his head in?

As I said before, this is the most divisive piece of legislation ...

Mr BELL: A point of order, Mr Speaker! I ask that the honourable member withdraw offensive comments such as that.

Mr SPEAKER: There is no point of order, but I advise the honourable minister to direct his remarks through the Chair.

Mr VALE: Mr Speaker, I will do so, as I was doing before.

As I said, this proposal for a treaty and compensation is one of the most divisive proposals ever put before Territorians. If a treaty goes ahead, it will not affect the the states because the Prime Minister, who proposes such a treaty, will back off, just as he did when he proposed land rights in Western Australia and New South Wales, but was chased away by the 2 Labor Premiers, Burke and Wran. He will back off at a speed of knots and what we will end up with is a treaty in the Northern Territory between whites and blacks. It will be a most interesting situation because the pressure affecting the contents of such a treaty will come from people in Redfern, not the genuine Aboriginals in the Northern Territory.

Mr Speaker, let me say that the vast number of Northern Territory people, black and white, are quite content to work together as Territorians and to have nothing to do with such a divisive piece of legislation. Aboriginals across the Territory have a list of other items which they regard as much more important than a peace treaty.

EXPLANATION OF SPEECH

Mr BELL (MacDonnell): Mr Speaker, I seek leave to make an explanation under standing order 54.

Leave granted.

Mr BELL: Mr Speaker, in the course of his remarks, the Minister for Tourism made 2 patently false accusations. The first was that I claimed to be an expert on central Australia and the second was that I had not seen a series of comments made by Aboriginal people and translated by ...

Mr VALE: A point of order, Mr Speaker! This is not a personal explanation. This is a continuation of the debate. If he wants to play that game, I will do it too.

Mr SPEAKER: There is no point of order. The member for MacDonnell will be heard in silence.

Mr BELL: Thank you, Mr Speaker. The member for Braitling made 2 untrue accusations in the comments that he has just completed. The first of them was in relation to my claiming to be an expert on central Australian affairs and the second one was in regard to the translations ...

Mr PALMER: A point of order, Mr Speaker! I refer to standing order 54 which the honourable member used to rise to his feet: 'A member who has spoken to a question may again be heard to explain himself in regard to some material part of his speech which has been misquoted or misunderstood'. Mr Speaker, in no way at all is the honourable member referring to any part of his speech that has been misquoted or purportedly misunderstood by the honourable minister.

Mr BELL: Mr Speaker, speaking to the point of order, the comments made by the member for Braitling were in reference to my earlier comments and were corollaries, albeit his mistaken view, of the comments that I had made in relation to the motion to note the statement.

Mr SPEAKER: Order! I believe the point the member for Karama is making in regard to that standing order is correct. The point that the honourable member is now trying to make in relation to the motion that the statement be noted is drawing a very long bow.

Mr BELL: Mr Speaker, I will be brief. I have never claimed to be an expert on central Australian affairs. I have sought always only to represent conscientiously the views and attitudes of Aboriginal people and non-Aboriginal people in central Australia. I have sought to represent all central Australians and, in many respects, all Territorians. That is all I have ever claimed to do, unlike the member for Braitling who has evidently demonstrated his capacity to represent Aboriginal Australians only when they are trying to be non-Aboriginal Australians.

As to the second point, Mr Speaker, I have ...

Mr PALMER: A point of order, Mr Speaker!

Mr BELL: In fact, I have seen the translations and I suggest the member for Braitling table them in this parliament since he keeps referring to them.

Mr PALMER: A point of order, Mr Speaker!

Mr SPEAKER: The question is that the Assembly take note of the statement.

Motion agreed to.

TRADE MEASUREMENT BILL
(Serial 262)
TRADE MEASUREMENT ADMINISTRATION BILL
(Serial 263)

Continued from 1 March 1990.

Mr BELL (MacDonnell): Mr Speaker, as the honourable minister noted in his second-reading speech, this replaces existing weights and measures legislation. Serial 262 is model legislation and, broadly speaking, the opposition is prepared to accept that it is appropriate for the Territory. The Trade Measurement Administration Bill is a Territory response to the need to administer such legislation in isolated parts of the Territory as well as the towns, and that is appreciated.

I have a question which relates to the different processes that may be necessary in the Territory. One would like to think that consumers and small businesses are as well protected in the Territory as elsewhere in respect of measurement facilities. That is a broad issue that I would like the minister to address. It was not addressed in his second-reading speech.

The second-reading speech was entertaining. I always appreciate it when second-reading speeches are leavened with a little history. There was biblical reference and reference to an edict of Louis XI of France: 'Anyone who sells butter containing stones or other things to add to the weight will be put in our pillory, then said butter will be placed on his head until entirely melted by the sun. Dogs may lick him and people offend him with whatever defamatory epithets they please without offence to God or King'. Wonderful stuff!

Some aspects of the legislation are of concern to Territorians. The decision to replace cyclical inspection of trade measuring equipment with variable inspection processes is noted. In his second-reading speech, the minister said that variable inspection would allow trade measurement inspectors to target resources in the areas of greatest need and to concentrate resources on the most unreliable classes of instruments. The obvious question is: what does the minister see as the areas of greatest need and which are the most unreliable classes of instruments? The minister's second-reading speech did not amplify those concerns. I would like to know the answer to that question.

Another issue that was raised in the second-reading speech was the decision to allow licensed repair businesses to be certifying agents. In recent years, there has been a considerable move in public administration towards privatising regulatory arrangements. My view is that such proposals need to be considered on a case-by-case basis and this is no exception. I do not necessarily have a problem with the broad principle, but I think that there could be circumstances in which such an arrangement might fall down. It might be tempting for the same person who is repairing and certifying not necessarily to be as conscientious about his repairs if he knows that his work will not be oversighted by some other person. The basic demand of public administration, that the actions of one party need to be oversighted by another informed party, is a principle we accept in many areas. I trust that, in this regard, there will not be problems. However, I raise that as a broad issue.

Another point raised by the minister was the introduction of a variable inspection system which would allow for greater attention to be concentrated on problem areas and areas of growth. As an example, he cited resource

development as one of those areas. I would be interested to know why the resource development area is seen as a problem area. Presumably, the trade measurement equipment involved in mining will come under the purview of this legislation. I am not aware of any exemption in that regard. The exemption clause does not relate to any of the measuring equipment in the mining industry and I would be interested to know precisely why the resource development area is one of those problems.

A further point is the restriction on the use of certain expressions with prepackaged food such as 'net mass when packed', 'net mass at standard condition' and the regulation-making power in this regard. As I said earlier, it is a vital concern that model legislation like this be introduced because many prepackaged articles cross over state borders. The Territory is perhaps a place that is more reliant on such goods than many other parts of the Commonwealth. I note the restrictions in that regard and I appreciate their importance.

Under this legislation, inspectors can require a person to answer questions. The inspectors will have wide-ranging powers. It will be an offence, carrying a penalty of $10 000, if a person fails to comply with a requirement of an inspector made under the authority of this act. Further, the act expressly excludes refusal on the grounds of self-incrimination. Given the size of the penalties, this seems particularly strong. As I read the legislation, an inspector can enter a small business and say: 'I am here pursuant to my powers under section 60 of the Trade Measurement Act. I am coming into your business premises. I have reason to believe that you have equipment that is in breach of the act and I demand to see that equipment'. The small businessman will be guilty of an offence under section 65 if he refuses and the penalty will be $10 000.

Mr Palmer: It could be.

Mr BELL: Yes, it could be. I began by referring to this as a hypothetical situation. He is subject to a penalty of $10 000. Not only that, if he says that he wants to see his lawyer, effectively he is unable to do that because section 66 prevents a person from refusing to answer a question on the basis that he might be incriminating himself. I wonder what the Chamber of Manufacturers or the Small Business Association had to say about that. I have some reservations about an inspector being able to make inquiries and carry out actions that, in turn, may require actions on the part of a small businessman that may be subject to such penalties, when he has no protection. I wonder if we have the balance right. This may appear as though the workers' party is donning the clothes of the conservatives, but let me say that I think that, in this day and age, it is important for governments to balance the interests of all sections of the community and it is for that reason that I raise concerns in that regard.

One further question I have relates to prosecutions under the present Weights and Measures Act. I do not have information at my fingertips in this regard, but the honourable minister's second-reading speech was silent about the application of the sanctions in the Weights and Measures Act and I would be very interested to hear from the minister a little more information about its operation in that regard. I am not aware of disgruntled consumers or disgruntled small businessmen who complain about the operation of the act, and I would be very interested to hear further information from the minister in that regard.

The final area I want to comment on is the national nature of the Australian marketplace. In his second-reading speech, the honourable

minister made a glowing comment about the need to ensure that Australia-wide uniformity was attained. I must say that, in contrast to the usual rhetoric that we hear from this government and the xenophobia that is extended usually to people living south of the Berrimah Line, and certainly to those south of the South Australian border or east of the Queensland border and west of the West Australian border, it is a refreshing change of attitude to hear a government minister suggesting that a national approach to any area of legislation is desirable. I hope that other honourable ministers, including those who are capable of the more xenophobic outbursts that we frequently hear in this Assembly, will take a leaf out of the Minister for Health and Community Services' book, mend their ways and realise that they are part of a federation.

With those comments, I endorse this proposal and trust that it will meet with the requirements of consumers and the business community generally.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in the minister's second-reading speech, it was not what he said that was important but rather what he did not say. It is very nice to hear a classical quotation thrown in here and there. I agree with the member for MacDonnell that it certainly adds a little leaven to what otherwise might be a stodgy debate, but I would have preferred to hear the honourable minister say some things that he very discreetly did not say.

In his second-reading speech, he said that the 2 pieces of legislation before us will streamline the regulatory role of measuring instruments for trade, reduce red tape and utilise private-sector resources. Certainly, it will utilise private-sector resources and I am very pleased about that. It is very similar to the situation that now pertains to vehicle inspections for registration purposes. These can now be carried out at private garages rather than all vehicles being inspected at the Motor Vehicle Registry. However, I seriously doubt whether this legislation will reduce red tape. I have never seen any legislation reduce red tape, and I would like to go on record as saying that. In his summing up, I would like the minister to tell us where the red tape will be reduced.

Members interjecting.

Mrs PADGHAM-PURICH: I do not know whether it will streamline the regulatory ...

Mr Coulter: What about the phantom of the Gawler tram act?

Mrs PADGHAM-PURICH: We are not talking about trams now.

Mr Coulter: That was what our taxis were called a few years ago.

Mrs PADGHAM-PURICH: Mr Speaker, I would like the honourable minister to tell us how red tape will be reduced and how the regulatory role will be streamlined.

The honourable minister did pay me the compliment of providing me with a briefing a short while ago, for which I publicly thank him. It was appreciated. He said that the regulations are in the process of being written and that they will be uniform, national regulations. When he speaks about streamlining, I suppose that he is referring to the fact that the regulations will be the same in each state. I have grave reservations about national regulations of any sort even if they are made with the best intentions in the world. The preparation of this has been a little like the

gestation period of an elephant. It has been 5 years in the making. When anything has been 5 years in the making, perhaps it has streamlined itself, but I doubt it. I think that, if something has been 5 years in the making, it has turned in on itself instead of looking out at whom and what will be affected by it. Any national legislation or regulation must always take account of the local situation. There must be provisions allowing the relevant minister the discretion to waive or vary the national regulations if local conditions so demand. In many ways, the Northern Territory is different from any of the states. I look forward to seeing these regulations, given the situation in the Northern Territory.

There are anomalies in this legislation, and I have discussed these with the honourable minister. I do not believe that those anomalies should have occurred, given that this legislation was 5 years in the making. In relation to discretion for the local minister to waive or vary the regulations, I am concerned in particular about the Food Act which governs the supply of milk. The Minister for Health and Community Services has the discretion to waive the conditions relating to the sale of non-pasteurised milk. Non-pasteurised milk can be sold at the farm gate without any problems at all. As I have said, I would like to see the relevant minister, who is the same minister in this instance, have discretion to waive the regulations should Territory conditions require it.

In his second-reading speech, the honourable minister failed to refer to a very relevant matter. Clause 6 of the Trade Measurement Bill, exemptions from the act, states: 'Nothing in this act applies to or in respect of bread'. One is moved to ask the reason for that. As the minister did not mention that in his second-reading speech, I had to ask about it. It appears that the states have legislation relating specifically to bread. The honourable minister said that legislation will be introduced later relating specifically to bread.

Clause 9 relates to the supplying of an incorrect measuring instrument. It carries a penalty of $20 000 for non-compliance. There is something wrong with the penalties in Northern Territory legislation. A man can seriously assault and rape a woman and be held in jail for barely a year yet, for the supplying of incorrect measuring instruments, a penalty of $20 000 applies. Something is wrong there.

Clause 13 relates to requirements for measuring instruments. Subsection (2) states: 'The requirements for re-verification of a measuring instrument are the same as for verification under subsection (1) except that the instrument need not operate within the appropriate limit of error that may be tolerated under the National Measurement Act at verification but must operate within the appropriate limits of error that may be tolerated under the act at re-verification'.

I can understand that. First, the particular instrument is certified by somebody in private industry, then it is verified and then, at any time after that, it is re-verified. To say that this instrument need not operate within appropriate limits of error on verification is laying that open to illegal use because it seems to be open slather, except when it is re-verified. The instrument can measure anything when it is verified but it is only on re-verification, following a re-examination by the inspector, that it has to be spot on. As the honourable minister said in his second-reading speech and as the legislation indicates, there are no set times for examination of measuring instruments. They will be examined and checked as the demand arises or at the discretion of the inspector. This is reasonable because there would probably be some measuring instruments which

retain their verification over long periods and other instruments which would need re-verification more often. The people who use these instruments would be more likely to be kept on their toes than if verification or re-verification occurred, for example, in October every year.

Clause 25 relates to special provisions for the sale of meat. I am still not convinced that meat needs to be treated differently from other produce. I know that meat comes in different cuts and I know that it may be packaged. Nevertheless, the special provisions applying to meat could be applied equally to certain vegetables. Whilst chops can vary from animal to animal, onions can vary too.

There is another anomaly, which I believe results from ignorance. Clause 25(4) deals with an exclusion: 'In this section "meat" means so much of a slaughtered animal as is ordinarily sold for human consumption (whether or not after being subjected to a process of any kind) but does not include the whole or any part of rabbit or shellfish ...'. I can only assume that rabbit and shellfish were included there because they are usually sold as a unit. However, poultry of all sorts, including roosters, capons, ducks and turkeys, is sold in units. Why were they not included as well? They are sold by weight, but rabbits are also sold by weight.

Clause 25(4)(b) says that other things not included in the definition of meat are 'heads, feet, hearts, lights, kidneys, brains or sweetbread'. For those people who like offal, as I do, I cannot understand why livers and tongues are not included. Heads are included separately from brains and therefore the contents of heads obviously are excluded from the definition of heads. Tongues come in heads. Why aren't they included as well as livers? I consider that to be an anomaly or an inaccuracy and it needs to be corrected.

Clause 25(5) states: 'This section does not apply to the sale (other than for the purpose of resale) of cooked meat sold on the premises on which it is cooked'. There is an anomaly there. If I have a bacon factory, it does not apply to me. However, it does apply to the retailers of the bacon that I sell. I cannot understand that, and I would ask the honourable minister to deal with that point.

Clause 29 relates to defences concerning packaging of prepacked articles. There seems to be duplication in respect of prepacked articles sold on the premises for consumption or use and not for resale. I cannot understand why the duplication occurs, but often I do not understand the wafflings of lawyers who write legislation for us.

Clause 45 relates to grounds for refusal in relation to an application for a licence. Whilst I agree with the grounds listed under (a), (b) and (c), (d) makes reference to an applicant who 'is not a person likely to carry on the activities of licensee honestly and fairly'. I think that would be very difficult to prove and I feel that it could lead to unfair treatment of an applicant. A person's suitability or otherwise is covered by clause 45 (2) which indicates that an applicant would be considered not a fit and proper person to be a licensee if he or she had served terms of imprisonment for fraud or other offences in relation to the job for which he is applying. I agree with that. However, to limit a person by saying that the licence could be refused if the applicant is not likely to carry on activities honestly and fairly is conjecture, and I do not believe that it has any part in our law.

The member for MacDonnell spoke about clause 65 which relates to obstruction of an inspector. The penalty for non-compliance is $10 000 and I believe that is ridiculously high when one considers the penalties meted out to people who infringe against other people's personal liberties by way of assault etc. I would like the honourable minister to do something about that.

I know that we must have this type of legislation, but I would like to voice not exactly my disagreement but my deprecation of the fact that it gives more and more people in the community the ability to come into our private lives and inspect our goods and our properties, to rat around and look for all sorts of things. I have grave reservations about that. I cherish my privacy. There are far too many pieces of legislation which give particular inspectors permission to come on to our premises, to search them and to do all sorts of things relating to the particular act whose provisions they enforce. I realise that, in most cases, inspectors or police carry out their duties in administering legislation in a fair and just way. I am always worried, however, that there may be cases in which provisions are acted on in an unjust way. I believe that the privacy of the individual has to be protected. With the reservations that I have mentioned, I support the legislation.

Mr PALMER (Karama): Mr Speaker, as has been stated by the minister, these bills are the result of agreements reached at a ministerial council for the introduction of uniform legislation in relation to weights and measures throughout Australia. I will deal firstly with the Trade Measurement Bill. Clause 5 binds the Crown in so far as the powers of the Legislative Assembly permit yet, at the same time, protects the Crown from prosecution under the act. Clause 6 makes certain exemptions, as has been indicated by other members. Subclause 6(2) states:

> Except to the extent that regulations made under the Administration Act otherwise provide, this act does not apply to a measurement, or an instrument used for the purposes of a measurement, to determine any of the following:
>
> (a) a quantity of reticulated electricity, reticulated gas or reticulated water;
>
> (b) charges relating to telephone calls;
>
> (c) the fare payable for use of a taxi;
>
> (d) the charge for the hire of a motor vehicle;
>
> (e) tyre pressures;
>
> (f) the expiration of the time for parking a motor vehicle.

Subclause 6(3) states that nothing in the legislation applies to or in respect of bread.

I do not understand why a commercial enterprise, albeit government-owned, which acts on a monopolistic basis and certainly provides very essential services for the well-being of the community, on a measured consumption basis, should not be subject to some form of outside scrutiny as to the accuracy of those measurements. It may well be that the Power and Water Authority is subject to some other scrutiny, but there was nothing in the second-reading speech of the minister that would suggest that.

Likewise, and notwithstanding that we do not have parking meters in the Northern Territory, I do not see how a city or town council can advertise the availability of parking spaces at a set rate for a given period of time without the measurement of that period of time being subject to some outside scrutiny. I do not know how much it would apply in Darwin, but I am sure that some fiddling with the parking meters in Sydney would produce some extraordinary revenue results if that was the council's desire.

As the member for Koolpinyah pointed out, bread is also exempt from the provisions of this legislation. I have been assured too by the minister that that matter of bread will be dealt with under separate legislation. Without being crusty, and in the absence of any perceived urgent need, I will bet good dough that that will not be forthcoming shortly.

Part II of the bill relates to the use of measuring instruments for trade. It requires that measuring instruments carry either an inspector's mark or a licensing mark. It covers such other things as unjust measurements and the supply of incorrect instruments. Part III provides for the verification, re-verification and certification of measuring instruments. Parts IV and V contain the teeth of the bill and relate directly to the protection of the consumer. They cover a range of sins, including incorrect measurement or price calculation, variation of quantity ordered, incorrect pricing of prepackaged articles and short measures.

I would like to turn to clause 29(2)(a) which allows a specific defence under the packaging provisions: that the prepacked article was packed outside Australia. That single small paragraph in this whole raft of legislation genuinely annoys me. Far too often, Australian manufacturers are forced to comply with all manner of regulation enforced in foreign marketplaces - regulation which in many cases amounts to nothing more than non-tariff barriers to trade. If it is good enough for Australian companies to comply 100% with Australian packaging regulations and consumer laws, then in my opinion it is good enough for foreign companies who wish to compete in the Australian market also to comply 100% with those laws and regulations. We have a monthly current account deficit ranging from between $1300m and $1800m yet still we are not prepared to do unto others as they would do unto us.

Part VI deals with licences and the application for, allocation of and control of licences. Part VII deals with inspectors and their powers and would appear to be consistent with similar provisions contained in similar acts which contain inspectorial powers of search and questioning. I do not share the concerns of other members about those particular provisions. The final part, part VIII, covers a number of miscellaneous provisions including increased penalties for bodies corporate, compensation for loss caused by an offence and other provisions relating to evidence.

The Trade Measurement Administration Bill deals generally with the administration of the proposed Trade Measurement Act. It repeals the Weights and Measures Act and the Weights and Measures (Packaged Goods) Act and their associated regulations. With the small reservations that I have mentioned, I support the bills.

Mr COLLINS (Sadadeen): Mr Speaker, I will be brief. I recall a couple of ancient references to weighing. One concerns the famous Greek story in which the king put a problem to Archimedes. The king had had a crown made. Its weight was the same as that of the gold which the king had supplied, but the king thought that the goldsmith had put some silver in it. Archimedes was not allowed to wreck the crown because it was rather a nice job, but he

had to find out whether the bloke was cheating. It is not quite as simple as many people think. It relies on the fact that the density of gold is greater than the density of silver. The volume of the crown could be worked out and, from that, it could be determined whether the gold had been adulterated with silver and, if so, by how much. That is one ancient story relating to measurement.

I am reminded also of a biblical exhortation. Apparently, not all of the Jews could be relied on to give fair measure. The biblical exhortation was: 'Give full measure, pressed down and overflowing'. Today, we have dispensed with the more crude measuring instruments. When weighing goods using those instruments, most people gave more than the weight required. Electronic measuring systems cost a great deal more to install but soon pay for themselves because the consumer pays for what he receives, including the weight of the packaging.

The key point that I would make in this debate is one which has been made on television recently. Apparently, manufacturers may be permitted to put various products into packages of varying size rather than packages of a standard size. If the same quantity of product is purchased but packaged in containers of different sizes, that will make it extremely difficult for the consumer to examine different brands to try to determine the best value for money. There is one answer to that. It is done in respect of prepackaged meats and other products: not only is the cost and weight given but also the cost per kilogram. Shoppers look first at the price per kilogram and they are able to make a fair comparison between the various products on offer. They then look at the total price and make their choice. I understand that regulations will be made under this legislation. If containers of all sizes are to be permitted, I urge that consideration be given to requiring the price per standard weight to be shown on the package. That would enable housewives and househusbands to make a fair comparison between one brand and another.

Mr HATTON (Health and Community Services): Mr Speaker, it has been an interesting debate. I would like to deal broadly with some of the issues raised by honourable members. Firstly, I would like to refer to the fundamental nature of the legislation. It is intended to be uniform with similar legislation throughout Australia. The process of developing that has arisen out of debates that have occurred at ministerial councils. The aim is a commonality of regulations and rules that affect the weighing and packaging of goods across Australia. With the increasing national trade and commerce, it will be to the significant advantage of manufacturers and producers and to consumers who are travelling from place to place in Australia to know the processes and procedures are common at all places within Australia. That is the essence of introducing uniform law where it is appropriate in Australia. This law relates to something as fundamental as the weight, the pricing and the packaging of goods that people will buy for their own consumption.

On that basis, I am pleased to note that the legislation is generally supported by this Assembly. I am sure that it will be supported throughout Australia. That is not to say that, from time to time, a number of issues will not arise as a result of which representations may be made for the uniform law to be modified. However, it is important to maintain uniformity in any amendments that occur in that process. Our government intends to participate fully in the uniform law processes. Any amendments would be dealt with through the appropriate ministerial council and interstate agreements so that such amendments would occur throughout Australia.

Another point to note is that 2 bills have been presented: the Trade Measurement Bill and the Trade Measurement Administration Bill. The separate administration bill provides the opportunity for individualisation of the administrative procedures to suit the circumstances as they exist in different parts of Australia. Whilst the Trade Measurement Bill is uniform, the Trade Measurement Administration Bill is not uniform. That is not to say that it is deficient, less comprehensive or provides less protection for the rights of individuals. It takes into account the circumstances that exist in various places. There is the matter of compatibility with state legal systems which do vary. For example, in the Northern Territory, the superintendent is the administering authority whereas the Commissioner for Consumer Affairs is the licensing authority. By that means, we can use an existing administrative infrastructure for things such as the licensing of people under the Trade Measurement Act. The Northern Territory uses the local courts system and therefore this fits into the administrative and legal infrastructure that exists in the Northern Territory. It complies with local laws with respect to things such as search warrants.

For a range of administrative peculiarities of that sort in the Northern Territory, the administration bill makes the legislation compatible and avoids the necessity for duplication of administrative and legal resources. It provides a more appropriate mechanism of operation in the Territory. Basically, it is consistent with the previous administrative arrangements except that there have been points of clarification. Our previous administrative arrangements were based substantially on those of South Australia. These have been compared and, where clarifications have been made, they fit in generally with those applying in New South Wales. Thus, the administrative arrangements do have a national commonality although, in finetuning, they are tailor-made to particular administrative and legal processes.

In respect of red tape, I hope members recognise that, if there is one law across the country, then there are significantly fewer bureaucratic and administrative changes in procedures, rules and regulations that corporations and businesses need to deal with in moving from location to location. That must be a streamlining of red tape. Not requiring a machine to be checked on a specific annual date is part of removing the red tape surrounding the process. The opportunity to have certification done by licensed private operators now applies with the registration of motor vehicles. That simplifies and facilitates the processes of businesses. However, there is checking and verification to be carried out by our people when they are engaged in routine inspectorial functions. That does not prevent business getting on with business in the meantime. That must mean a significant improvement in respect of red tape and bureaucratic interference in the legitimate processes of business without reducing the fundamental protection for the consumer which is the underlying element of this legislation.

Mrs Padgham-Purich: Will you have discretion in relation to particular conditions here?

Mr HATTON: Mr Speaker, the regulations in respect of particular conditions, particularly administrative arrangements, are provided in the uniform legislation.

Under clause 63, we will need to introduce a bread bill. This is uniform law. Unfortunately, no state in Australia dealt with bread under weights and measures legislation. To obtain uniform law, we will need to introduce a separate bread bill. It is a step that one would prefer not to

take but, for the purpose of uniformity and consistency, that process must be undertaken. However, I give an assurance that I will not introduce any rules relating to bread that are unnecessary for the protection of the consumer.

The member for Karama raised the matter of clause 6(2) dealing with things such as taxi meters, charges for hire-cars and tyre pressures etc. Most of that is dealt with already under existing legislation. For example, taxi meters are regulated and checked under the Motor Vehicles Act. To my knowledge, you do not pay to have your tyres pumped up. I think those exemptions are generally reasonable. They are not intended to exclude people from having their meters and measuring devices checked. It is a recognition of the fact that these are dealt with through alternative and appropriate legislative mechanisms.

The honourable member raised a matter concerning clause 29(2)(a). If it were true that any goods prepacked internationally and brought into Australia were not required to comply with Australian laws governing weights and measures, I would fully agree with what the honourable member said. I ask him to refer to the prelude to that. Subclause (2) says: 'It is a defence in proceedings under section 28 against a person who sells a prepacked article (to the extent that the proceedings concern the requirement that the name or address be marked on the package) if it is established ...'. It is only that particular provision on weights and measures that provides a defence. That is a practical provision. Similarly, honourable members will note that subclause (2)(b) refers to goods pre-packed and sold on the premises. If there is an error in the weight of goods prepacked at Coles, for example, the consumer knows whom to prosecute. If the goods are packaged overseas, it would be difficult to launch a prosecution against the person who incorrectly weighed the goods.

Mrs Padgham-Purich: What about the provisions for the sale of meat?

Mr HATTON: I fully support the view that meat should be sold only by weight. The member for Koolpinyah raised a number of interesting matters dealing with offal. I think the honourable member ...

Mrs Padgham-Purich: Has right on her side.

Mr HATTON: ... had some valid points to make, and I will certainly raise that matter at a ministerial council to determine whether those provisions could be practically and appropriately amended. I will advise the honourable member if these matters are clarified at a ministerial council.

Mrs Padgham-Purich: Livers, tongues and chooks?

Mr HATTON: I believe that poultry should be sold by weight. I do not support the honourable member on that. However, as I mentioned to the honourable member outside the Chamber, I would prefer to delete the reference to rabbits rather than include reference to poultry in respect of the exemptions there ...

Mrs Padgham-Purich: I will go along with you on that.

Mr HATTON: ... if one wishes to be consistent across the board.

Mr Speaker, I can go through the details of these arrangements ...

Mrs Padgham-Purich: What about the ridiculously high penalties?

Mr HATTON: A couple of honourable members expressed the view that the penalties are too high. I remind honourable members that those penalties are set nationally. I understand the views expressed by the member for Koolpinyah in respect of criminal offences. My view is that it would be more appropriate to increase the severity of penalties for sexual assaults and similar offences.

Mrs Padgham-Purich: I hope the Attorney-General says that.

Mr HATTON: I know the Attorney-General has spoken in this House on many occasions on that.

Mrs Padgham-Purich: But he is not doing anything.

Mr HATTON: He is seeking to introduce legislation to deal with the legitimacy of truth-in-sentencing laws, and to strengthen the penalty provisions applying to criminal offences in the Northern Territory.

These penalties are common across Australia. They are designed to act as a real deterrent against people who will fiddle the books in order to short-change people. I refer again to the edict of Louis XI and the penalty one would have faced in medieval France. Where a company may have short-changed consumers throughout the country and made millions of dollars in unjust profits, these penalties could be argued to be paltry indeed. After all, they are maximum penalties. I commend the bills to honourable members.

Motion agreed to; bills read a second time.

See Minutes for amendments agreed to in committee without debate.

Bills passed remaining stages without debate.

FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL
(Serial 256)

Continued from 22 February 1990.

Mr SMITH (Opposition Leader): Mr Speaker, this is a simple amendment to the Financial Administration and Audit Act which will have the effect of streamlining existing procedures. The opposition supports the bill.

Motion agreed to; bill read a second time.

Mr PERRON (Chief Minister)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

RACING AND BETTING AMENDMENT BILL
(Serial 274)

Continued from 1 March 1990.

Mr LEO (Nhulunbuy): Mr Speaker, the opposition supports this legislation. It provides for a code to be adopted in the Northern Territory which is basically uniform with those being adopted in the states. At the

time when the TAB was introduced, it was argued in this House and other places that the racing industry is exactly that - a racing industry. It is not about racing clubs; it is an industry. The opposition understands the need for an independent tribunal with the ability to review the decisions of those clubs which are a component of this immense industry within Australia called the racing industry.

The minister has indicated to me that the government intends to introduce some minor amendments as a consequence of discussions that have been held with racing industry people in the states. The opposition certainly supports the legislation, and I anticipate that it will be supporting those minor amendments.

Motion agreed to; bill read a second time.

Mr FINCH (Racing and Gaming): Mr Speaker, I move that the committee stage be later taken.

Motion agreed to.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 279)

Continued from 1 March 1990.

Mr BELL (MacDonnell): Mr Speaker, the Legal Practitioners Amendment Bill will allow the admittance to articles of clerkship of graduates of law faculties after their exams are passed but before those degrees are actually conferred. The difficulties in this regard were drawn to the attention of the legislature, as the honourable Attorney-General mentioned in his second-reading speech on this bill, and I am pleased to report that the opposition supports the bill.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

ADJOURNMENT

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

Mr COLLINS (Sadadeen): Mr Speaker, I wish to raise a topic that I have raised in this House before. No doubt, it will receive a certain amount of criticism from certain honourable members. In the days preceding the election of 24 March, a press release quoted on the radio announced that the Labor Party was very pleased, or words to that effect, that the high Aboriginal vote that the party usually attracted in the bush was being upheld. These votes had not been counted. I do not believe votes in those ballot boxes were counted until the night of polling day. There was only one way that that announcement could be made with such assurance, and that was through the assisted vote. All candidates can have their representatives look over the shoulder of the Electoral Commission officer who is giving the assistance to the voter, to see that that assistance is not rendered in a way likely to sway the voter in any way and to satisfy all

candidates that the will of that voter was translated correctly. That seems fair and reasonable.

In this situation, particularly in closed communities of Aboriginal people, I believe that the assisted vote is overdone. There is a host of Aboriginal people who have had the necessary education to follow the how-to-vote card and who could fill out the ballot paper quite correctly, expressing their own particular will, without being supervised. Particularly in closed communities, the use of local scrutineers by political parties coupled with the assisted voting process could lead to all sorts of pressures being applied. It could be as simple as someone saying: 'I hope you are going to vote for X, because X is a pretty good bloke'. The scrutineer may be someone whom the Aboriginal person feels he wants to please. I am certainly not making any accusations about the conduct of electoral officers, but there is a subtle pressure on the voter in terms of pleasing the scrutineer who is looking over his shoulder. There is also the possibility of much less subtle pressure. Quite brutal pressure could be applied. It could be a case of someone saying: 'I will know how you vote. If you do not vote the way we want you to vote, you will get thumped'. My point is that such things are possible. That possibility is negligible in larger urban communities but, in the closed communities where many Aboriginal people live, it could happen.

I believe that one of the basic tenets of our democratic society is the secret ballot. Nobody should be in a position of having someone else see how he or she votes unless it is absolutely necessary because a voter can hardly see or is so feeble that he or she cannot write. There are some exceptions. However, the assisted vote is overdone. There is far too much use of it in the Aboriginal communities and that message was obvious from the radio reports which said that the ALP was obtaining its usual high vote. That could be known only because the scrutineers were watching.

The assisted vote is an insult to a large number of Aboriginal people who have the capability and the education to vote on their own. I believe that they are being placed in an invidious position. Everybody who is capable of voting alone should be urged to do so and should not be put in this position. It is a bit like the union situation in which people do not attend meetings because they know that, if they vote against the leadership in a show of hands, they will be subjected to pressure.

Mr Bell: That is a load of nonsense, Denis. You do not know what you are talking about.

Mr COLLINS: People are placed under pressure. The member for MacDonnell would like to think that I do not know what I am talking about. He has a great system going. It can rort the system. By looking over their shoulders, people can put pressure on other people.

Mr BELL: A point of order, Mr Speaker! I ask the member for Sadadeen to withdraw the accusation that I have, to quote his words, 'a great system going' with its implications of dishonesty.

Mr COLLINS: Mr Speaker, I withdraw. However, my basic premise is based on my own experience and it is that, in many cases, the assisted vote ...

Mr Bell: You have never been to a booth in the bush, Denis. You do not know what you are talking about.

Mr SPEAKER: Order!

Mr COLLINS: Mr Speaker, I have been to many bush polling places. For example, when the member for Barkly had to re-contest his seat in a by-election, I went out and supported him. I visited many of the bush polling places. I have visited such places over many years. My first acquaintance with some very interesting tactics actually occurred at St Marys. I have related this story, which concerns my last ALP opponent, Meredith Campbell, and I will tell the story again.

As I understand it, the presiding officer should not offer assistance unless it is asked for. However, when Ms Campbell saw an Aboriginal woman coming into the booth at St Marys, she grabbed hold of her. She put a hand on each shoulder behind her and she greeted her like a long-time friend which, obviously, she was. She marched the Aboriginal woman over to the presiding officer who asked if she wanted an assisted vote. I can still see it now, Mr Speaker. Ms Campbell nodded her head and, as she did so, her arms went back and forth on the Aboriginal woman's head. The Aboriginal woman did not say a word but her head nodded. The woman had an assisted vote. Fascinating stuff!

Mr Bell: Did you make a complaint to the presiding officer? No! You stand in here whingeing about it behind the shield of privilege. You are a coward!

Mr SPEAKER: Order! I ask the member for MacDonnell to withdraw that unparliamentary remark.

Mr BELL: I withdraw unreservedly, Mr Speaker, but I retain the right to respond to the member's comments at a later hour.

Mr COLLINS: Mr Speaker, I dare say that I am sometimes a bit of a slow thinker. I observed this episode and it was only when I thought about it later that I came to the conclusion that the presiding officer should not have offered assistance.

Mr Bell: Who else can you vilify? Come on, pick another target. What about defaming a couple of trade union officials tonight?

Mr COLLINS: Mr Speaker, we can talk about members of trade unions who are marvellous people. The leadership drives away the normal, decent people. They do not go to meetings because they do not want to be subjected to pressure and threats. They stay away and the leadership gets its way. One of the beaut things which Margaret Thatcher has done in Great Britain is to introduce a secret ballot. She took 5 years to do so. That was wise because, if it had been done more quickly, the men would have been stirred up and it would have been rejected. Unionists in Britain love the secret ballot. Nowadays, when unions vote to go out on strike, you can be sure that they are expressing the actual will of their members. Mr Speaker, you may have noticed that there have been considerably fewer strikes in Great Britain since the secret ballot was introduced for union votes. People can sit down in their own homes, discuss the matter with their families, vote in secret and send in their ballot papers. On most votes concerning strikes, less than 50% of members have been in favour.

The same principle should apply to the voting system in the Northern Territory. It should not only be fair but should be seen to be fair. An Aboriginal person, or any other person for that matter, can obtain another voting paper if the first one is messed up. If you make a mistake, you can take back your paper and get another one. However, I believe that we are

insulting Aboriginal people by not encouraging them at every opportunity to make their votes in secret.

Mr FIRMIN (Ludmilla): Mr Speaker, I would like to speak briefly on 2 electorate matters this evening. Probably, the first matter does not have an enormous amount of impact on the local community at this moment. I am hopeful, however, that it will have an impact on my community later in the year. I refer to the ...

Mr Bell: It was Yami Lester and now it is Meredith Campbell. You are a gutless wonder, Denis.

Mr VALE: A point of order, Mr Speaker! I heard that. If the member for MacDonnell wants to continue his unparliamentary interjections ...

Mr Bell: Sit down and shut up.

Mr SPEAKER: Order! On separate occasions, the member for MacDonnell has attacked 2 members, the member for Sadadeen and the member for Braitling. If his attitude does not improve, I will be forced to name him this evening.

Mr FIRMIN: Mr Speaker, the matter I refer to ...

Mr Bell: You would not tell it outside, would you?

Mr FIRMIN: Mr Speaker, the interjections from the member for MacDonnell have been continuing since I rose to speak. For a change, I would like to talk about my electorate and not his.

The first matter I wish to refer to is the flooding of the left-hand lane on the eastern side of Bagot Road where it abuts the boundary of the RAAF Base. Most people who have lived here through even 1 wet season will know that that lane floods virtually every year and, even with the very limited wet season, this year was no exception. I have been working towards solving this vexing problem for a number of years and I can report to the Assembly this evening that, hopefully by the next wet season, Darwin residents will no longer be subjected to the problems of flooding on Bagot Road.

The other day, an historic meeting was held on the RAAF Base. It was attended by representatives of the Departments of Lands and Housing and Transport and Works, the Darwin City Council, the RAAF people and the RAAF Golf Club which controls the land down to the base boundary. It was agreed jointly that, after an incredible number of years of trying to come to some arrangement on how to handle this matter, that work would be done on RAAF land to provide bunding adjacent to Bagot Road in order to redirect the flow of ground water from across the RAAF Golf Club into the open, unlined drains which are the major catchment drains on the RAAF Base. Instead of flowing onto the road as it moves towards the side entry pits leading to the drains, the water will go under Bagot Road. The surveyors have already examined the low-lying areas and, hopefully, work should commence within the next 5 to 6 weeks. Once the bunds are in place, flooding of Bagot Road should be a thing of the past other than in exceptional rain conditions.

Another matter which I would like to touch on briefly tonight also concerns the RAAF Base. More particularly, it concerns the recent arrival of a very famous aeroplane which, I believe, will have a great impact on tourist visitations to Darwin. I refer to the arrival of the B52 bomber

that was granted to us by the United States government. Of course, many people in town saw it fly over in the company of our Australian jets and, certainly, some publicity was given to it on the day it arrived. However, I really do not believe that the impact of that wonderful gift has really registered with the local population. That will occur only when the bomber is put into the hangar, adjacent to the Stuart Highway, which has been built specifically to house it.

It is only the second aircraft of its type that has been given away by the United States government. The only other such aircraft that has been given away is in England. Numerous countries and organisations have made requests for one of those bombers as a museum exhibit. The gift is certainly appreciated by myself and, I hope, by the rest of Darwin. It signifies the importance which the Americans place on their relationship with this city. That is what enabled them to convince their government that the aircraft should reside here after being decommissioned.

I would like to pay tribute also to the men of the 43rd Bomber Wing who prepared the aircraft prior to its arrival here. Again, I do not believe that the local people are aware of the enormous amount of work that went into preparing that aircraft to bring it here. I am not talking about an enormous amount of work paid for by a government. I am talking about the 1600 man-hours that were given voluntarily by the men of the bomber wing in Guam in order totally to strip and clean that aircraft, repaint it in its original colours, and prepare it with its insignia in readiness for bringing it here. They spoke about that operation, and the relationship that they have with people in this city, at their base decommissioning ceremony which was held in Guam and which, unfortunately, nobody from Darwin was able to attend because of the distance and the inability to travel to that area. I was sorry that I was unable to be at Guam for that event.

Certainly, I can appreciate the work that they put in. I went out to the bomber replenishment area at the aerodrome and welcomed the men of the wing and their commanders when they brought the B52 here. I was amazed by its immaculate condition and the credit that they paid us by the insignias on it. They called the aircraft 'The Pride of Darwin'. They had to obtain special permission to name the aircraft for us and, with the tri-service flags and the Northern Territory flag painted under the bomber windows, she is a very handsome-looking beast. Her appearance is further enhanced by a painting of a very large coconut palm on her tail structure.

Mrs Padgham-Purich: I am glad it is a she and not a he.

Mr FIRMIN: All aircraft are female.

The aircraft is currently sitting at the bottom of the BRA. Its engines and most of the sensitive equipment were removed within a very short time of the plane's arrival here, and the aircraft was decommissioned. In the next few weeks, when the taxiway area is completed from the BRA to the hangar area - and I will talk about that in another forum because it is very generous work as well - the men of the 43rd Bomber Wing will have to remove the tail in order to get the aircraft into the hangar. The tail is a little large for the entryway. When the aircraft is finally in position, the tail will be replaced. It will fit between the roof trusses inside the hangar.

I would recommend that any interested member have a look at the hangar. It was open for public inspection again last Sunday. Although the aircraft is not yet in the hangar, its final position is marked out on the floor. People will walk in through the front doors underneath the port wing which

will be some 17' above their heads. Basically, the whole building will be taken up by that aircraft. The fuselage will take up the major part of middle of the hangar. The space beneath the plane's wings is so high that a substantial number of exhibits can be displayed in those areas. Those other exhibits will consist of smaller and equally historic aircraft or sections of other aircraft. I understand that we are on track for the B52 to be in place for the official opening of the museum on 2 June.

Mr BELL (MacDonnell): Mr Speaker, in a recent A Current Affair program, the Reverend Jim Downing of the Uniting Church in Darwin was portrayed, by some highly-selective editing of an interview, as being responsible for supplying kava in Arnhem Land. In my view, that editing was extremely unfair and, as I say, selective in respect of the situation of the Uniting Church and particularly of the activities of the Reverend Jim Downing.

I refer honourable members to an information sheet published in March 1990 by the Aboriginal Resource and Development Service of the Uniting Church which is the community development arm of the Uniting Aboriginal and Islander Christian Congress. In that information sheet, the Acting Executive Officer of the ARDS, Rrurrambudhurrkay, made several comments in that regard. He said that, having watched that program, he was disgusted and disappointed about the name of the Uniting Church being used as a supplier of kava and the church being portrayed as not knowing about the potentially serious effects of kava. He pointed out very trenchantly in that article that this was not true and that the Uniting Church had nothing to do with it. He went on to point out that kava had been introduced in Arnhem Land because of a decision of people themselves. He said:

> For years, Fijian missionaries drank kava but did not introduce it to Aboriginal people. It went unnoticed. It was when Aboriginal from Yirrkala, respected elders from each clan, went to Fiji on an educational visit that they learnt about kava. They were invited to sit around a kava bowl and drink, and talk about community development in the context of a third-world situation, and how this could help them. Because of the Fijian practice of talking about their business over this special drink with customary ceremony, the Aboriginal leaders saw that the Fijians used it to talk, to build up their leadership, and create unity and mutual feelings toward each other.
>
> The Aboriginal people were challenged by this custom of getting together to talk about business over kava and felt that it could work for them. Seeing that the substance was not harmful to the Fijian community, they believed it would not be harmful to them.

He went on to say:

> The Uniting Church policy, 'Free To Decide', left Aboriginal people free to choose for themselves how they would run their affairs, and that is how kava came into Arnhem Land. It was the will of the people themselves, and not the Uniting Church nor their employers, to introduce kava. Their employees simply responded to the request of the Aboriginal communities for whom they were really working.

He went on to be extremely critical of the A Current Affair producer. He said:

> The A Current Affair producer, who was responsible for that selectively-edited interview, asked to do research on Elcho Island

> about unemployment benefits, but really used the kava issue to attack the Uniting Church because the Goulburn Island people refused to let the media in in the past.

He concluded his comments about what he termed 'a current kava affair' by saying:

> This is just a biblical thought for the media, based on John 8.31-32: 'If you know the truth and are saved by the truth, you will be free indeed to tell the whole truth'.

I was very concerned that undoubtedly the question of kava use and abuse was portrayed as being purely and simply the result of the Uniting Church's actions. I believe that the Reverend Jim Downing's contribution to Aboriginal communities, both in the Top End and in central Australia, deserves rather more than that. His efforts in relation to individuals and community organisations deserve a much fairer appraisal than that program gave. Central Australian members will be aware of the work of Jim Downing in respect of the establishment of the Institute for Aboriginal Development, along with Mr Yami Lester and a number of other people. I am proud to place on record that I received some initial lessons in Pitjantjatjara in 1974 through the agency of Jim Downing and also from the brother of Dr Kerry Kirk who worked here for many years ...

A member: Brian.

Mr BELL: I appreciate the interjection. Of course, it was Brian Kirk. His Christian name eluded me for a moment.

The unfortunate sensationalism that was evident in the program was something of which the producers of A Current Affair should be less than proud. I trust that an apology will be forthcoming.

Recently, my wife and I were privileged to enjoy a performance of a play called 'Dragged Screaming To Paradise'. It was a production of a play that was written and produced locally. The play is written by Suzanne Spunner. The form of the play is a very dramatic monologue, and the play was produced by Tessa Pauling whose name will be well known to members and to people who take an interest in the arts scene in the Northern Territory. Briefly, the plot relates to the anguish of a wife transplanted from a southern capital to Darwin, the immense difficulties and tensions that she has to confront and her eventual coming to terms with life in the Top End. I will not attempt to provide an in-depth critical analysis of the play. I will simply say that I found it very satisfying.

One of the few things that I miss about no longer living in Melbourne is live theatre. I particularly enjoyed the social realism of the David Williamson plays. Honourable members may be aware of plays like 'Don's Party', 'The Removalist' and, more recently, 'The Club' and 'Emerald City'. Those were wonderful Williamson productions. I remember seeing 'The Removalist' and 'Don's Party' live in Melbourne in the early 1970s. This production could be fairly described as social realism. It describes in very poignant terms the anguish of a woman transplanted into an alien environment. It explored all the problems of the husband's satisfaction with a new job and new challenges and counterpoised those with the loneliness of his wife. The wife is the only character in the play, but those other themes are explored in a very realistic and satisfying way.

The Brown's Mart quarterly arts journal 'Lightning Times', gives a review of the play. It was particularly interesting to read the reference to, and comparison with, the work of David Williamson. The playwright herself is quoted as emphasising the need for a dramatic form that fits the content and a style which effectively contains and controls the message. She stated: 'I originally envisaged it as a monologue, then went through a phase of total doubt. I wrote sections of dialogue and found it got into a David Williamson style of ordinary conversation which I was not happy with. That developed into the dialectic where the woman assumes all other voices, where the things she was packing talked to her'. The very interesting dramatic form that has that social realism content is qualified, to some extent, by the almost animism of the articles that she is taking with her from the southern capital to Darwin. That provided a uniqueness as well as a comparison with those plays that I have already referred to.

I do not know whether there will be any further performances. I note from the schedule of performances that it was due to be performed in Nhulunbuy, Jabiru, Katherine, Alice Springs and Tennant Creek as well as in Darwin. Should there be a future performance, I commend it to honourable members. It is very rewarding for people in public life, who spend their time dealing with the here-and-now and the black-and-white realities of legislative and administrative frameworks, to have that leavened occasionally by creative expressions of people dealing with circumstances that are affected by the business of this House. I commend that play to honourable members and take this opportunity to congratulate the writer, the performer, the director and others associated with the production.

Mr MANZIE (Attorney-General): Mr Speaker, during question time this morning, the member for Wanguri asked the Chief Minister when Mr Mulholland QC would be visiting the Territory and the Chief Minister undertook to reply to that question today. He has asked me to provide that information on his behalf. The Chief Minister has been at great pains to point out that Mr Mulholland is totally unconstrained by the government in the way that he carries out the brief that has been given to him. Any decision as to when he would need to come to Darwin is therefore totally a matter for him. The Chief Minister has not been advised of Mr Mulholland's intentions, but he will meet whatever requests are made of him.

Before I sit down, I would like to endorse the remarks of the member for MacDonnell in regard to the treatment that was handed out on television to Reverend Downing in relation to kava. It is an example to a member of the church of the sort of thing that happens quite often to politicians and to other people in our community. It is a most unfortunate fact that a trend seems to have developed among some of the media current affairs shows whereby the most important factor seems to be to provide some entertainment rather than correct and truthful information. In this instance, it did do a great disservice to a person who has contributed much to the Northern Territory.

I am certainly glad the member for MacDonnell enjoyed his outing to the theatre. There are many others in this House who also enjoy live entertainment of that kind. I think it was rather remiss of the honourable member not to pass favourable comment on the government's interest and expenditure on infrastructure and support for live theatre and the arts in the Territory since self-government.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, recently, I received an invitation from an officer of the Australian National Parks and Wildlife Service to pay a visit to Kakadu National Park to inspect the

situation with regard to infestation by the noxious weed salvinia. I had made remarks about the salvinia infestation in Kakadu. He contacted me and asked me if I would like to have a briefing on the current situation. I accepted the invitation and I must say that I had a very enjoyable day. I was taken to many places in Kakadu. The ANPWS officer who accompanied me was most informative. We discussed many subjects, but mainly noxious weeds and, in particular, salvinia and mimosa.

As honourable members probably know, salvinia is a noxious weed which is causing grave concern, not only to the Commonwealth government in administering Kakadu National Park through the ANPWS, but also to the Northern Territory government. It is a noxious weed which affects waterways and it first became obvious in the Kakadu area in about 1983. Some time after infestations were first noticed, active discussions occurred between the then Department of Primary Industry, the CSIRO, the ANPWS and the Conservation Commission. In 1983, Kakadu Stage 3 had not been declared. If my memory serves me correctly, in 1983, salvinia was found first of all in Stage 2 of Kakadu National Park.

The discussions between the various government bodies took many forms. The main subject of discussion was how to get rid of the weed. Many ways of eradicating it were canvassed. Spraying with certain agents was recommended and that was undertaken. If my memory serves me correctly, one of the sprays used was Round Up. Of course, Round Up cannot be used in the quantities necessary to eradicate even a relatively small infestation. I believe that the use of noxious weedicides and herbicides is necessary on occasion, but that should occur only in very controlled situations. Nevertheless, other sprays were used. One of them was a mixture of kerosene and detergent which many people say is a little safer than Round Up or other herbicides. However, kerosene-based detergent cannot be sprayed in all the waterways in extensive areas.

Finally, biological control was decided on and an insect, the weevil certibagus, was introduced. This weevil had a great history of getting rid of salvinia in Papua New Guinea and therefore it was introduced into Kakadu with high hopes. Unfortunately, the high hopes held of its eliminating salvinia were not realised. It was let loose in several places and under different conditions. Then, the situation that pertained in Papua New Guinea was examined more closely. Salvinia has a content of only about 2% nitrogen in its makeup, but it was found that, if the nitrogen flow was increased to the salvinia, it would inhibit its growth. Different substances containing nitrogen, urea among others I think, were sprayed on the salvinia, but again inhibition of growth that pertained in Papua New Guinea was not noticed here.

Further research occurred and it was realised that, in Papua New Guinea, the rivers were deeper, faster flowing and, believe it or not, much cooler than those in Kakadu. The coolness was probably due to the fact that the rivers had higher elevation and were deeper. Our waterways in Kakadu are too shallow and the temperature is too high for the active ridding of salvinia by the certibagus weevil. Therefore, we have still to find ways of eradicating salvinia. For the information of honourable members, and I was not aware of this, it certainly is a weed. It can double its mass in 36 hours, which means that it can increase at rates faster than any other flora of which I am aware.

Mechanical means are examined now and it has been found that, if salvinia is harvested, tipped out on the banks and left to dry out completely, it will die. This entails a great deal of mechanical work and

labour which does not come cheaply. Another interesting point on the eradication of salvinia is that weeds and grasses grow on the mass of salvinia. This presents another serious problem in that it can provide a means by which other weeds can be propagated in different parts of the waterways.

Mr McCarthy: Bring back the buffalo.

Mrs PADGHAM-PURICH: It has been observed that there was not as much salvinia when the buffalo were there.

There are a couple of ways that still could be investigated. The Northern Territory and Commonwealth governments have given permission to import, under strict condition, beetles, weevils and other insects to act as biological controllers of pests. One of the warm-blooded controllers of salvinia is the manatee. I have not seen one, but I have read about them. I understand that it is a freshwater dugong which is found in the waterways of South America. Whether the ANPWS or the Conservation Commission would agree to importing manatees to control salvinia is open to question but, nevertheless, they would control it.

We hear a great deal about mining companies and about the fact that mining companies rape the land. We hear a great deal about their development tactics and it is all negative and bad news, according to some people in the community. I believe in giving credit where it is due. Despite the fact that my husband works for Pancontinental, I was not aware of the contribution that the Pancontinental Mining Company is making towards the eradication of salvinia. It is making this contribution in the form of something pretty down to earth which I believe might be quite successful.

I was very interested to see a harvester, designed to harvest salvinia, in the process of being made by one of the officers of Pancontinental in the mining area that the company has in Kakadu. It resembled a little a Heath Robinson contraption but, nevertheless, I have been assured that it will work. This harvester will travel on the surface of the water and harvest the salvinia. It is not 100% certain what will happen to the salvinia. Once the harvester takes the salvinia off the water, there are several ways that the weed can be dealt with. One method would be to tip it out on the bank to dry, producing a very nice mulch. It seems a pity that this dried mulch is left to waste. I believe it should be put to use because we are all becoming very environmentally conscious and any mulch like that, provided it can be collected economically, would be of enormous benefit in bettering soils in the Northern Territory. Anybody who has anything to do with soils in the Top End knows that they are greatly lacking in many nutrients.

Additionally, once the salvinia has been harvested by the Pancontinental harvester, there is a possibility that it could be used for hay although, with the very high water content of salvinia, this might not be an economical proposition. I suggested that, as well as looking at hay, the possibility of mulching with the dry salvinia in different areas could be examined. However, the economics of transporting it etc would have to be considered. I wonder if it would be economical to make salvinia into silage?

I believe that we have to look at these possibilities whilst using a little lateral thinking. We have to look at all options if we hope to rid our waterways of salvinia. We must get in early. It is useless for us to wring our hands and say that we have to do something about it, and then not do anything about it. Not only does the ANPWS have to work on the question

of the eradication of salvinia, but I believe that our Northern Territory government, through its Department of Primary Industry and Fisheries and the Conservation Commission, has also to put on its lateral-thinking cap and try to find other ways of finally eliminating salvinia.

In the short time that is left to me, I would like to touch on the control of Mimosa pigra, another noxious weed. It is not found in many urbanised areas although I believe it can be found in the Darwin area. I do not know whether the Minister for Primary Industry and Fisheries or the Minister for Conservation is aware of it. However, I have been assured that there is very active growth of this weed in the Darwin area.

In the main, Mimosa pigra is found on flat plains. I have seen it mostly in the Adelaide River area and other plains areas ...

A member: Mary River.

Mrs PADGHAM-PURICH: Yes, the Mary River. The overflow plains of our main rivers.

Again, many ways to combat the spread of mimosa have been tried. Herbicides have been used and 2 seed-eating bruchids have been introduced in the past. These are of the Acanthoscelides species, but neither of these has been 100% successful. Also, 2 beetle species also have been introduced. These are of the Chlamisus species but, again, have not been a success.

I do not have sufficient time, but I would suggest 2 other ways. One is a further biological control and the second involves a mechanical control. Both of these could be investigated but, in the time allowed to me, I cannot elaborate. Perhaps, at a later date, I will speak further on this subject. I will be writing to the honourable ministers with suggestions, and I believe my suggestions will have some merit. I believe we have to consider all means of eliminating noxious weeds. We need our land for use in many ways and we cannot allow noxious weeds to take over areas of land and reduce their availability for use in the production of food and other substances.

Mr EDE (Stuart): Mr Speaker, over the course of recent months, we have seen developing in Alice Springs increasing calls for government and community programs to combat lawlessness, violence and drunkenness. The calls have been made by a wide range of Alice Springs groups and have resulted from a concern among all Alice Springs residents about the increase in crime in the town. I should say at the outset that this concern does not extend only to the consumption of alcohol. There is concern at increasing levels of burglary, problems with vandals, the question of sentencing and punishment and the number of attacks made on people in the town's mall. Alcohol is at the core of a large number of the problems, but it is not the only problem, nor are these problems recent developments. What has happened is that issues that have been bubbling under the surface have resurfaced yet again as a result of specific cases. This has been happening on and off for many years in Alice Springs.

I do not wish to see this issue slide below the surface again and then reappear next year or the year after in the same form. As I said, these problems do not all arise from the same source. For example, in the Alice Springs mall, the problems appear to have a minimal relationship to the prominent itinerant drunks and river dwellers. The problems there are associated more with groups of youths who have made that part of the mall a focus of activity for some quite unacceptable antisocial behaviour. It does

not seem to me that many of the proposed solutions proffered by the minister for central Australia would be considered valid as long-term solutions to the problems of any of those groups. I am inclined to believe that the type of service offered by Mr Graham Ross, in his largely-unrecognised work with homeless youth, is more likely to be of major assistance. Unfortunately, it seems that Mr Ross's services are no longer needed. He has not been offered a permanent job and I am told he is now considering moving to Adelaide because he has received an approach to work there on a problem in the Rundle Mall. I have written to the minister about that.

Inadequate streetlighting has always been a problem in Alice Springs and, combined with the rather deserted nature of the top end of the mall, it is obvious but unfortunate that that is seen by such people as an ideal target area for their activities. Obviously, the installation of better streetlighting will alleviate the unpleasantness in that area, but that will only drive the real problems to other parts of the town. As such, it is not the total solution.

I have sent a letter to the Chief Minister and I will quote from it. I stated that there appears to be a consensus emerging in Alice Springs between various groups, including the town council, the Aboriginal organisations and ourselves, regarding the establishment of clubs and transient camps as an element that will help to contain the problem. We have offered to work with the government in a bipartisan attempt to see if, this time, we can overcome the problems, put some real solutions in place and try to use media coverage to focus everybody's attention on the need to resolve the problems.

I have talked to all the ALP candidates and sitting members from that area. They are prepared to offer their services and expertise in effecting a solution. We are available to work with various parties, as facilitators and negotiators, or in whatever capacity we can, to ensure that practical solutions are found and acted on. As some honourable members may know, we have in our group, Mr Harold Furber who was a traditional owner of Alice Springs and who has worked for many years with Aboriginal groups in that area. There is also the member for MacDonnell who has been talking about this issue for many years and who is a member of the Sessional Committee on the Use and Abuse of Alcohol by the Community. He has amassed years of experience in negotiating and facilitating the type of exercise that we have to organise. There is also Dr Carter, who is an expert on land management systems, and Brian Doolan who is an expert on adult education training programs. I believe that this group can do much to assist the government in coming to grips with this problem and overcoming it. It has surfaced time and time again. This time, we have to see if we can take it beyond the rhetoric and the arguments and move that one step further.

I was very pleased to receive today the news that the Alice Springs Town Council has passed a number of resolutions regarding this matter. For example, there is the application for a liquor licence by the Tyewereye Social Club. It has stated that the council has no objection to the application for a liquor licence to be issued to the club which is situated on Len Kittle Drive. The council advises that the Tangentyere Council has raised no objection to the application. In another motion, the council supports in principle the Tangentyere Council's application for Community Development Employment Program funding for the town camps that have requested the program. The council supports the Tangentyere Council's application for land for transient camps and a second Aboriginal social club in the northern area of the town. The town council recognises and supports the urgent need for capital and recurrent funding for public environmental

health programs in town camps as requested by Tangentyere Council in 1990-91 budget requests to the Office of Local Government, and the establishment of transient camps and social clubs for Aboriginal people in Alice Springs.

We have come a long way towards reaching community consensus on this issue in Alice Springs. The Alice Springs Town Council and the Aboriginal organisations are now coming to basically the same position in terms of how they see some of the solutions emerging. Nobody is saying that both of the programs will solve all the problems. The problems of alcoholism and of large numbers of people staying in the river bed are like a caterpillar. They have too many legs to be counted. However, if we use that as an excuse for not tackling any aspect of the problem, we will never get anywhere. We are saying is that we are prepared, willing and hopeful of being able to work with the government. However, the government has to show some movement in relation to these issues.

I was heartened by some statements made in Alice Springs by the Minister for Lands and Housing. He indicated that it was not so much a matter of the principle of the transient camps and the clubs, but a matter of timing and location. We can assist in negotiations on such matters. Location is a contentious issue. It has to be dealt with properly. It is not simply a matter of saying that there is a piece of vacant land available somewhere and that we will establish a transients camp on it and expect that all the people who come to Alice Springs on short-term visits will stay there. Protocols were set up after the war between Aboriginal people - the traditional owners of Alice Springs and Aboriginal groups from the north, south, east and west - as to where people were able to camp when they came into the centre of Alice Springs. It is a fact that those protocols are breaking down over the course of time. I must admit that the people from the Walpiri nation in my own electorate are possibly among the worst offenders in this regard. They tend not to stick to the area allocated to them and one finds them going to all areas.

One matter now being discussed in Alice Springs concerns the formation of what people are calling an Aranda law council. The idea is to get the Aranda bosses together and have them re-establish their control over where people who are coming in from other tribal areas can and cannot camp. Such an approach is an attempt to use Aboriginal law and the power and the prestige of senior Aboriginal law-makers to overcome a social problem in Alice Springs. It is a cooperative approach to the problem. It is not confrontationist and it fits in with the discussions which have involved people like Eli Rabuntja, Joseph Mantjikura, and Geoffrey Shaw during the last few weeks. Those discussions have involved talking to them about why they are camping in their present locations, whether they would be prepared to move voluntarily to other areas and whether they are long-term visitors who could possibly be accommodated in existing town camps.

There is a very real drive among those people to solve this problem. The impetus is also coming from the Alice Springs Town Council which wants to solve the problem. We have had some indications from the Northern Territory government that it is prepared to look at the problems and the solutions being proposed by the 2 groups, and to come some of the way with them. As I have said, we are prepared to work with those groups and to work with the government. However, the government has to be prepared to give an indication that it is willing to move on some of the issues. I am unable to continue to offer the government the full cooperation of the candidates and members from central Australia if the government throws the offer back in our faces, saying that it is not prepared to negotiate or to help. I have not received any reply from the Chief Minister to date. I had hoped that

that was because he was giving the matter detailed consideration and was preparing to let us know when we could have a meeting to work out the details of how the process would work.

Mr Speaker, I rise tonight basically to tell the Chief Minister that we are serious. We do not want this problem any more than anybody else does. We want to see it solved. We have lived in the town and seen the number of times when matters have been close to resolution only for the process to fail. I know that there are many Aboriginal people in Alice Springs who will say: 'No. We do not want transient camps or drinking clubs. Everybody should give up drinking. Everybody should return to their outstations in their home country and then everything would be all right'. Mr Speaker, wouldn't that be wonderful! It would be marvellous. It is not going to happen.

Urban drift has been a fact of life in the Northern Territory as it has been in third-world countries. When an urban centre exists, people move in from other areas, seeking the bright lights for a shorter or longer period. That is happening to an extent in Alice Springs. Some movement is for short-term dwelling and some will eventually become long-term dwelling. Obviously, we cannot turn around and say that we will provide all the facilities in Alice Springs and neglect the bush. I would be the last one to back anything like that. We have to develop the facilities in the bush. However, we have to recognise that people will move into Alice Springs whether it be for a short time or a long time, and we have to provide appropriate facilities and a place for those people to stay. We have to provide transient camps for people who are staying for a short term.

The proposal by the groups to have a couple of drinking areas will not cost the Northern Territory government money. It will be asked only to provide the land. In respect of the first area, funds are to come from ABTA, whilst ATSIC loan funding will be sought for the second area. We have a positive situation. People in Alice Springs are coming together in an effort to confront the problems and to solve them. We want to be part of working with them to solve the problems. I hope that the government will take on board our request conveyed in the letter which I have written, and will agree that we can all work together to come up with some movement towards the positive solutions which have been offered by those groups.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

PETITION
Sexual Assaults

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I present a petition from 687 citizens of the Northern Territory requesting the Assembly to increase the personal liability of and sentencing penalties for persons found guilty of sexual assaults. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that women are becoming increasingly concerned and angry at the growing number and seriousness of sexual assaults directed by men at women and children in the community and believe that this violence is encouraged by lenient sentences which lack deterrence for these crimes. Your petitioners therefore urgently request the Legislative Assembly to reconsider all relevant legislation relating to sexual assaults and sentencing with a view to greatly increasing the liability of the perpetrators of these crimes to the victims and the community by heavy personal compensation and heavier penalties attached to these crimes and by so doing will decrease the incidence and severity of these crimes, and your petitioners, as in duty bound, will ever pray.

PERSONAL EXPLANATION

Mr EDE (Stuart)(by leave): Mr Speaker, in his supposed answer to a question, the Chief Minister stated that, in my questions yesterday, I had intimated at least or suggested that the Commissioner of Police was doing - and I quote his words - 'deals for his mates'.

Mr Perron: You interjected: 'One more for the police and one more for someone else'.

Mr EDE: Mr Speaker, that is not at all what I stated. Regarding a statement made by the Commissioner of Police in the course of a television program the night before, I asked my question because of my desire to ensure that the system was protected. Neither by word or intimation did I give any indication that I thought the commissioner was doing deals for his mates. I merely pointed out the danger of in-house decisions, and that they can lead to the development of a police culture that none of us wants to see in the Northern Territory. I pointed to the need to ensure that perception matched the reality of what was actually occurring, and to the need to be able to ensure that something which may initially involve small cases - and, for the time being, I accept that the 4 cases referred to are minor cases - does not go beyond that.

The Chief Minister has offered a briefing on that but, when decisions are taken in-house, matters can grow larger and there is a danger that the perception of what is occurring may not match the reality. While the reasons are known by the people in power, that can lead to damage to credibility of and to the people's trust in the police force ...

Mr Perron: What about what you said yesterday?

Mr EDE: ... and that is what we will work on. Nothing at all about deals for his mates which the Chief Minister wished to bring up this morning.

Mr Coulter: You said yesterday 'one law for the police and one law for everybody else'. That is what you said.

Mr EDE: Mr Speaker, that is something which has been dreamt up in the Chief Minister's mind. It bears no relation at all to the reality.

PERSONAL EXPLANATION

Mr TUXWORTH (Barkly): Mr Speaker, during the Chief Minister's response, he implied that, by virtue of my asking a certain question yesterday, I was condoning the keeping of the bad apples in the barrel. I reject that unreservedly. I may not agree with the Chief Minister on how the bad apples are to be taken out of the barrel, but I do agree with him and with Commissioner Palmer that they should be removed. The asking of the question in no way implied that I was condoning that they should not be removed. The Chief Minister implied further that I had impugned Commissioner Palmer's reputation simply by asking the question. I unreservedly refute that proposition. I would raise the point that was put forward in an interjection a moment ago. In fact, by virtue of our position in public life, each of us is liable to have our position challenged. I did not challenge Commissioner Palmer's position or his reputation or impugn them in any way.

Mr Coulter: Do you support him?

Mr TUXWORTH: Mr Speaker, in response to the interjection from the Leader of Government Business, I have said quite openly that I have full confidence in Commissioner Palmer. I have said that a dozen times and I will say it again now for the benefit of the members opposite.

Mr Coulter: Say it outside too when you go out.

Mr TUXWORTH: Mr Speaker, to pick up that interjection, I have said it on radio at least 3 times in the last week and I am quite prepared to do so again.

Mr Coulter interjecting.

Mr TUXWORTH: It does not follow automatically from that that the government is handling this matter in the most apt way, but that is a matter for the government.

STATEMENT
Grants-in-Aid to Northern Territory
Sporting Organisations

Mr VALE (Tourism): Mr Deputy Speaker, I rise to make a statement relating to grants-in-aid to sporting organisations in the Northern Territory. It was with some surprise that, earlier this month, I witnessed a puff of publicity, generated by the opposition, which cast aspersions on that wide body of Territorians who give so freely of their time in the interests of the welfare of Territory sport. As the minister responsible for a substantial proportion of funding to many sporting associations and

groups, it would be remiss of me if I did not register my disappointment that a universal and traditional practice of sporting patronage in the Territory should be placed under a cloud of suspicion.

This opposition should go down in western democratic history for suggesting that there is a natural link between ministerial patronage of sporting clubs and corruption. I use the word 'corruption' with deliberation, because that is what has been implied: every minister in this House who happens to be a club patron is deemed to have some corrupt influence on the way funding for sporting bodies is allocated. The opposition must have got wind of the government's decision to boast publicly of the success of the grants-in-aid scheme which has been helping to build the Northern Territory since self-government. Unable to fault the scheme, which probably it would retain in the most unlikely event of its winning government, the opposition looked for a peg with which to scuttle the small publicity campaign which we put into place last weekend, and I table the first full-page advertisement, which appeared in the Sunday Territorian. That peg, of course, was to attack the concept of patronage, very selectively and very politically.

The member for MacDonnell demonstrated traditional ALP disarray by thrusting his opinions into an area which is within the responsibility of the member for Wanguri, the shadow minister for youth, sport, recreation and ethnic affairs. He singled out the Chief Minister for his patronage of the King Cobra Rod & Custom Car Club as a recipient of funding and contrasted that with the Alice Springs Netball Association, which he erroneously said was 'struggling to achieve a grant under the grants-in-aid scheme'. Mr Deputy Speaker, the honourable member fell into his own trap. My wife happens to hold executive office with the Alice Springs Netball Association which did receive a grant for $20 000 ...

Mr Bell: I did not extend it to wives, Roger. However, if you want to be even more careful, that is fine.

Mr VALE: My wife happens to hold executive office with the Alice Springs Netball Association and, if money were to be handed out to these organisations under a system of conspiratorial influential patronage, as implied by the member for MacDonnell, then surely the wife of a minister would have some influence.

Mr Bell: Perhaps we should look into that.

Mr VALE: Mr Deputy Speaker, he keeps throwing mud in the hope that some will stick, but the honourable member should, at the least, be decent and honest enough with the electorate to quote accurately.

Mr Bell: Accurately with what?

Mr VALE: I would like to leave the matter there, Mr Deputy Speaker.

Mr Bell: I did not want to raise ...

Mr DEPUTY SPEAKER: Order!

Mr Bell: ... your wife and the netball association, but perhaps I should have.

Mr DEPUTY SPEAKER: Order!

Mr VALE: Perhaps the member for MacDonnell did not know - ignorant as usual. I would like to leave the matter there, Mr Deputy Speaker.

Mr BELL: A point of order, Mr Deputy Speaker! I believe that my comments deriding members as 'ignorant' have been ruled unparliamentary, and I suggest that that applies in this case too.

Mr VALE: Mr Deputy Speaker, I did not use the word 'ignorant'. I said 'ignorance'.

Mr HATTON: Mr Speaker, I would not have thought that an accurate description should be regarded as unparliamentary.

Mr DEPUTY SPEAKER: There is no point of order.

Mr VALE: Mr Deputy Speaker, I would like to leave the matter ...

Mr Bell: Well, that is 'judas-like' and 'ignorance'. That is 2 losses in 2 days!

Mr DEPUTY SPEAKER: Order! If the honourable member wishes to reflect on the Chair ...

Mr VALE: I would like to leave the matter there. The slip made by the honourable member should be enough to discredit his motive, but I would like the honourable member to explain to this House why, in the television interview, he omitted to mention that the organisation of which he is patron - the Alice Springs Hockey Association - received a grant of $240 000 from the Office of Youth, Sport and Recreation? If he wants to laugh about that, let him. Why and how did that organisation happen to come by that grant? What circumstances would have brought about the granting of this large amount of money to the Alice Springs Hockey Association with which the honourable member is connected? The association received a grant because it put forward a very convincing argument for such funding. Its application was processed by the Office of Youth, Sport and Recreation, which has a very strict set of criteria by which the outcome of any application is determined. Did the honourable member whisper in the ear of someone within the department to influence the allocation of such a generous grant? Did the honourable member tender some covert threat to the head of the department? Of course not.

The fact is that the department would not have known who the patron of the club was. Patronage is irrelevant. It is not part of the criteria; it does not figure. It is insulting to the people in the Office of Youth, Sport and Recreation, who process thousands of applications, to suggest that I or the Chief Minister or the Speaker of the House or the Administrator or the Leader of the Opposition or the member for MacDonnell can have any remote influence on the outcome of an application by virtue of their patronage. It is insulting and outrageous to suggest that there is a deep conspiracy, a network throughout the Territory, because that casts aspersions on patrons, administrators and public servants alike. I stress that the honourable member's allegations are insulting to the honour of the public servants who process these applications.

Mr Bell interjecting.

Mr VALE: Mr Speaker, could you ask the honourable member to get back in his kennel or to crawl back under his rock.

Their dedication to Territory sport goes well beyond their official duties. In many cases, they are chosen for these positions because of their involvement in sport. They give incalculable hours of free time to their careers. Many spend time outside their formal positions, working in some official or semi-official capacity. The same applies to the non-public service members of the community. There is an army of volunteers in the Northern Territory whose whole social environment revolves around sport, and the honourable member's allegation does a great injustice to them also. The irony is that the honourable member's organisation - the Alice Springs Hockey Association - received a decided advantage over the King Cobra Rod & Custom Car Club.

Mr Bell: But I did not have any effect on that decision.

Mr VALE: Mr Speaker, the Alice Springs Hockey Association received an outright grant for much-needed improvements. At no time was it encumbered with loan repayments as the King Cobra Rod & Custom Car Club was for several years before the grants-in-aid scheme converted the loan into a non-repayable grant. The matter requires an apology from the member for MacDonnell.

What he sees is a scheme which has been embodied in the development of the Territory since self-government. The scheme identifies sport as playing an integral role in the development of a healthy and vibrant community. The scheme is part of a commitment to the sporting infrastructure, land acquisition, promotion and entrepreneurial activity which, since self-government, has cost almost $50m. We have facilities at Marrara equal to the best in Australia and that is where we will be staging the first Arafura Sports Festival next year. With this, we will be penetrating into the Asian sports arena in an exciting way. The implications of sporting interaction with more than 30 South-east Asian nations go well beyond sport. It will foster better cultural understanding and lead to bilateral trading opportunities.

In Alice Springs, we will be staging the third and the most successful Honda Central Australian Masters Games in October. It is an event which has inspired some of the states to stage similar events. It is an event which injects tens of thousands of dollars into the Northern Territory economy. Since self-government, we have come from playing sports in what were virtually cow paddocks to a point where we can now stage complex and sophisticated events on a world scale. Our facilities do not simply rival many on the national level but now we have facilities in both Darwin and Alice Springs of international standing. When it comes to providing opportunities for our sportsmen, women and children, we outrival all Australian states in that we are the only region in Australia which provides, as a policy, air fare assistance for intra-Territory, interstate and international competitions.

In addition, the grants-in-aid scheme provides for a successful and enviable coach-in-residence program and for sports scholarships. Athletes and now coaches with national and international promise and ability are eligible to apply for grants towards their training costs under the sports scholarship scheme. Throughout the length and breadth of the Northern Territory, hundreds of thousands of dollars have been put into the development of Aboriginal sport and recreational facilities.

Several weeks ago, I asked the Office of Youth, Sport and Recreation to make a comparison between the funding per capita that Northern Territory sport receives as compared with that in the states. Northern Territory

sportsmen, women and children are the recipients of the most generous government sports policy in Australia. A cursory comparison of spending between the states and the Territory shows that this government injects into its sporting program more than 10 times the funding offered by the states, and that is a conservative appraisal. The total grants-in-aid allocation for this year alone is more than $5.6m and the number of individual recipients of this assistance climbs into the hundreds. At some stage in the life of the grants-in-aid scheme, the whole spectrum of sporting activity has benefited through the scheme.

At the time of my reacting publicly to the allegations of foul play, I was asked how many patrons of sports there are in the Territory. The answer is that nobody knows. Patronage plays no major role in the administration of sport and it has absolutely no bearing on the way my department processes applications for assistance. For the information of honourable members, I table a document prepared, at my request, by the Office of Youth, Sport and Recreation listing sporting and recreational organisations right across the Northern Territory which have received grants from the department. This document indicates that the patrons of almost all the organisations on the list are not known either by myself or the department. One exception is St Marys Football Club which, for many years, had a prominent patron in Bishop O'Loughlin. It now has Bishop Ted Collins as its patron. The patron of the Northern Territory Football League is His Honour the Administrator, Mr Muirhead. I was not aware of that until a few weeks ago. As most members know, I have a fairly close association with Australian Rules. A very well-known Darwinite, Mr Keith Kemp, is patron of the Northern Territory Hockey Association. There is also the honourable member for MacDonnell. I was not aware that he was a patron until a few weeks ago when he made it public on television. As I said, most of the patrons of the sporting and recreational groups on this list are not known by either the department or myself.

The document shows, for example, that Little Athletics received $120 000. However, that does not include the facility cost at Marrara, neither does the figure for the Northern Territory Cricket Association reflect expenditure on the facilities that have been put in at Marrara recently.

Mr Bell: What clubs are you patron of, Roger?

Mr SPEAKER: Order!

Mr VALE: Mr Speaker, I cannot answer the question of the member for MacDonnell. I can supply that information at a later date.

Mr Bell: You do not know?

Mr SPEAKER: Order!

Mr Bell: Which clubs and associations?

Mr VALE: Mr Speaker, if the honourable member will listen, I will reply. I am not aware of the clubs on that list of which I am patron. I cannot remember all of them anyway. I think there is possibly one only. I will supply the information concerning my patronage willingly at a later hour.

Never has this government or the department been accused of devious allocations until the opposition raised the matter. The ABC 7.30 Report

also broadcast an unfair observation when it stated on 9 April: 'It appears the most profitable and successful way to run a sporting club in the Territory is to have a government minister as a patron'. That is rubbish. It made a cursory appraisal of the grants-in-aid scheme back to 1982-83, and it came to this conclusion: 'The major beneficiaries have direct links with the government'.

The very next morning, my office approached the ABC to ask if it could accommodate me live to air in a debate with the member for MacDonnell on his offensive remarks. I did not receive even the courtesy of a reply. Had the honourable member and the ABC been motivated in the public interest, I feel I would have been extended at least the right of reply.

Mr Bell: I will debate you anywhere, at any time, Roger.

Mr VALE: As a result, the honourable member will have to explain why he jumped over the top of his colleague, the member for Wanguri.

Mr Bell: He will do that first.

Mr VALE: Don't tell me that he was not in town. The comments and the interview could have been held off for a number of days. That is not an excuse. Old 'Publicity Bell' started jumping up and down. He always gives me the impression that he is standing on an ant hill because he sure as hell looks as if he has ants in his pants every time he goes before a television camera or radio microphone.

As a result of the hit-and-run tactics of the opposition, aided and abetted by a mischievous piece of poorly-researched reporting, I find that my only recourse is a reply in this House. I thank the House for providing me with this opportunity to defend the scheme and the department, and to place the scheme within its important perspective in the wider Northern Territory community. In closing, let me say with complete confidence that, because of the overwhelming success of this scheme, the program will continue under a CLP government.

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

Mr BAILEY (Wanguri): Mr Speaker, my response to the minister's statement will be relatively brief, one reason for that being that I am finding it fairly difficult to speak because of congestion. I would like to commence by congratulating sporting administrators and sportsmen and women in the Northern Territory for their contribution to the Territory. Nowhere have we criticised that contribution or the significant amount of government funding which is directed to sport. We are looking simply at the issues raised in the 7.30 Report. We did not raise these issues. The 7.30 Report raised the issues.

Mr McCarthy: You are one and the same, after all.

Mr BAILEY: Let me go a little further. The issues were raised by the 7.30 Report and, if we are talking about the 7.30 Report getting things wrong occasionally, it referred to myself as a patron of one of the clubs. I was out of town at the time but, when that information reached my office, it contacted the 7.30 Report to advise that I am not the patron of that or any other sporting club in the Northern Territory. I am an ordinary, fee-paying member of the organisation, which I have an interest in. We all cop it from the media at times.

The minister referred to the fact that my colleague commented publicly the day after the initial story. I was out of town at the time and was not due back until Easter Friday, which meant that I would not have been in a position to comment until the following week. It was quite appropriate for my colleague to comment. He was in town at the time and he had a direct involvement in the matters under discussion.

The real issue concerns something which this government has difficulty with in many areas. It is not so much a case of whether or not it has actually done anything wrong, but a question of the community perception of the role which politicians should have.

Mr Perron: Your colleague was not talking about perceptions. He was making accusations.

Mr BAILEY: Within the community, there is a perception that members of government need to distance themselves from the government's dealings in terms of handing out money. We have had examples over the years when perceptions of misconduct and inappropriate dealings have occurred on many fronts. In terms of patronage, the perception is that ministers who are also patrons of sporting organisations are in powerful positions of influence. If a sporting association, that has a minister for its patron, receives significant financial assistance, it is understandable that people may jump to the conclusion that the minister has influenced the decision.

It is my belief and my party's belief that, if a member of a Labor government in the Northern Territory had financial interests in a company or business or a significant interest as patron of a community or sporting association, that person should withdraw from those positions so that there is no public perception of conflicting roles. Just as it is inappropriate for a member of a government to run a company which receives government contracts, whether or not its tenders are handled as fairly as are all others, it is inappropriate for a minister to be a patron of a club which is applying for significant amounts of government funds because the public will not believe that decisions are always made with full propriety.

Mr Speaker, I would like to conclude by saying that the conflict perceived in the role of government members as patrons of sporting clubs has been debated in the public arena and within sporting associations. As long as a sporting association appears to fail in its application for funding, whilst another sporting association, that has a government minister as patron, receives significant financial support, the question will always be in people's minds as to whether or not the appointment of a government minister as patron of that club has had an effect. The only way to alter that public perception is for ministers of government not to put themselves in those compromising positions.

Mr COULTER (Mines and Energy): Mr Speaker, I rise to contribute to this debate by saying that the opposition must be suicidal. There could be no other excuse for the course of action on which it has embarked. We listened to a very serious statement by the shadow youth, sport and recreation spokesman from the Labor Party. We have contributed over $50m to sporting and charitable organisations over the last 10 years. I happen to be patron of the Northern Territory Polocrosse Association and am also a playing member. Indeed, Mr Speaker, you would know a fair amount about this association because you were its patron for many years. Once I saw you throw the first ball to commence the season at Batchelor. I remember it very well because I was carried away in an ambulance 5 minutes after you threw the ball on that occasion. You did not hit me with it either.

Mr Speaker, I know you will be as proud as I am that the under 21 Northern Territory polocrosse side became runners-up this year in the Australian Polocrosse Championships held at Launceston in Tasmania.

Mrs Padgham-Purich: What about the national championships here?

Mr COULTER: We will talk about that in a moment.

Let us talk about the corruption and the patronage that has been exposed by the Leader of the Opposition in particular. We used to go to polocrosse championships and hope like hell we could beat Tasmania so that we could at least say that we had beaten somebody after a great deal of expense and transporting horses all around Australia. Today, the Northern Territory is the runner-up to New South Wales, having beaten teams like Queensland and Victoria. The bottom line is this: we chose the Northern Territory team of 6 out of 21 nominations for selection. New South Wales had 1000 people to choose from and so did Queensland.

Mr Bailey: What has this got to do with it?

Mr COULTER: What does this have to do with it? The Northern Territory could never have achieved the national status which it has achieved, particularly through the efforts of its youth, without the commitment from the Northern Territory government to invest $50m. That is where we are at. We had to do that. Honourable members will be aware that the same story applies to almost every sport in the Northern Territory and I am sure that they will be able to cite other examples in the course of this debate, whether they apply to tennis, hockey, swimming or football. I am very conscious of the achievements of our blind sportsmen, including Mr Deveraux. There are other blind sportsmen in the Territory of whom I am equally proud. I am not sure of the identity of the patron of the organisation covering sports for the blind, but that is irrelevant.

Mr Bell: No, it is not!

Mr COULTER: It is. I will tell you why it is irrelevant. I asked this morning whether the Minister for Youth, Sport and Recreation had a list of the patrons of the various sporting organisations. He did not have a list. That is how irrelevant it is. In fact, he went on to say that the information is not important and that even his department does not have it.

When I asked the department, it said that it used to have a book called 'Who's What Where? in the Northern Territory' which listed bodies of this kind. I am told that, at the moment, it is out of print and is being updated. I understand that a new edition will be released next week. There is no record of the patrons of all these organisations in the Northern Territory and, as the minister said, it is irrelevant. It is about as irrelevant as is the Australian Labor Party Northern Territory Branch, because opposition members' criticism of assistance extended to sporting groups and community organisations demonstrates a fundamental lack of understanding of the way the Northern Territory lives and breathes.

Mr Speaker, when you were Minister for Youth, Sport and Recreation, you quoted a figure that indicated that every Territorian participates in 2.5 or 2.7 sports. That is the commitment of Territorians. Sportswise, we must be the most organised group of people in Australia. I think the Labor Party has displayed extremely poor political judgment in associating itself with such criticism, including that of my association with the Palmerston Rugby Union. I am very proud of my position with the Palmerston Rugby Union and

we have been able to achieve many things, but not because I am its patron. We played off this year in the finals in the A, B and C grades.

A member: The Bree family is tied up with that, isn't it?

Mr COULTER: The Bree family is very much tied up in it. All the Bree family play in that particular side. In fact, Dennis Bree is president of the club. He is on the staff of the Leader of the Opposition. I think he would be as disappointed in the Leader of the Opposition as I am.

A member: No, he would not.

A member: He was horrified!

Mr COULTER: Actually, he was, Mr Speaker.

They have associated themselves with this criticism, and I am aware that not only Mr Dennis Bree but many other Labor Party people are horrified that they have become involved in this. Central to the criticism is that, Territory politicians, mainly ministers, are patrons of organisations. The implication has been that those organisations earn undue support merely because of that. It may well be that government ministers occupy more positions of patron in the Territory than do their counterparts in the states. I do not know. However, all that says really is that the Territory ministers are more accessible to the public, and that they move about in the public arena more frequently and more obviously.

Whether we see ourselves that way or not, ministers also fit loosely into the VIP class in the Territory which is probably a bit light on for numbers in comparison with the states. In Melbourne, for example, you can cast around for a patron among peers of the realm, knights of the garter, captains of industry, media magnates, television show hosts, glittering socialites and a whole range of people, all no doubt considered more desirable than a mere minister of the Crown. In the Territory, you are basically stuck with members of the Legislative Assembly and the occasional high-flying mayor. We are all patrons of this, that or the other. We simply do not have the glitter set, and thank goodness for that.

Mr Speaker, if you were on the committee of a darts club which was surviving by running chook raffles on Friday nights, who would you prefer to have as patron - John Elliott or John Bailey, Kerry Packer or Terry Smith, Robert Holmes a Court or Roger Vale? I think the real answer is that, in many circumstances, we are there by default. Such organisations would prefer zillionaires as patrons to a door-knocking politician any day of the week.

Whether we are there by default or not, the basic underlying principle is absolutely serious. The growth of sporting and recreational opportunities and facilities in the Territory mirrors the economic growth of the Territory since self-government, and so it should. Recreational development goes hand in hand with economic development. If you create new jobs for new Territorians, you have also to create more facilities for leisure activities if you want to keep them in the Territory. One of the things that I have always been grateful for in the Territory is that we are a multicultural society. We have people from all states in Australia. We do not have the strict VFL-code mentality or the NSW rugby mentality. We have a mixture. We play everything. We have every sport that is played in the states. That is how we have been able to attract people from other states of Australia.

Our success in every league and every code has been dramatic. One has only to look at the talent scouts who arrive here at the start of every football season, and I refer to Australian Rules in particular. Northern Territorians are in demand with the southern codes and leagues. We are all proud of the Maurice Riolis and the Longs who have made it to the big time. It could never have happened without the support of the Northern Territory government which has realised the potential of our youth and has enabled them to go on to bigger and better things. I do not even know who is the patron of the Northern Territory Football League.

Mr Vale: The Administrator.

Mr COULTER: It is the Administrator. Shame on the opposition for the slur that it has cast on His Honour the Administrator. The Leader of the Opposition considers it to be very funny. He has committed suicide with this course of action that he has embarked on of ridiculing the patronage of sporting organisations. Indeed, Mr Speaker, you are the patron of the Downs Syndrome Association. Are we honestly expected to believe that you have influence with the government to provide greater funding? I see the member for Wanguri over there nodding his head. He may believe that you have, but I do not believe that you have. I am proud of the fact that you have taken the opportunity to become the patron of that worthwhile organisation. There are many bodies that we could speak about, outside of the sporting realm, which perform worthwhile roles in the community and have also received grants over the years, including such organisations as the RSPCA.

For the record, I have no hesitation in naming some of the organisations of which I am patron: the Palmerston Netball Club, the Northern Territory Polocrosse Association, the Palmerston and Rural Amateur Swimming Club, the Palmerston Rugby Union Club, the Litchfield Orchid Society, the Litchfield Bowling Club, the Palmerston Soccer Club, the Rural Darts Association and the Palmerston Golf Club. If anybody wants to level accusations that I have gone out of my way to assist any of those organisations, I invite him to do so by megaphone outside the Palmerston shopping centre next Friday evening. Be my guest!

Mr Ede: We will ask whether any of them thinks that you have been of any assistance to them.

Mr COULTER: Not only will I live with it but I will do so comfortably, and I welcome it. The Leader of the Opposition will come to regret the day he associated himself with this issue, if he does not do so already.

Mr Speaker, the first time I was given one of these ties was when I was to represent the Northern Territory at the Papua New Guinea Polocrosse Championships in 1978 and I was so proud when I put this tie on for the first time that I had a lump in my throat. Indeed, Mr Speaker, I think that you may have given the tie to me. Many other Territorians felt the same when they donned the Territory colours for the first time. We graduated from ties to blazers and pocket lapels. They were given to us. They cost money and they were provided by the Northern Territory government. For the rest of my life, I will live with the memory of the pride I see in kids' faces when they put on the colours of the Northern Territory to participate in national competitions. I will always do whatever I can to promote among others the same feeling of pride which I had when I represented the Northern Territory for the first time, courtesy of the Northern Territory government which was instrumental in providing the financial assistance which enabled me to do that.

At this time, our under 21 team is second at the national level. We will not stop there. We will win the Australian National Polocrosse Championship one day in the very near future. Indeed, our juniors won the Australian Junior Polocrosse Championships held at Sale in 1984. That was possible because of the support given by this government, which has spent $50m in support of sport. The Leader of the Opposition must be suicidal to have taken on this debate. He will regret the day that he became involved in it. At every sporting event that he attends, he will be reminded of it. I will make sure that the message gets out that he believes that there is corruption in the system and that organisations grow and prosper only because of their patrons. Shame, Mr Speaker, shame!

Mr BELL (MacDonnell): Mr Speaker, in order to get this debate back on the rails, we had better work out what it is about. Obviously, there is a bipartisan attitude towards sporting achievement and the involvement of men, women and children in sport in the Northern Territory. I do not think that there is very much to choose from between members of the government and the opposition in respect of their involvement in various sporting activities either personally, by way of coaching or whatever. The member for Arnhem has been a champion footballer in his time. The member for Wanguri has taken a keen interest as a member of the Top End Road Racing Association. The Leader of the Opposition has distinguished himself on the cricket field and the Deputy Leader of the Opposition is a tennis player of note in Alice Springs. I could go on for ever.

Members interjecting.

Mr BELL: To pick up the interjection from the member for Sadadeen, I will be simply self-effacing in that regard. I note the presence in the gallery of an employee of the Department of Youth, Sport and Recreation, Margaret Pierce, who may or may not be prepared to provide some evidence which may or may not be damning about my performance on the hockey field.

Suffice to say that government and the opposition are of one mind about the development of sporting activities around the Territory. That leads us to the corollary that the grants-in-aid process is undoubtedly part of that. The third misapprehension that both the government speakers have been responsible for is in suggesting that anybody who is the patron of a sporting organisation has been damned by the opposition. It is a wonderful little trick to set up a straw man and then knock it down. That is precisely what the minister has done and what the Leader of Government Business has done.

Obviously, the Leader of the Opposition did not say that, as the patron of various sporting organisations, the Administrator had erred in some way. We are not even saying that there is conclusive evidence that the minister or the ministers generally, who are patrons of sporting organisations, have allowed their judgment to be clouded. The accusation is that there is a justifiable apprehension of bias.

Mr Vale: By whom?

Mr BELL: By Territorians.

Mr Vale: Spread by you.

Mr BELL: I did not spread that particular apprehension. If the impression is created by the conduct of the Chief Minister, and I happen to comment on that and on a few glaring differences between different clubs and

their position in the grants-in-aid process, I do not believe that the government has anyone but itself to blame.

As I said on that television program, nobody should be judge in his own cause, and that is exactly what has happened. I suggest that, when the minister sums up on this debate, he tell us precisely which grants-in-aid are decided by Cabinet. That is one piece of information that he can give. He could then give information on another area in which we are interested. We are not interested in a list of the patrons of every organisation in the Northern Territory. We are interested to know the clubs and organisations of which ministers are patrons.

Honourable members will all be aware of declaration-of-interest provisions that apply in all sorts of circumstances - for example, in the Local Government Act. Both government speakers referred to the large amounts of money that have been disbursed. They referred to a figure of $50m. Where $50m of public money was involved, I would have thought that it was important to ensure that there was no apprehension of bias.

Members interjecting.

Mr BELL: The honourable minister says that there was no bias. That is not the point. Perhaps I can rephrase this. When I talk about apprehension, the Attorney-General should be able to help some of his colleagues in this case because he has accused people in even more important positions than those of Cabinet ministers of being in a situation where their activity has led to an apprehension of bias on the part of the public. I hope the Attorney-General is listening to what I say.

Mr Manzie: It is a bit obtuse. Why don't you clarify it?

Mr BELL: It is a bit obtuse. I will be quite specific. Honourable members will recall comments made by the Attorney-General in respect of Mr Justice Maurice who has now resigned ...

Mr Manzie: I did not make any comments.

Mr BELL: Mr Justice Maurice has now resigned ...

Mr Manzie: Withdraw that, I did not make any comment.

Mr BELL: Public comment was made by government. I will withdraw the statement that the Attorney-General commented. I will not withdraw the accusation that government ministers made comment about Mr Justice Maurice that caused concerns about apprehension of bias. What that means is that people in the community believe that the decisions that are made may not be unbiased, and that is precisely the case with these grants-in-aid. We are talking about big dollars. We are not talking about polo ponies, or hockey players, or footballers, we are talking about $50m of public money and the need for the public to know that decisions about how that money is spent are made fairly. People cannot know that when the Chief Minister is patron of a club that has a loan of $0.25m wiped off.

Mr Vale: As opposed to a grant of the same amount to a club of which you are patron.

Mr BELL: I am glad that the honourable minister has raised the fact that the Alice Springs Hockey Association received $250 000 and ...

Mr Vale: In spite of you, not because of you.

Mr Bailey: That proves it! You have put your foot right in it now.

Mr BELL: Let me pick that up. I think the comment from the honourable minister was to the effect that my lobbying did no good.

Members interjecting.

Mr BELL: Let me place that on the record, Mr Speaker, because that says it all.

Members interjecting.

Mr BELL: That nails it right home. That is the fundamental problem that the minister has with this debate. He does not understand that different standards are expected of ministers from those expected of backbenchers. As a backbencher, I am quite at liberty to lobby, as the member for MacDonnell and as a backbencher.

A member: You didn't. No one knew you were its patron anyway.

Mr Vale: It was the women of the group who did the work.

Mr BELL: That is the next point, and I often say this to people who make representations to me: 'I understand what you are saying to me, but you may need to be careful that I am not going to cruel the pitch for you'. The interjection from the Minister for Youth, Sport and Recreation indicates just how true it is that this pack of would-be Cabinet ministers, this pack of shonks, this pack of ...

Mr SPEAKER: Order! I ask the honourable member to withdraw.

Mr HATTON: A point of order, Mr Speaker! That is unparliamentary language and should be withdrawn, and not only is it unparliamentary, it is also untrue.

Mr SPEAKER: I have already asked the honourable member to withdraw unreservedly.

Mr BELL: I withdraw it. This judas-like ...

Mr SPEAKER: Unreservedly.

Mr BELL: I unreservedly withdraw the idea that they are shonks.

Mr Speaker, it must be said that people in the Territory community may not be quite so convinced, and that is the issue. The interjection that we have heard from the minister tells it all. His interjection told us that the hockey association in Alice Springs obtained its turf in spite of my representations, and that says it all.

Mr Vale: I did not. I said it was in spite of your lack of representation.

Mr BELL: I noted the minister's comment that he rang the ABC in the hope of getting a one-to-one debate on this. Let me tell him that anywhere, anytime, here or in Alice Springs or wherever he likes, I will debate him because he is wrong. He does not understand. He has been a member of

parliament for 15 years and he does not understand that different standards are expected of ministers. Ministers who make direct decisions about grants-in-aid must not be making decisions about the fortunes of clubs of which they are patron. It is as simple as that. That is the end of the story. The government does not have a leg to stand on.

As for the pathetic comments from the Deputy Chief Minister and the minister himself that we are opposed to people being patrons of sporting clubs or opposed to sport in general, and they came pretty close to saying that we are opposed to civilisation as we know it, that is simply nonsense. The most important point is that ministers must not be seen to be making decisions in which they have an interest.

The minister mentioned that I am patron of the Alice Springs Hockey Association. That is true and I will continue to be so for as long as I am a backbencher in this parliament and not an office holder. I am a playing patron of the Alice Springs Hockey Association. I happen to be a non-playing patron of the Scottish Pipe Band in Alice Springs. My association with that organisation as well as my position as patron of the Central Australian Rifle Club have been positions that I have taken a great deal of interest in and satisfaction from. At one stage, I made representations on behalf of the rifle club when it was moving its rifle range from the Mt John Valley, which is now the area occupied by part of the golf course in Alice Springs, to an area south of the range in Alice Springs. As a backbencher, I think that is quite appropriate. However, if we were in government and a Cabinet decision were to be made about those allocations, can you imagine how inappropriate it would be for me to be an officer holder in the Central Australian Rifle Club if we were talking about land allocations? It would be completely inappropriate. If, as an opposition, these people had been aware of that, there would have been all sorts of screams.

I will take the opportunity in this debate to correct an impression that was given inadvertently in a newspaper report of the ABC interview that I referred to. The newspaper report asserted incorrectly that I was patron of the Alice Springs Netball Association. I note that the Sunday Territorian carried a letter from the secretary of that association disavowing that. I want to place on the record that that letter was quite accurate. I have never been involved in any capacity with that association nor have any of my children. What I referred to, on the basis of information provided to me, was the difficulties that the Alice Springs Netball Association had had in obtaining government assistance.

As for the point that the minister was trying to make about his wife being associated with the netball association, I have no idea what he was trying to say. Certainly, at this stage, the opposition was not trying to suggest that wives should not be office holders. Honourable members will recall the controversies about the interests of spouses of parliamentarians and ministers that occurred in the federal sphere in the earlier days of the Hawke government. I do not particularly want to express a view on that issue. I do not think that the minister's comments are at all relevant in that regard.

Mr Speaker, I think the opposition has made its case consummately for saying that ministers should not be involved as office holders in clubs that are likely to benefit from government decisions. I think that is the beginning and the end of it. The minister failed to grasp that point. The fact that members opposite failed to grasp it is indicative of the difficulties that this government is facing. I do not believe that, at this

stage, it has gone down the road as far as the Queensland Nationals have but, by golly, the total inability of government members to perceive ...

A member: Don't you worry about that.

Mr BELL: I do worry about that. That is why I appreciate the minister bringing on this statement so that a few basic rules of public administration can be laid down in this parliament. It will be too late for members opposite because they are on the way out, but Territorians can look forward to a bit of propriety

Mr HATTON (Health and Community Services): Mr Speaker, firstly, there are a couple of corrections that I would like to make for the benefit of the member for MacDonnell. The first is that the lady he referred to in the public gallery is not Margie Pierce. At the moment, Margie Pierce is coach-in-residence in Singapore. The lady happens to be Dr Heather MacGowan, the Acting Chief Executive Officer of the Department of Youth, Sport, Recreation and Ethnic Affairs. That shows how actively involved in the community and government administration the honourable member actually is.

What is occurring in this whole exercise? The opposition is running a campaign to denigrate and slur public administration in any way it can. Its latest game is to try to find a way to frighten ministers and members of government out of active participation in community and sporting organisations. It has even gone to the point of publishing its own code of ethics for when it comes into government.

Mr Smith: Oh yes.

Mr HATTON: That is funny. It was announced publicly by the Leader of the Opposition and certainly it was announced by the member for MacDonnell in his comments on 10 April on the 7.30 Report. It is certainly very public and I will quote from it: 'Ministers may not hold positions, either honorary or remunerable, in any organisation that receives funds from the government'. What that means is that, if you are a minister, you cannot have any active working role in any community organisation at all. That may well suit a Labor member. That relates to all community organisations because almost any community organisation may receive remuneration from the government at some stage. Does it mean that a minister is allowed to be involved in an organisation when it is lobbying to obtain government funds, but that he is okay if he resigns as soon as the funds are granted? What if the wife of the minister happens to be an office-bearer in a particular community organisation and does a bit of pillow lobbying? What if it happens to be a senior ministerial staffer, a junior ministerial staffer or the wife of a ministerial staffer? What if it happens to be a senior public servant or any public servant who may be involved in the process of preparing the recommendation to this unsuspecting minister?

What if it happens to be an MLA who lobbies his ministers or leader to try to win support for a particular organisation? That is all okay. It is only when you don the mantle of minister that you must cast yourself away from the community. You might have been involved in sporting, recreational and community organisations for 20 years before you even thought of going into politics. However, suddenly, when you put on the mantle of politician, it is dirty to be involved. What nonsense!

If ministers and politicians openly and publicly declare their involvement with organisations, everything is up-front. People can see what

is going on. You are not working through back doors and under cover, running party hacks into organisations, as the opposition is doing in some community organisations now. Instead, we maintain that these applications should be known publicly. That is open and honest government. The opposition's problem is that it does not understand what open and honest government means. It means keeping things out in the open, not using your backdoor mates to do your dirty work to curry favour. The ALP policy, like the charade about transition to government, is a joke. It is a clear demonstration of the fact that there is no way in the world that the opposition is ready to take government. It lives in cloud-cuckoo-land.

I will say now that there is no way in the world that I intend to stop being involved in the community and with community organisations. The great pity is that, because of my duties as a minister of the Crown and the time which they take up, I cannot be involved as actively as I would like to be. However, I will continue to maintain my involvement, not only with organisations in which I have a personal interest but also with organisations in which my children have an interest. As a parent, I like to be involved with the organisations in which my children are involved. They include schools and other community bodies, all of which receive government funding either directly or indirectly. My children have received government funding when they have gone away to represent the Northern Territory on sporting trips almost every year for the last 7 or 8 years. I am very proud of the fact that they are good enough to win places in such teams. Because I happen to be a minister of the Crown, is that wrong?

The opposition might scoff at the comments about slurring the public service. However, Mr Speaker, you would understand better than anyone in this room the process of decision-making. Public servants assess grant-in-aid applications and prepare the recommendations. They process the whole system and they are all tainted by an accusation or a slur that ministerial favour perhaps is being used to circumvent the rules and regulations governing grants-in-aid. There is no way in the world that I will back off from what I am doing. I am still a local member despite the fact that I am a minister. I have been working in community organisations since I was a teenager, wherever I have happened to live. As a consequence of that, I have a continuing interest in a range of sporting, recreational and community organisations. I will continue with that interest and involvement as far as I can. I am happy to outline some of my involvements so that they are on the public record.

Let me list a few of the organisations in which I am currently actively involved. I am honorary vice-president and an active member of the Darwin Surf Lifesaving Club. I am a member of the Golden Oldies Rugby Union Club, the Darwin Stubbies and the Royal Lifesaving Society in the Northern Territory. I am a member of the Nightcliff Bowls Club, the Darwin Masters Swimming Club and the Nightcliff Swimming Club and I am a recent member, though not yet a participating member, of the Darwin Triathalon Club. I hope to become a participating member soon.

I happen to be patron of a number of organisations including the Nightcliff Sports Club, the Nightcliff Football Club, the Nightcliff Bowls Club, the Dragons Softball Club, the Nightcliff Amateur Swimming Club and the Nightcliff Cricket Club, of which I am honorary president. I am patron of the Humpty Doo and Rural Area Golf Club, the Portuguese and Timorese Social Club and the Campbelltown Public School in New South Wales. I am a member of the NT Branch of the Scout Association of Australia. I am on the Nightcliff High School Council and the Nightcliff Primary School Council. I am a vice-chairman of the Darwin Skills Development Scheme and I have been

actively involved in that since the end of 1982. I am on the Nightcliff Territory Tidy Towns Committee and I am an honorary member of the Alice Springs Memorial Club and the Waratah Sports Club. I am also a subscribing member of the Nightcliff Lions, the Australia America Association, the Industrial Relations Society of the Northern Territory, The Lord's Taverners, the Italian Club, the Darwin Press Club, the Isolated Children's Parents Association and the Royal Commonwealth Society. That is a list I compiled over lunch to indicate a few of the activities that I am involved with. I have been involved in those for many years.

Every member is actively involved with a wide range of community and sporting organisations. CLP members are involved in the community and have been for 15 years. We have retained government because we are in contact with the people at the grassroots level through active involvement in community organisations. I am not going to cut myself off. I will not restrict myself to involvement with client groups on 2 days a month only. It is an ongoing part of your job and life to be involved with the people if you are to represent the people. You have to drink with them, party with them, and play sport with them. It is the only way you can represent the community. You do not close yourself off. What a nonsensical suggestion!

This is an insult to one of the most successful and reputable sections of the Northern Territory government. Since self-government, there has never been one ounce of criticism of the performance of that department or office in its various forms. It has done a brilliant job for the Northern Territory. All through that period, there has been a high level of community involvement, at least by CLP members of this Assembly, and I think that should continue because, in a small community like that in the Northern Territory, it is one of our strengths that the people are close to their politicians and their ministers. The day we drag those apart is when alienation will really occur. We should not allow it to happen. I support what the minister has said about this. If an organisation seeks my support for a cause that I believe is worth while, whether or not I am involved with it, I will lobby for it because that is my job as a politician.

Mr PERRON (Chief Minister): Mr Speaker, the ALP has made a massive political blunder on this matter in its desperation to paint this government as being evil in some way. It seeks to obtain votes by denigrating the government. It seems that it cannot win votes by trying to demonstrate to the Territory community that it would be a credible alternative government and therefore it resorts to denigration. It simply cannot be positive. It has been negative for years. Every significant initiative that this government has taken in 12 years has been opposed by the ALP, at one stage or another, until the initiative starts to look as if it might be a winner. When that happens, the ALP changes sides - and the Trade Development Zone is a good example of that.

Mr Smith: We supported it.

Mr PERRON: About 2 years ago, in an election campaign, the ALP wanted to sell it, and now it supports it. It wanted to shut it down.

To tell organisations which have spent years of blood and sweat and personal funds on building community facilities - and they are all community facilities - that they got where they are because of political patronage is a really stupid thing for a politician to do. It has given us material to work on for years to come. It is telling members of those organisations that the success of their sports and the development of their facilities is the result of political patronage. That is a crazy thing for members

opposite to suggest. Surely they did not caucus very successfully or, if they did, there were no brains in the caucus.

I am sure members opposite underestimate the strength of feeling in the bodies I am associated with about this matter and the way it has been raised. People are incensed. They have been insulted. They have been told that it is not the result of the enormous effort that a few people in organisations put in to prepare some of the very detailed and comprehensive submissions that must be put to government these days to obtain a major grant. They have been told that it is not the result of the effort that they have put in over years of personal commitment and the blood and the sweat that they have expended. They have been told that it is not the result of their constant lobbying and, embarrassing as it may be, the going from place to place to beg for private sponsorship for their sport. Such organisations must show that they are self-help organisations. They are not there with their hand out to government in order to obtain the goodies and run. They have to demonstrate commitment and it has to be ongoing. They do that, and then they are told that their successful bid was the result of having a minister as a patron. Honourable members may well imagine what those people think about that.

I do not really talk politics with sporting organisations and I knock around a bit with people in the motor sports industry when I have a little spare time. I do not think that relationship is a political one in any way. I do not do it because I am a politician. I do it because I enjoy the sport. In those conversations, at the speedway or wherever, I do not really talk politics. I do not think that there is much political conversation. People do not raise the subject with you. We are all there for the same purpose: to enjoy our common interest. In the case of members of the motor sports fraternity with whom I am connected, I do not think that they care that much whether I am the Chief Minister or not. However, it really incenses them to be told that their success in obtaining grant funds and having loans written off by the government is a result of that political connection. If the ALP believes that it will get over this little hump easily, I can assure it that it is wrong.

The member for MacDonnell may not know - although if he refers to some of the material that has been tabled in the House over the years, he will be better-informed - that quite a few loans have been written off by the Northern Territory government. Some of them were inherited at the time of self-government. Like myself, Mr Speaker, you will remember the loans to the YWCA and the YMCA.

Mr Firmin: I was on the board of directors.

Mr PERRON: Some very substantial sums of money were involved. My colleague says that he was on the board of directors. He was not a politician in the days when we wrote off those loans. Another write-off of a loan related to the facility in Nightcliff which used to be Carpentaria College. We wrote off loans to some ethnic organisations which built facilities. When the loans were initially made, it was everyone's intention that they would be paid, although they were negotiated on concessional terms.

Mr Bell: I am not complaining about the writing-off of loans per se, Marshall. Get it right.

Mr PERRON: Times have become more difficult. Costs have escalated and the population has not grown at the expected rate. Spectator numbers are not quite as large as we had hoped they would be by now. Decisions were

made that some organisations could not really carry the burden of repaying loans and that their efforts would be better spent in further progressing their own causes.

My reason for raising the subject of loans was that the member for MacDonnell made particular reference to it when he initially launched discussion on this matter in the great media expose.

Mr Bell: I did not launch it, Marshall.

Mr PERRON: No, you simply volunteered to appear on the 7.30 Report. He says that he did not launch it, Mr Speaker!

So far in this debate, we have avoided any reference to particular organisations and dollar amounts and, indeed, I will not mention dollars here. However, I want to make a point about organisations which have received assistance from the Territory government in spite of having no Territory government minister or member as either a patron or a member. I have chosen organisations in Nhulunbuy to demonstrate my point. Contrary to suggestions made by the member for MacDonnell, no pork-barrelling is involved. The CLP has not held the seat of Nhulunbuy for a very long time now. However, many organisations in Nhulunbuy have received grants from the government. These include the Gove Amateur Basketball Association, the Gove Country Club, the Gove Peninsula Surf Lifesaving Club, the Gove Squash Club, the Gove Tennis Club, the Gove Yacht Club, the Gove Youth Club, the Nhulunbuy Community Centre, the Nhulunbuy Girls Brigade, the Nhulunbuy High School Council, the Nhulunbuy Motor Cycle Club, the Nhulunbuy Region Sports Fishing Club, the Nhulunbuy Speedway, the Nhulunbuy Town Management Board, the Nhulunbuy Youth Club and the Nhulunbuy Youth Social Club. Each of those organisations has received assistance from the Territory government over a period of time.

I will return for a moment to the subject of clubs that I am associated with. I find it hard to keep up to date with which organisations I am patron of. I used to be a keen skindiver and the skindiving club asked me to be patron in my early days in politics. Of course, organisations have the ability each year, and probably more regularly, to decide on whom their patron will be. Although one occasionally recalls a letter flowing through the system asking whether one will remain patron of an organisation for another year, one soon loses contact. Unfortunately, I no longer have much contact with the skindiving club. I am sad to say that I only drop in once in every couple of years. I think that I am still the patron but I really have no idea. I do not know whether the skindivers have received any grants during the last few years but I am sure that, if I looked at the list, I would be able to determine that. I have certainly not gone to any of my colleagues saying: 'You have to pay this money to the skindivers or else I will become real cranky'.

I am also patron of the Darwin Bowls Club, although I am not a player. The club asked me to be patron and I graciously agreed to do that even though the club knew that I had no interest in bowls. I am patron of the Darwin Motor Sports Council, the King Cobra Rod & Custom Club and another recently formed car club which sought my sponsorship. Rather than say no to that approach, I said yes. I am sure that the club did not make that approach in order to secure more money from the government than anyone else. I think they approached me because I have I a fairly well-known interest in motor sports generally.

I urge members to go to one of the major events held at the Hidden Valley Motor Sports Complex, whether it is a speedway event or an event for go-karts, dragsters, motorcycles or 4-wheel-drive vehicles. It is a facility of which we can be very proud. It has cost a great deal of money over the years. It has taken enormous personal commitment by a very large number of people in the variety of motor sports to achieve what is there today. In a 10-year-plus time frame, it will be known Australia-wide as an absolutely magnificent facility. Everything that is out there has been built to the international standards of the various motor sports codes. As Darwin gets itself on the map internationally, major events will be able to be held there. The recent completion of the seal of the road-racing circuit there was a very significant milestone.

I will give an example of one of the many significant projects which have been undertaken at Hidden Valley. I refer to the installation of floodlights for the drag strip. That really put a new face on drags because it is pretty hot sitting out there during the day and the staging of these events at night makes them very attractive. Without any government contribution at all but by calling on friendly suppliers and contractors, the installation of $75 000-worth of night lighting was effected. The actual cash requirement for the purchase of materials was $41 000 and all engineering work was done by members of the organisation. If that sort of project were to be put to tender, the all-up cost would be about $100 000.

The drag strip control tower is another example. It is a 3-storey building valued at about $70 000 today. Government assistance of $12 000 went towards the construction of that control tower. The materials, including an enormous sheet of glass worth $7000, were donated. The glass was donated by Pilkington Glass in return for some advertising. Tubemakers donated $5000-worth of steel. Engineering design, supervision and administration were all donated.

These are just some examples of projects taken on by sporting bodies and members opposite have missed the voluntary aspect in floating this matter. They really have done so purely for political advantage. They are trying to paint the government as shonky and they will use every opportunity they can find to do that. However, they have overlooked the fact that, for every government dollar spent on sporting facilities, the community would be expending many times more in its own blood, sweat and dollars. The people who contribute such blood, sweat and dollars, and who have government MLAs as patrons and members, have now been told by the ALP that what they have achieved has been the result of favouritism and political patronage. Of course, as politicians, we will exploit the stupidity of the ALP in this regard. We would be fools not to. I can tell members opposite that they have an awful lot of work to do because the feeling in the community is very strong. People are incensed. They have been insulted and this is not the last that the ALP will hear about this matter.

Mr SMITH (Opposition Leader): Mr Speaker, the minister whose statement we are debating gave the game away pretty comprehensively in an interjection directed at the member for MacDonnell. He said that, in spite of the fact that my honourable colleague was patron of an organisation, the government had awarded that organisation a grant-in-aid. There is only one possible interpretation of that. It is that, at least as far as the minister is concerned, a political consideration is involved in assessing some grants-in-aid. That was the clear message which we received. I am not saying that the minister's view is shared by the public service or even by some of his colleagues, but I must admit that I was disturbed by his

comment. If we are throwing threats around, as we seem to be, I advise the minister that this will not be the last he hears of that comment.

Mr Vale: The grant was approved by Hon Don Dale.

Mr Bell: You seem to know a fair bit about it.

Mr SPEAKER: Order!

Mr SMITH: The feedback which I am receiving from sporting organisations is that they are strong supporters of the Labor Party's stand on this particular issue. They know that, after the next election, when a Labor government is in office, organisations with CLP members as patrons will get a fair and equal deal because we will have ensured that there is not even a perception of political or ministerial interference in decisions affecting grant-in-aid decisions.

In this matter, we are talking about simple perceptions. I am certainly not alleging that, in the view of any minister, except perhaps the Minister for Youth, Sport, Recreation and Ethnic Affairs, there is any concept of using the position of patron to give a particular organisation any special advantage or, indeed, that any minister has ever attempted to seek any special advantage of that kind. Quite simply, what I am stating is that there is a perception that those positions may be used for that purpose. A Labor government in the Territory will not be prepared to allow that perception to continue. Members on this side of the House are committed to open and honest government. That means that there should be no hands-on involvement with voluntary organisations which receive grants-in-aid from the government.

I do not want to get heated about this. I accept that there are 2 points of view on the matter. I accept that the government has its point of view and, of course, we have ours. I am very happy for that difference to be part of what voters consider at the next election. We do not resile from our position; we embrace it. It is part of our view that there are appropriate standards of behaviour which apply to ministers of the Crown in the Northern Territory. If the government does not share that view, I do not mind. However, those are our standards and we are proud of them. It is those standards that we will be putting forward to the public of the Northern Territory. If you do not want to accept them, that is good because it gives the people of the Territory a very clear choice, and that is what democracy and parliament are all about. I do not have a problem with that. I am not getting excited about it, Mr Speaker. It is a very simple proposition that we are advancing. We are doing this in the context of a comprehensive code of conduct for ministers.

I find it quite staggering that the Country Liberal Party has been in office in this place for 14 years and yet there is no code of conduct at all for ministers, no written code that is, let alone a comprehensive code. There is no code at all. There is nothing in writing anywhere, that I have seen or that has been made public, that says to the ministers of the Crown: this is what you can do and this is what you cannot do. Members on this side happen to think that that is wrong. We happen to think that there are codes of behaviour that we expect from ministers of the Crown and that those codes of behaviour should be known to the public of the Northern Territory. That is what we are doing, Mr Speaker. Obviously, the member for Karama has a copy of the draft code that we are circulating and talking to various people about ...

Mr Coulter: Where did you get it from? Did you get it from New South Wales?

Mr SMITH: Mr Speaker, I have talked to people in Queensland and will continue to talk to other people about the development of the code and, at the appropriate time, we will announce that code. We happen to believe that it is very important that there be a code of conduct that applies across the board to ministers of the Crown under a Labor government. It is only when there is a code of conduct and a preparedness to recognise that there are conflict-of-interest situations or situations with a potential for conflict of interest to arise, that a good, open and honest government can be run. That is what we are attempting to provide for. If you do not like it, that is fine. That is what democracy is all about. However, that is what we are attempting and we make no apology for it. In fact, we do it with some pride because we think that, when this code of conduct is fully worked out, we will have set new, higher standards of behaviour for Cabinet ministers in the Northern Territory than any that exist at present, and we will have made those standards public. That is what we aim to do.

One of the problems that government members have is that they are tired. They have been there too long.

Mr Manzie: Who says so? Stand alongside and we will see who looks the most tired.

Mr Coulter: Who is this great visionary, this person that has had the charisma implant that has now gone by the board? You started that rumour. Go on, oh brilliant one, oh great visionary!

Mr SPEAKER: Order!

Mr SMITH: Shouting about it will not make it go away.

Mr Coulter: It is still your face on the poster, mate, when it goes up. That will be your problem.

Mr SMITH: You are tired. You are out of touch, and you have lost the ability to sense what is going on in the community. What is happening ...

Members interjecting.

Mr SPEAKER: Order! At some stage during the debate this afternoon, honourable members on the government side will have the opportunity to make their contribution. Until such time, I ask them kindly to allow the honourable Leader of the Opposition to finish his statement in silence, and I mean in silence.

Mr SMITH: Thank you, Mr Speaker, and I do apologise for upsetting the members opposite.

What is happening Australia-wide, though unfortunately the message does not seem to have come across here, is that people are demanding higher standards from their politicians, and they are demanding that those standards be made public. It has been an important aspect of election campaigns in other places that the code of conduct under which the parties intend to operate as ministers of the Crown be made available for public debate. We are working through that process of putting in place a code of conduct which will be circulated to enable debate to take place. If people do not like that code, they will have the opportunity to say so.

I invite members of the government to do the same. Their party has governed for 14 years. The government must have at least some informal rules that dictate how the game is played in Cabinet. Isn't it time that they were brought out in the open? Isn't it time that the government put out a code of conduct for its ministers and all members of the Country Liberal Party? I invite the government to do so. Let us get them out in the open. Let us have a public debate about standards in office, what is expected and what each party will offer, and let members of the public take that into consideration when they cast their vote. I would not have thought that that would be too difficult. If members opposite are interested in honest and open government, let them show us the rules that apply in Cabinet to ensure that that happens.

That is simply what we are doing in developing our code of conduct, and that is where we come back to this debate. The holding of positions of office in voluntary organisations is part of our proposed code of conduct. Frankly, it has been canvassed widely and, other than from members opposite, we have not received a negative response. We are encouraged by that and, as I said before, we see it as part of preparing ourselves for government in the Northern Territory and as part of showing the people of the Northern Territory that we are conscious of the need to put in place standards of behaviour that members of a Labor government, and particularly ministers, would accept and follow. That is certainly something new. It is not revolutionary. It has been done before, but it is something new and an advance in public accountability over what is being offered by members of the government at present.

To sum up, I am very happy to debate this issue and the broader issue of a code of conduct because we see it as important. Anything we can do to foster debate about a code of conduct for ministers in government, standards of behaviour that they are expected to follow, and about making those standards public, we will do. If the government wants to bring a debate on every day that parliament sits, let it do so by all means. We would be very happy if that occurred. Mr Speaker, when our code is in place you can be sure that we will bring a debate on and ask for comment on it and, at the same time, ask the government for its code of conduct, because it is a very important part of government in the Northern Territory to let people know what you stand for, what your standards are and how you will behave in government. Members opposite have had 14 years in which to do that. We intend to do it even before we get into government.

Mr HARRIS (Education): Mr Speaker, I am glad that the Leader of the Opposition was not getting excited during the course of his speech. I felt very strongly that he was. I never cease to be amazed in this parliament by the way in which members of the opposition start to move their positions. A mistake was made. As far as the electorate was concerned, it was a huge mistake. It was made by the then acting spokesman on this issue, the member for MacDonnell. He stated very clearly where the ALP stood on this issue, and now they are talking about developing a code of conduct. If the member for MacDonnell had mentioned that initially, perhaps things would have been all right, but he went much further. I think that the Leader of the Opposition is seeking to shift his position. The same happened yesterday when we were talking about the treaty, the compact and what it should be called. He started to say that perhaps the name needed to be looked at and changed. They start to move their position.

Of course, this goes much further than grants-in-aid for sports. In my portfolio, I have responsibility for grants-in-aid to the arts as well, and I will come to that in a moment. I believe that this is what happened. The

7.30 Report raised the issue, as the member for Wanguri said. During his contribution, the member for MacDonnell made the ALP's position very clear, and I think he did that because the 7.30 Report was seen to be engaging considerable attention. Even though some misleading statements had been made in a number of its programs, it had been successful in generating debate in the community. Probably, the member for MacDonnell thought: 'Here we go. We have the government on the ropes. We have it on toast'. He then came out with the ALP proposal that, if it gained government, the relevant members would be required to relinquish their appointments as patrons of various organisations and clubs, and some other positions. That is a preposterous proposal and, of course, it goes much further than being the patron of a club. The Minister for Health and Community Services spoke about public servants and other people who are involved. It involves many more people than politicians.

Does the member for MacDonnell believe that I should resign as the Minister for Education if I have family involved in a school and I am to make a decision concerning grants-in-aid or the provision of money to that school? The same applies with the arts, if I have family involved with the arts, and I have to make decisions in relation to that? Those questions need to be looked at. A great deal more is involved than being the patron of a club or even holding life membership. This morning, when the minister was making his statement, by interjection I asked about the position of those who were life members of clubs. The member for MacDonnell commented across the Chamber: 'Yes, that comes into it too'. As honourable members would be aware, life membership is bestowed only on persons who have contributed exceptional amounts of time and effort to the particular club or organisation. Usually, it costs them a considerable amount of money. Life membership is bestowed in acknowledgement of their contribution. In the event that the ALP wins government, does it intend to say that any government member who becomes a minister will seek to relinquish life membership that has been bestowed on him or her by any organisation? What a load of nonsense! Of course, it cannot.

I will refer back to the 7.30 Report because I believe that the member for MacDonnell was sucked in a little there. The member for Wanguri raised the matter of the 7.30 Report and he was correct in saying that that was where the issue came into the open in the first instance. The member for MacDonnell responded and, during that interview, leading questions were put to him. There is no doubt about that. Opposition members always seem to be given the opportunity to put their case. I am glad they did in this exercise because they really put themselves into a hole. The whole exercise was a crack at the Country Liberal Party. There is no question about that. I am the patron of a couple of organisations and I certainly will not relinquish those positions. I must say that I do not believe that those organisations have received any preferential treatment in terms of grants-in-aid as a result of my being their patron.

Since 1982, the Northern Territory Arts Council has received some $1.3m in grants-in-aid, and I will simply repaint the scenario that the 7.30 Report was trying to paint for the public. Nan Giese had been a member of the arts council for a number of years. She had been the chairperson of that particular council and, at present, I understand that she is its patron. She is also an active member of the CLP. Is the 7.30 Report saying that, if Nan Giese had not been involved with the NT Arts Council, that money would not have been forthcoming to the council? To use another example, since 1985, the Darwin Chorale has received more than $33 000 in grants-in-aid. Nora Lewis is very much involved with the Darwin Chorale and I am sure honourable members would know her. She is the wife of

Graeme Lewis who has been a very active member of the CLP. I understand that the mother and the sister of the member for Karama are also members of the Darwin Chorale, as is Cherry Perron, the wife of the Chief Minister. Would the 7.30 Report have us believe that people who have talent and interests, such as Nora Lewis, Cherry Perron and the member for Karama's mother and sister have, should not be involved in organisations such as the Darwin Chorale because they have been involved with the CLP? The 7.30 Report attempted to promote this sort of view, and the member for MacDonnell jumped on the band wagon. He thought that he could paint us into a corner and make the government look as if it were giving money to particular organisations and groups because some of their members happen to be involved with the CLP.

The Leader of the Opposition is trying to move ground. Quite rightly, he is not asking such people to relinquish membership or not be involved in the ALP or anything else. The member for MacDonnell has made a mistake. He knows that he has made a mistake and it is on the record. As the Chief Minister said, it will haunt the ALP for a long time.

Mr PALMER (Karama): Mr Deputy Speaker, the line used by both the Leader of the Opposition and the member for MacDonnell that this is a matter of propriety is merely a smokescreen. For some time now, it has been reported to me that, when attending various organisations and meetings, the Leader of the Opposition has been telling people that a Labor government will cut funding to sporting organisations substantially and redirect that funding. The Leader of the Opposition has been met with howls of protests. When he found what the community view was and opinions strongly disfavourable to his line were voiced to him, he put up this smokescreen about ministerial propriety.

Let us look at the funding to sporting and recreational groups in the Northern Territory. In 1982, when introducing the Racing and Gaming Amendment Bill, the then and current Treasurer in this House made it quite clear that all moneys derived from Tattslotto and the Scratchie tickets would be paid directly into the Sport and Recreation Development Fund Trust Account. From that day to this, that policy has been followed religiously. Not 1¢ of that money has been diverted to the Consolidated Fund. If the opposition were to get its hands on that money, it would divert it into auspicious projects supporting those who feel they are not able to support themselves in mainstream society and who wish to get out of mainstream society. That is in the ALP platform. It has a whole raft of social engineering proposals which it wants to get on with, giving people the option to opt out of society and to be supported by the Territory taxpayer.

Mr Smith: Which part of the policy is that in, Mick?

Mr PALMER: It is in your platform.

Mr Bell interjecting.

Mr PALMER: Mr Deputy Speaker, I will turn to the member for MacDonnell. The member for MacDonnell wants to talk about democracy. The very nub of the process of democracy is elected members representing to the government or to their colleagues the views of those whom they have been elected to represent, be those the views of individuals or of organisations. I find it quite proper and appropriate that a member of this House could prevail on his colleagues to assist an individual or an organisation. That is what we are here to do. However, the member for MacDonnell would have us believe otherwise.

Mr Deputy Speaker, I will quote the honourable member for MacDonnell. He should leave the House because he has been shown to be hypocritical in this place on a number of occasions. In debate on Thursday 13 October 1988 ...

Mr EDE: A point of order, Mr Deputy Speaker! The honourable member should withdraw that statement in relation to the member for MacDonnell.

Mr DEPUTY SPEAKER: I ask the honourable member to withdraw that remark.

Mr PALMER: I did not accuse the honourable member for MacDonnell of being a hypocrite, Mr Deputy Speaker. I said that his statements have been shown to be hypocritical.

Mr DEPUTY SPEAKER: If the word, 'hypocritical' was used, that is not unparliamentary.

Mr PALMER: Mr Deputy Speaker, the member for MacDonnell has been known in the past to speak with a forked tongue. On Thursday 13 October 1988, in the debate on the Local Government Amendment Bill, the member for MacDonnell said: 'As far as I am concerned, that is highly appropriate'. What he was referring to was members of this House serving on local government authorities. It would seem that, in the opinion of the member for MacDonnell, it is quite proper for members of the government to serve on local government authorities which are receiving direct funding from the government but improper for them to be patrons of sporting or recreational groups in which they have no direct interest.

Mr Ede: You are safe. You'll never be a minister.

Mr PALMER: That may well be so, but at least I am a member of the government.

The Leader of the Opposition accused the government of being tired and out of touch and, in his next sentence, accused members of the government of being too involved and hands on. Which way does he want it? We cannot be both. The Leader of the Opposition should remember that it was through the Sport and Recreation Development Trust Fund or loans from this government that the Bagot Park Speedway was able to be moved out of his electorate and relocated in the Hidden Valley Motor Sports Complex. Would the Leader of the Opposition have preferred that we left Bagot Park Speedway where it was? Certainly not. We funded that on a loans basis but, when the organisation found that the loans were such that they were preventing further development of the facilities, the government chose, as it did in the case of some other organisations, to convert those loans to grants. We could have made the loans on the basis that the interest was waived and the capital forgiven, however we made them grants.

I am sick and tired of members of this opposition continually carping about government programs over which they think they may obtain some political mileage. When they find that they do not gain any mileage, they immediately revert to obscure questions such as this one of propriety. The Northern Territory can be justly proud of what this government has done in providing sporting facilities the like of which are not found in many places of similar population size. We need such facilities in order to develop and take our proper place within the Australian community.

As I said, this is nothing but a smokescreen. The Leader of the Opposition is attempting to divert attention from the nature of the real

agenda. The ALP agenda is to strip sporting bodies of all funding. It does not believe in sport. It would rather divert that funding to more ethereal social engineering programs, the thought of which makes members opposite feel warm inside, but programs that would do nothing for the development of young people in the Northern Territory.

Mr MANZIE (Attorney-General): Mr Speaker, I rise this afternoon because inferences made by members of the opposition need to be challenged and put down very firmly. If we had a situation in the Northern Territory where only the sporting clubs or community bodies which had ministers as patrons were funded by the government, we would have a situation that would be totally improper and a cause for grave concern in the community. However, in our community, sporting bodies are funded through loans or grants irrespective of who their patrons are, irrespective of who their presidents are and irrespective of the composition of their membership. Plenty of evidence has been produced today to show that that is the case. The Minister for Tourism pointed out quite clearly that it made absolutely no difference whatsoever that the member for MacDonnell was involved with a sporting group when it came to assessing whether it should be funded or not. It is totally irrelevant who is a patron and who is not.

It is important to point out that members on this side of the House have been actively involved in the community throughout the Territory for a number of years. Speaking for myself, I will continue to be actively involved in the community. Any suggestion that that should not happen would have to be opposed vigorously. The problem the opposition has is that it sees how actively involved members of government are. It sees the success of our sporting policy and our moves in the last 10 years to bring the Territory from being a backwater in sport to a point where we have facilities of national standard and opportunities for our young sportsman to compete on an equal level with other Australians. That has been our policy and our aim, and it will continue to be our policy and our aim. I for one will be involved actively with the groups on the ground. Any attempt to dislodge me through the use of innuendo and snide remarks will be resisted. I think all Territorians should be aware that this grubby attempt to turn something which has been good, clean and effective in our community, into some sort of exercise in corruption and underhanded behaviour is pathetic and unworthy.

Members opposite were quite keen to try to draw back from some of their statements and inferences. However, I have just seen the transcript of an interview with the member for MacDonnell on a television program. I believe that 1 of the comments he made was quite libellous. I certainly think that he might be hearing something in the future regarding those comments.

To suggest that, because one is a minister, one cannot be involved with organisations is ridiculous. I buy petrol for my motor car. Following the scenario drawn by members opposite, are they suggesting that I should not buy petrol because I may be involved in some discussion on setting a petrol tax? I used to smoke cigarettes. Is it suggested that I should not have purchased cigarettes because, at some stage, I was involved in discussing a cigarette tax? I have travelled by public transport. Is there a suggestion that I should not have availed myself of that public transport because, at some stage, I was involved in discussions on funding of the public transport system? I drive a motor car and I have to pay registration fees. Is it suggested that somehow or other I should not drive a motor car because the registration fees are matters in which I am involved in my capacity as a minister? I use electricity. Is it suggested that I should have the electricity cut off from my house because, as a minister, I have some

involvement in the cost of electricity? My children went to government schools and I was involved with school councils. Is it suggested that, because those councils received funding from the government, I should have removed my children from those schools or that I should not have been involved in the process? It is a ridiculous assertion.

As all Territorians would understand quite clearly, if the only bodies that had received funding from the government were bodies that had ministers as patrons, we would have a serious problem. In fact, the opposite has occurred. It is irrelevant. Certainly, I will not be moving away from my involvement in the community. What the Chief Minister said was very relevant. The organisations that have received government funding have put in sweat and blood, materials and thousands of hours of voluntary work to turn each government dollar into a value of $4 or $5, and not only for the benefit of those clubs alone but for the entire community. It is an insult to suggest that all that work was really irrelevant and that their success was the result of having a minister as a patron or member. It is ridiculous. However, the member for Karama pointed out something which is very significant. The Leader of the Opposition has made public statements that, in government, the ALP would stop the system of providing supporting grants to sporting bodies. That has been stated publicly. This is part of the softening up process by trying to turn a successful part of our government's operation into a liability so that the removal of sporting grants does not become an issue.

The concept for standards for politicians that has been enunciated by the Leader of the Opposition is really an exercise in the digging of his own grave. He has been very strong on pointing out constantly that members of the ALP are the only people who have standards. They will set standards. I believe that what the Leader of the Opposition is saying is true. The only member of the opposition who is in the House at present might like to give an indication by a nod of his head that the Leader of the Opposition is being quite truthful in saying that he will be setting standards and sticking by them. He nodded his head, Mr Speaker. The Leader of the Opposition will have to do it in a manner which cannot be seen to be hypocritical. He says that he is working through a process to establish those standards. Those standards either exclude the fact that a sitting member can be put behind bars and still remain a sitting member or exclude the fact that a sitting member can be involved in processing a tender for himself, or he has to remove some of the present members of the House and exclude some of his present candidates. He is caught in a cleft stick. He has announced his standards and, as a community, we know that there are people in this House who do not match some of those behavioural standards. It will be a good test of just how fair dinkum the Leader of the Opposition will be in respect of some of the present sitting members and some of his candidates in relation to his proposed standards of conduct.

Mr SETTER (Jingili): Mr Speaker, I have been in the Northern Territory for 17 years and I have noticed the enormous change since 1978 in the sporting infrastructure here. One of the main reasons for that is our grants-in-aid scheme. It has worked very effectively and indeed is greatly appreciated by the vast majority of sporting clubs. Without that $50m of government support over those years, we would not have anywhere near the standard of sporting prowess that we now display, particularly in national sporting forums. I was absolutely appalled when, on 9 April, I happened to see that 7.30 Report. I thought that it was a typical beat-up by that organisation and an exercise in misrepresentation. The fact that it tried to suck the Administrator into this exercise was absolutely shocking and it should be condemned for that.

Mr Speaker, let me refer to the opening sentence of that 7.30 Report: 'The 7.30 Report has learned that the Public Accounts Committee is investigating the way in which the Territory government departments distribute grants-in-aid to non-profit organisations'. The inference implicit in that is that, somehow or other, the investigative journalists from the 7.30 Report have been able to glean this information. Maybe it was leaked! That is the way it was put across: that this was hidden information and they had managed to suck it out from somewhere. There is nothing new about this. The fact that a reference was made to the Public Accounts Committee is common knowledge, and I can prove that to you, Mr Speaker. Let us have a look at a press release issued on 9 September 1989, 6 months before, by the Chairman of the Public Accounts Committee, Mr Mick Palmer MLA. The opening sentence said:

> The Chief Minister, Marshall Perron, has requested that the Northern Territory Public Accounts Committee should assess the extent to which non-Territory companies are gaining access to government contracts.

It went on to say:

> In an unrelated move, the Chief Minister also sought a PAC review of grants-in-aid funding to community organisations, including sporting organisations. The review will determine the extent to which such funding is being applied in accordance with established guidelines, directions or stated purposes.

That was a press release that went out to all branches of the media at that time. It was followed by a further press release, issued on 2 November 1989 by the same Mr Mick Palmer MLA, which said:

> The Northern Territory Public Accounts Committee met on Tuesday and Wednesday of last week. The committee chairman, Mr Mick Palmer, said that the meeting had been arranged to consider briefings from the Department of Industries and Development in relation to its inquiry into access by interstate businesses to the Northern Territory government purchasing and tendering requirements, and from the Department of Education, the Office of Arts and Cultural Affairs, the Department of Health and Community Services, and the Office of Youth, Sport and Recreation in relation to its inquiry into the application of Northern Territory government grant-in-aid funding to community organisations.

Mr Speaker, is there anything secret about the fact that the PAC has been looking into grants-in-aid funding? From time to time, some media organisations receive a multitude of press releases and they might just have missed that one but, on 12 September 1989, it was reported on Radio 8DN news that: 'In an unrelated move, the Chief Minister has also sought a Public Accounts Committee review of grants-in-aid funding'. It was public knowledge. There is nothing new about it, yet the 7.30 Report sought to make a great deal of the fact that the PAC was to look at this matter. I am very sad to say that the content of the 7.30 Report misrepresented the terms of the reference to the Public Accounts Committee, and I will quote those terms of reference:

The Public Accounts Committee is requested to:

1. review grant-in-aid funding made by the Northern Territory government to community organisations including sporting organisations;

2. confirm the extent to which this grant-in-aid funding is being applied by these organisations in accordance with established guidelines, directions or stated purposes; and

3. identify and report on any areas in which the application of grant-in-aid funds by these organisations is outside the guideline directions or stated purposes.

It is public knowledge, and I could not believe that the member for MacDonnell was so naive as to be sucked in by the 7.30 Report. I saw the look of agony on the face of the Leader of the Opposition. I have seen that look of agony many times but, when this debate came on today, it was more acute than I have ever seen it before. He and his party were set up by the member for MacDonnell, albeit unwittingly, as a result of what we have seen many times before: his tendency to run off at the mouth in the media without first throwing his brain into gear. But, on this occasion, he really dropped them in it. As has been said before, this matter will return to haunt them over and over again. I can assure you that that will happen, Mr Speaker.

I am quite happy to admit that I am the patron of the Darwin Hockey Association and that, several weeks ago, I was invited to open their season. I was delighted to do that. I was welcomed there, and I gave a short address. This occurred shortly after this incident and I made a point of referring to the comments made on that 7.30 Report program and drawing attention to the fact that the Northern Territory government, unashamedly, had poured millions of dollars into sporting and other community organisations over the past 10 or 11 years. I pointed to the Marrara Sporting Complex and the way that that had been developed. From where we were at the Marrara hockey oval which, incidentally, was funded by the Northern Territory government several years ago, we could see the new grandstand going up at the NTFL oval, the new premises for 2 NTFL clubs, and the new athletics track that was being laid on an adjacent oval.

When I had concluded my comments, I returned to the grandstand and a number of people came up to me and said: 'We are very glad that you said that. It needed to be said because the position of your government has been totally misrepresented and maligned by what was said on that 7.30 Report and by the comments of the member for MacDonnell'. As are my colleagues here today, I am proud to be patron of a number of sporting organisations, and to be associated in various ways with a number of others, and I do not resile from that one iota.

On that particular occasion, on the 7.30 Report of 11 April 1990, the member for MacDonnell spoke about pork-barrelling. I will quote him: 'Obviously, those sorts of considerations have been taken into account. The tradition of pork-barrelling electorates has a long and not particularly honourable history'. Following that, he was quoted in the Centralian Advocate of 18 April 1990:

> 'The Labor Party already has agreed, as part of our transition-to-government arrangements, that no Cabinet minister will

hold patron or other office in any organisation which receives government funds', Mr Bell said.

Mr Finch interjecting.

Mr SETTER: Mr Smith sacked? That would not surprise me at all. I know that the member for MacDonnell has tried to roll him from the position of Leader of the Opposition on a number of occasions, and I am quite sure that he will roll up his sleeves and have another go at some future date.

I have read the Australian Labor Party policy platform of 19 June 1989. Under the heading of 'Sport and Recreation', item 1 states: Encourage participation in and assist in the development of every type of recreation by assisting with providing adequate finance'. Fascinating, isn't it? Item 8 of the same policy states: 'Where there is proven need, provide financial assistance to clubs and organisations that are engaged in meeting community sporting and recreational programs'. How does the ALP reconcile that policy with the comments made by honourable members of the opposition? Nowhere in this policy can I find confirmation of the statement made by the member for MacDonnell that 'no Cabinet minister will hold patron or other office in any organisation which receives government funds'. Maybe they write their policy on the run.

I was appalled to hear one comment made by the Leader of the Opposition when he spoke earlier. I understood him to imply that, if organisations and clubs do not support the Labor Party, then after the next election, when he hopes that the Labor Party will be in government, their funding will dry up very smartly. Of course, that parallels what he said a few days ago regarding public servants. He indicated that public servants who did not agree with the ALP's political philosophy would move on. Of course, we saw that happen in Tasmania. More recently, we have seen it happen in Queensland, where they put the cleaners right through the public service from top to bottom. If any public servant thinks that the ALP would not do the same thing here, if by some remote chance it were to gain power in the Northern Territory, he or she had better think again. The record is there. The runs are on the board.

Mr Finch: It is in print.

Mr SETTER: I am assured by the honourable minister that it is in print. It will do it. Leopards do not change their spots.

Leaving aside sport and recreation for a moment, and referring back to the years when Labor came to power in Victoria, Western Australia and South Australia, the first thing those governments did was to cut funding to organisations like this and dramatically increase taxes. Should Labor ever come to power in the Northern Territory, heaven forbid, it will do exactly the same here.

I will close now because there is a great deal of business before the House this afternoon, but I will reiterate the fact that I have no intention at all of terminating my patronage of any sporting organisation or any other involvement I may have. Together with my colleagues, I will continue to support all of those as I am sure that the government will continue to do as a matter of policy. I abhor the comments made by the member for MacDonnell when he said otherwise.

Debate adjourned.

STATEMENT
Video Gaming Machines for Clubs and Hotels

Mr FINCH (Racing and Gaming): Mr Speaker, the regulation of the gambling industry in the Northern Territory has always been an area of concern to the government. Wherever there is gambling, there is a risk of criminal involvement or of unfair practice. There is pressure from competing sectors. Social, legal and economic impacts must be considered. Hence the government has given very careful and unhurried consideration to the issues following a campaign of intense lobbying by the club and hotel industries regarding video gaming machines. Representatives from both industries have raised genuine concerns and the government has sought to deal with those concerns in a realistic and reasonable manner.

Our task has been made all the more difficult by members opposite. The Leader of the Opposition has embarked on a deliberate and mischievous campaign to create false expectations in the club industry regarding the possibility ...

Mr LEO: A point of order, Mr Speaker! As you would be aware, standing order 68 says:

> No member shall anticipate the discussion of any subject which appears on the Notice Paper: provided that in determining whether a discussion is or is not in order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the Assembly in a reasonable time.

Mr Speaker, you will recall and I am sure that the honourable minister will recall that, at the last sittings, I introduced a private member's bill, entitled the Lotteries (Gaming Machines) Regulations Amendment Bill (Serial 275). It is clear from the written speech circulated by the minister that his statement anticipates the second-reading debate on that bill. Because the minister has extended the courtesy of providing me with a copy of his speech, I appreciate that his statement will detail at least 2 new initiatives which the government intends to introduce in relation to gaming machines. I have no objection to the minister speaking specifically to those 2 new initiatives. However, I believe that he is holding this House in contempt by anticipating a debate on legislation which I have introduced and which is to be debated at the next sittings of this Assembly.

Mr Speaker, I would ask that you instruct the minister that he cannot anticipate debate, although he may introduce new material into this House, and I have no objection to that at all. However, the standing orders of this House will be held in contempt if the minister anticipates that debate with the remainder of his statement. Mr Speaker, I would ask that you rule that he may make whatever remarks he likes about lotteries and gaming and gaming machines, but that none of his statements should anticipate debate on the legislation which I have introduced.

Mr FINCH: Speaking to the point of order, Mr Speaker, I have no wish at all to discuss the bill, which seeks to amend the act in relation to the payment of cash prizes. This matter precedes the member for Nhulunbuy's bill by a considerable time. On a number of occasions, during question time, I have been asked by way of interjection what I intended to do about the clubs' lobby for payment of cash prizes. In this statement, I am announcing a government decision in relation to the current legislation. The statement relates to the alteration of conditions under the act without for one moment reflecting on the private member's bill before the House.

Further, much of my statement concerns video gaming machines in hotels, a subject which is not touched on in the bill before the House or in the honourable member's second-reading speech.

Mr Leo: That is incorrect and you know it.

Mr FINCH: When this government puts forward initiatives, daily calls are made on us to bring them before the House in the form of statements so that the opposition may have an opportunity to debate them. This government has already made a decision within the framework of the current act. The point of order is totally frivolous and is a waste of the time of the House.

Mr SPEAKER: I have given consideration to the point of order which has been raised by the member for Nhulunbuy. Having read the ministerial statement myself, it could be said that the statement rebuts various points made in the member for Nhulunbuy's second-reading speech on the Lotteries (Gaming Machines) Regulations Amendment Bill (Serial 275). I understand that the minister intends to announce also at least 2 new policy initiatives in his statement which do not relate directly to the matters contained in the bill introduced by the member for Nhulunbuy. I believe it is appropriate for such policy announcements to be made now rather than to wait until the August 1990 sittings and, under those circumstances, I do not uphold the point of order.

Mr FINCH: Mr Speaker, the Leader of the Opposition has embarked on a deliberate and mischievous campaign to create false expectations in the club industry regarding the possibility of cash pay-outs from video gaming machines in clubs. I know only too well that, in the current economic climate, clubs need to explore ways of raising revenue with which to upgrade their facilities and serve the needs of their members. Last November, the government introduced the Lotteries and Gaming Amendment Bill which, through the introduction of a licensing system for video gaming machines, ensures the integrity of the industry. Clubs stand to benefit financially, having been freed from the previous profit-sharing arrangements with the machine distributors.

Mr LEO: A point of order, Mr Speaker! I listened clearly to your response to the minister. My clear interpretation of that response was that you intended to allow this House to listen to new initiatives from the minister, all of which I applaud and all of which I desperately want to hear.

Mr SPEAKER: Order! Is the member for Nhulunbuy referring to standing order 60?

Mr LEO: Mr Speaker, my point of order relates to standing order 68. I listened carefully to your previous ruling. My clear interpretation of that ruling is that you, as Speaker, the person responsible for controlling the proceedings of this House, had no difficulty with the introduction of new aspects of this particular subject. Quite clearly, you said also that standing order 68 exists for an extremely necessary purpose: to prevent members of this House having 2 bites at the cherry, so to speak. Members cannot debate legislation ad nauseam between the delivery of second-reading speeches and the subsequent second-reading debates. That standing order exists for a very good reason, and I appreciate your ruling and the reasoning behind it.

Clearly, Mr Speaker, the minister has not touched on anything new so far in his speech. I have yet to hear one word from him which is new. In replying to my last point of order, the minister said that a substantial

part of his statement would relate to a completely new initiative - the introduction of gaming machines into hotels. Having read the copy of the statement which the minister was kind enough to provide to me, I am aware that that initiative is covered on the last 2 pages. The other new initiative is covered at pages 3 and 4 of the statement. Altogether, that involves 4 pages out of 13. I have no objection whatsoever to the minister announcing these new initiatives in this House and I welcome the opportunity to debate them ...

Mr Finch: You have said that 4 times already.

Mr LEO: Mr Speaker, I insist that it is an abuse of the privilege of this House for the honourable member to continue ...

Mr SPEAKER: I have already made a ruling on the matter.

Mr LEO: Yes, Mr Speaker, but you were very precise. I listened to your words most carefully. You said that you had no objection to the minister introducing new initiatives and making a statement on those matters in this House. I agree with you on that 100%, Mr Speaker. There can be no objection to any minister or, indeed, any government member making a statement about new initiatives. However, so far, the minister has used his time on debating the subject matter of a bill before this House. It is my belief that the minister is abusing the privilege of this House and, in fact, is committing grave contempt under standing order 68.

Mr FINCH: Mr Speaker, quite clearly, standing order 68 does not prevent my reflecting on a bill already passed by this House. The intention of the member for Nhulunbuy is to be disruptive and mischievous. If he had listened, he would have heard me say that I was reflecting on the amendment which was passed during the last sittings. Nothing in standing order 68 prevents me from reflecting on that and, if the honourable member does not like the direction I am taking, that is his problem.

Mr SPEAKER: I have listened to the second point of order raised by the member for Nhulunbuy and the response of the Minister for Racing and Gaming. The minister does not have the liberty to criticise or rebut statements made in the honourable member's second-reading speech. He is within his rights.

Mr FINCH: I repeat, Mr Speaker, that clubs also stand to benefit financially, having been freed of previous profit-sharing agreements with the machine distributors. That legislation is based on the continuation of a 'goods and services' prize structure for club video gaming machines. The government will continue with its policy. However, we intend now to extend the options available to clubs following an extensive series of consultations with clubs throughout the Territory.

Previously, prizes from video gaming machines have been restricted to vouchers representing goods and services provided by the clubs themselves. This was high on the list of objections to the existing system. The voucher system will be extended now to allow for the provision of goods and services by other retail outlets. Clubs can make arrangements with outlets of their choice, and the vouchers for the various goods and services will operate in the same way as do the present vouchers. Given a little entrepreneurial promotion, I have no doubt at all that this and other changes to the voucher system will increase the attractiveness of the gaming machines for club patrons.

These additional changes include a provision for players' winnings on a video gaming machine to be re-credited at a later date or on a different machine. While the value of the goods offered as prizes must substantially match the value of the voucher, small amounts of cash change will be allowed. The reality is that cash pay-outs from video gaming machines in clubs are not an option open to government.

Mr LEO: A point of order, Mr Speaker! You will have heard the minister. You will recall the substance of the bill that I introduced in this House and I am sure you will recall also the substance of my second-reading speech. The substance of that bill reflects precisely on cash pay-outs from video gaming machines and how they may be introduced into the Northern Territory. My second-reading speech dealt with precisely that matter. That bill has yet to be accepted or rejected by this House. The minister is clearly anticipating that debate.

Mr Finch: Nauseous repetition. Look at standing order 258!

Mr LEO: Mr Speaker, I do not think that this is a repetition of a point of order. Standing order 258 says: 'A minister may make a statement on government policy, or on a government decision, or on government action or on proposed government action at any time when there is no question before the Assembly: provided that copies of the statement are available for distribution to members when the minister commences his statement'.

Clearly, the matter of cash pay-outs on video gaming machines is one which is firmly before this House. It has yet to be accepted or rejected. That is a matter which is before this House now. Clearly, the minister is anticipating that debate. Outside of that debate, the minister has indicated to this House what the government's action will be in regard to that bill. Clearly, he has anticipated that debate. There can be no question of that and he must be ruled out of order.

Mr SPEAKER: I have listened to the member for Nhulunbuy and the point of order that he has raised. I fall back most humbly on standing order 258 which quite clearly states: 'A minister may make a statement on government policy, or on a government decision, or on a government action or on a proposed government action at any time when there is no question before the Assembly'. There is no question before the Assembly other than the fact that the minister has risen to make a statement and a statement has been circulated.

I return to the earlier statement that I made that the honourable minister is able to criticise in terms of his policy or the government's policy a previous statement made by the member for Nhulunbuy in this House in February. It is now May and that bill will not be debated until August. I believe the minister is within his power to conclude his statement without further interruption on this point of order.

Mr FINCH: Mr Speaker, I take great delight in the very obvious endorsement of this statement by the honourable spokesman for the opposition. By his extensive and frivolous, although unsuccessful, attempt to disrupt me in delivering this statement, he gives it his unequivocal endorsement. I thank him profoundly.

I repeat, for his benefit, the reality is that cash pay-outs for video gaming machines in clubs are not an option open to government. However, the proposed changes that government has presented represent a responsible and sensible way to go. The opposition has a great deal of difficulty in

understanding this. For nearly a year now, it has created a false expectation among clubs that cash payments are an option - and it has done so purely for cheap political gain. This wayward and irresponsible campaign has been littered with false assumptions, factual errors, misrepresentation, misinformation and, quite simply, a complete lack of understanding.

I find it extraordinary that the Leader of the Opposition stood up in this House last October and described this as his favourite subject. Never has one man been so consistently wrong on one subject as he has been on this one. It has been my sad duty to educate the Leader of the Opposition. At the heart of this whole subject, if we can do some revision for the opposition's benefit, are the casino operators' agreements. These agreements give both the Darwin and Alice Springs casinos a monopoly on the operation of gaming machines that offer cash prizes. In the case of Alice Springs, the exclusivity agreement expires in 1996 while, in the case of Darwin, exclusivity is to be reviewed in 1998.

The opposition has misrepresented continually the expiry date for the Darwin casino. It is important that the Leader of the Opposition understand that video gaming machines, such as the draw poker and slot machines in use in the Northern Territory casinos, are gaming machines under the Lotteries and Gaming Act. The Lotteries and Gaming Act 1982 defines a gaming machine as 'any mechanical, electrical or electronic machine or device played, used or operated for the purpose of obtaining by chance, or by a combination of chance and skill, money or goods, or credits representing money or goods'.

I have taken the trouble to present the specific wording of the act because, in October last year, the Leader of the Opposition wrote to clubs suggesting there were no legal barriers preventing them from offering cash prizes from the video gaming machines. Given that a video gaming machine quite clearly falls into the category of an approved gaming machine and given that the casino operators' agreements quite clearly grant casinos the sole right to make cash pay-outs from gaming machines, it is clear that there is a quite substantial legal obstacle preventing clubs offering cash prizes.

In the February sittings, the member for Nhulunbuy attempted to differentiate between a slot machine and a video gaming machine on the basis that the latter provides for an element of skill. Both machines are computer-based simulations. While a skilled player may certainly lose less for a period of time on a draw poker machine, no amount of skill would enable a player to win more than the machine is programmed to pay. The game simulation is not the determining factor in identifying the difference between a video gaming machine and a slot machine. The only difference is whether a cash prize is paid.

The member for Nhulunbuy referred also to a subtle distinction between the games governed by the Casino Licensing and Control Act and gaming machines covered by the Lottery and Gaming Act and its regulations. He stated that the former involve chance and the latter chance and/or skill. To say that casino games involve no skill is patent nonsense and is typical of the rubbish the opposition is carrying on with on this issue. Further, both draw poker and blackjack are approved games at the casino tables and approved for simulation by gaming machines. There is no subtle distinction, as the honourable member so incorrectly suggested.

The opposition's reckless campaign on this issue is full of other such inaccurate and selective representations of the facts. Take its assertions that casinos were becoming completely reliant on poker machines for revenue,

the implication being that profits were derived principally from local gamblers. In September last year, the Leader of the Opposition went to great pains to point out that poker machines provided 32.37% of the moneys wagered and that only blackjack, at 34.93%, contributed more. Information from the Racing, Gaming and Liquor Commission's 1988 Annual Report was handled both selectively and inaccurately by the opposition. The same report showed poker machine turnover had actually dropped from 35.31% in 1986-87 to 32.37% in 1987-88. The figures showed that the percentage of moneys wagered on poker machines was actually falling. Nevertheless, the opposition misused the figures to support the proposition that casinos were becoming reliant on poker machines.

Further, it was not blackjack but baccarat that was responsible for the highest turnover at 34.93%. Again, a further examination of the available figures showed baccarat's percentage share of turnover had risen from the previous year's 19.9%. What we are seeing is a traditional highroller game showing a dramatic increase in patronage. That is quite contrary to the opposition's suggestions which were put to the club industry in a deliberate attempt to gain political mileage. The casinos have catered for, and will continue to cater for, the top end of the market with a continuing and growing attraction for highrollers from interstate and overseas as well as tourists from all parts.

The opposition's implication that Territory clubs are being robbed of vast local patronage is not supportable. In relation to the Alice Springs casino, while the turnover percentage from poker machines is much higher, at 66.64%, the pokies are a major tourist game. This is evidenced by the large volume of tourist buses which place the Alice Springs casino on their itinerary.

The opposition also chooses to ignore the high cost of security and supervision required at casinos in their operation of poker machines. Such security would need to be provided by clubs also and it is essential in order to eliminate the possibility of manipulation of machines to the detriment of the players. Further, unless it were suggested that the clubs be given a commercial advantage over casinos, clubs would have to face taxes currently attracted by the casinos. The minimum fee paid by clubs interstate is 3% turnover tax or about $4000 per machine per annum. Add to that an increase from the clubs' current 85% return to the player to the 88% demanded of the casinos. Under those conditions, for clubs to achieve the same level of profitability, they would need to achieve a substantial increase in the level of gambling just to break even.

The experience in New South Wales was that the big clubs became bigger and the small clubs became smaller or ceased to exist. At best, they struggled for the most meagre of existences. These are the facts that the opposition is not telling the club industry in any of its stirring on this issue. Nor does it explain the cost to the taxpayer of compensation or litigation expenses should any attempt be made to break the existing commercial agreements with the casinos.

This is why, of course, the government's proposed extension of the current voucher system is the only way to go at this time. It is a low-risk, low-cost alternative that does not increase the likelihood of any criminal involvement or the potential demise of the smaller clubs, but which will provide increased profitability fairly across the board. Currently, the majority of our clubs are well managed and provide a valuable asset to the community and their members. The very few that are not run well need more than some false hope that, by ripping a few more dollars off their

members through pokies, their problems will magically disappear. That is pure fairyland stuff.

The government is aware also of the argument that the hotel industry is seeking the right to operate video gaming machines in pubs. The AHA has argued that these machines would provide an entertainment option for patrons and provide revenue for groups which they already sponsor. Consequently, the government has decided to allow video gaming machines to operate in hotels, subject to restrictions on machine numbers, maximum bets etc which will limit the intensity of use. Prizes will be restricted to goods and services, and the cost of regulating this development will be met through licence fees and an operational fee of 6% of machine turnover.

While these machines will provide a minor increase in revenue for hotels, there is a big plus for the community as well because 50% of the government revenue from these machines will be donated to non-profit organisations, such as sporting clubs and youth and welfare organisations by means of a government administered trust fund. Each licensee can nominate clubs or organisations which are associated with or patronise their respective hotel for some - I emphasise 'some' - of the disbursements from the fund. Money will be distributed also to a broad range of organisations in a similar fashion to revenue from Instant Sports Lotteries. I firmly believe the scheme will be a winner with hotels, the public and those non-profit organisations which stand to benefit.

The government has given considerable thought to all of the issues relating both to clubs and to hotels. We have met with the Clubs Association and the Australian Hotels Association. Our proposals have been circulated to all registered clubs, and community surveys have been conducted. There has been individual discussion with most club managers and executives throughout the Territory. Given the legal restraints, the demands of proper regulation to eliminate the likelihood of criminal involvement, and the competing demands of the hotel, club and casino industries, I believe the government has adopted a sensible, realisable and practical course of action.

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

Mr LEO (Nhulunbuy): Mr Speaker, probably one of the most dismal and embarrassing sights that we are subjected to in this House is presented every now and again when the Minister for Racing and Gaming gets to his feet and decides to prove to the world that he has a hairy chest. As has been said before by other persons, it is like being savaged by a dead sheep.

Mr Speaker, following your ruling, the minister has introduced a statement that could have been dealt with easily in the second-reading debate on my bill. He has introduced 2 new initiatives which, as an opposition member, I will gladly trot around every club in the Northern Territory. I will do it gladly because it will be worth at least 5 percentage points on polling day. Mr Speaker, if you believe for 1 second ...

A member interjecting.

Mr LEO: Don't wind me up, sunshine, I don't need it.

Mr Speaker, if the minister believes for 1 second that clubs will be fobbed off with a wishy-washy voucher system which will enable their members to use prize vouchers at establishments other than the club, as a trade off

for video gaming machines going into hotels, he is off his rocker. He has clearly blown his screws. Those are the facts of life. I have spoken with members and senior members of a very large social club in Darwin and they have told me that it is a sop for the AHA.

Certainly the ALP agrees that video gaming machines should go into hotels, but only on the condition that social clubs are allowed to introduce cash pay-outs for video gaming machines. That is the only circumstance under which we will agree to it, and I will tell you why, Mr Speaker. That is because those clubs know that they will lose patronage on those machines. They will lose patronage within their clubs unless it is done under those circumstances and those circumstances only. That is the simple economic reality of those social clubs. If the minister does not believe that social clubs depend on video gaming machines for their operation, then once again he is clearly off his rocker. He has blown it.

I wish that the minister would rely on his own paltry intellect as opposed to that of the people who provide him with the pulp that he jams into this House. There are 2 very good reasons why cash payouts on video gaming machines should be introduced into the Northern Territory. First, it would support the clubs and, as a result of that, we would see the cash generated, if you like, from that exercise being returned to the community of the Northern Territory rather than its being moved to who knows where. The second reason why cash pay-outs for video gaming machines will be introduced by the Labor Party when we are in government is because we do not and we will not favour the select few, which seems to be the bent of this government: it is all right for my mates but, if you are on the outer, goodbye. That is the message that I will be taking to every social club in the Northern Territory. If the minister doubts for 1 second that that will cost him points on polling day, then he has a screw loose. He is down the drain. He is gone.

The Labor Party will introduce cash pay-outs on video gaming machines, and I will tell honourable members here and now that, firstly, we will do that for very good political reasons and, secondly, because it will return cash to the community of the Northern Territory. That is the bottom line. The minister has missed it, and he has blown it. I do not have any difficulty with seeing video gaming machines installed in hotels under the same conditions that apply in clubs now, but only when social clubs are allowed to make cash pay-outs on their operations.

We have just heard a load of gobbledegook from the government benches about the virtues and the developments that social and sporting clubs bring to the Northern Territory. If the minister does not believe that they will continue to pursue cash pay-outs on video gaming machines, he is wrong. You have blown it, sunshine. You have missed the boat, and that is as clear as I can make it. I will go home and say to the Arnhem Club: 'Sorry mates, you can now issue vouchers for wins on your video gaming machines at the local Woolworths, the local dress shop, the local chemist or newsagency, or wherever you want and, according to the government, that is what you will get in return for video gaming machines going into the Walkabout Hotel'. I will love doing it. It will be sport. It will be money for jam, Mr Speaker.

Clearly, the minister disguised debate on the bill that I have introduced. He disguised that in order to satisfy a provision within the standing orders of this House.

Mr Hatton interjecting.

Mr LEO: I accept your ruling, Mr Speaker. For the sake of the member for Nightcliff, I am not disputing your decision. I am not in any way questioning the Chair's decision on the matter. But, very clearly, the minister disguised his 2 bites at the cherry by introducing this statement in this manner and form. The bulk of the statement is made up of criticism of my second-reading speech. Very little of the speech relates to his so-called 'initiatives'. He will sacrifice the monopoly that social clubs have on video gaming machines for vouchers at Woolworths. I will be more than pleased to repeat this statement anywhere in the Northern Territory because it will go down a treat.

The minister has had ample opportunity to provide this House with the legal reasons why cash pay-outs cannot be made in social clubs yet still he has not given this House those legal reasons. It is my opinion that no legal reason is contained within that agreement. I believe that either the minister has been conned by his department or he is consciously trying to con this House. It is my opinion that there is nothing in that agreement which prohibits cash pay-outs from video gaming machines being made within social clubs. Either he has been conned, which indicates that he is fairly dumb, or he is trying to con this House, which shows him to be dishonest. That is the bottom line.

There is no reason why cash pay-outs from video gaming machines cannot be made in social clubs, and there is absolutely no justification for the government's present position on that matter. However, as I have said, the response to this statement can be fairly short. I accept the statement with absolute glee and I will ensure that every club in the Northern Territory becomes aware of at least the salient points of this statement. That is all that is needed because, by and large, the rest of it is absolute garbage.

Motion agreed to.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 281)

Bill presented and read a first time.

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

The purpose of this bill is to address several problems. The first is the issue of professional conduct rules for legal practitioners in the Northern Territory. These rules are made by the Law Society and prescribe appropriate standards of behaviour for legal practitioners. Breach of these rules amounts to a disciplinary offence punishable by a fine or suspension of the right to practise.

Under section 45(2)(a)(ii) of the current act, professional conduct rules must be approved by the Attorney-General. The bill amends section 45 by transferring this power from the Attorney-General to the Chief Justice. Such an amendment is considered desirable as it removes ministerial control of the conduct of legal practitioners and promotes self-regulation by the profession.

The second issue addressed by the bill is that of educational qualifications required for admission to practise as a legal practitioner of the Supreme Court of the Northern Territory. In most states, the Legal Practitioners Admission Board regulates the content of the local law degree by prescribing core subjects. The function of this is to require law

students to complete a minimum content of 'black-letter law' in their degrees. While such regulation might be regarded as an intrusion into the academic freedom of the students and as narrowing the range of skills which students will emerge with, some standardisation of the content of law degrees is generally considered to be necessary. It will ensure local graduates in law obtain a level of competence in fundamental areas of law such as contract, torts and criminal law. Most states further require graduates in law to complete practical examinations in professional conduct and accounting before becoming eligible for admission to practise. This is considered desirable in order to ensure the professional competence of those admitted to practise, thereby protecting the public. At present, the Legal Practitioners Act makes no provision for the prescription of the educational qualifications necessary for admission to practise in the Territory. The bill provides for the prescription of these qualifications. I commend the bill to honourable members.

Debate adjourned.

ENERGY PIPELINES AMENDMENT BILL
(Serial 271)

Continued from 1 March 1990.

Mr BELL (MacDonnell): Mr Speaker, I want to make a few brief comments in respect of the Energy Pipelines Amendment Bill and its implications in the context of the supply and development of Territory energy resources. This amendment will allow pipelines constructed before 11 August 1982 to be brought within the ambit of the act, with a period of exemption from licence fees. As the honourable minister advised us in his second-reading speech, this period of exemption will be subject to ministerial discretion. Secondly, the amendment indemnifies inspectors and assistants under the act from prosecution under appropriate circumstances. Thirdly, it rectifies a minor error in reference.

The opposition has given some consideration to this bill. Because it is a straightforward move to bring pipelines within the ambit of the act, we are quite happy to support its provisions.

Mr SETTER (Jingili): Mr Speaker, the Energy Pipeline Act was designed originally to oversee the development of the Territory's hydrocarbon resources. At that time, its provisions were confined to apparently naturally-occurring, energy-produced hydrocarbons. The amendment bill brings within the scope of the act pipelines that were constructed and in operation before the commencement of the existing act in August 1982. It is now appropriate that those pre-existing pipelines should be within the ambit of the act.

The bill provides for the phasing-in of the licensing of these pipelines over a period of 6 months. Obviously, the act requires such pipelines to meet certain standards, and they cannot be imposed on people overnight. People need a period during which they can upgrade facilities, whatever they may be.

New section 63A allows for the indemnifying of the inspectors and those people assisting them. There are 2 other minor amendments, 1 of which clarifies the definition of 'pipeline' under the legislation and another which corrects an error in section 15(1). The bill is virtually a housekeeping measure and, with those few words, I support it.

Mr TUXWORTH (Barkly): Mr Speaker I rise to raise a couple of points with the minister as a result of the comments made by the member for Jingili. I assume, and the minister might confirm this, that this bill refers to the pipeline from Palm Valley to Alice Springs.

Mr Coulter interjecting.

Mr TUXWORTH: I would not have thought there were very many pre-1982 pipelines but, in any event, I ask the minister to comment in his closing remarks on the period of 6 months which has been set aside for the licensing of pipes. Is that to allow examination of the infrastructure that is already in place and, if so, how would he propose to do that in the case of pipes which are underground already? The member for Jingili referred to upgrading of certain facilities which may be substandard. Could the minister give an indication of exactly what upgrading might be necessary in terms of existing infrastructure, how much that would be likely to cost and to whose account such work would be charged?

Motion agreed to; bill read a second time.

Mr COULTER (Mines and Energy)(by leave): Mr Speaker, I move that the bill be now read a third time.

Mr Speaker, the 6-month provision is included simply to allow a reasonable time frame for compliance. It provides time for people to be told that previously the act did not apply to them but that it does now. It ensures that they will know what is happening. In terms of the cost ...

Mr Tuxworth: What inspections do you propose for the infrastructure which is already buried? What upgrading may be necessary for the infrastructure referred to by the member for Jingili, and what would it cost?

Mr COULTER: Mr Speaker, I will handle those matters by way of correspondence. I will provide that information to the member for Barkly. I know of his interest in pipelines in general in the Northern Territory and his questions are not unreasonable. I do not have the figures before me at the moment and I seek his indulgence in allowing me to provide him with that information by the first mail.

Motion agreed to; bill read a third time.

GRAIN MARKETING AMENDMENT BILL
(Serial 257)

Continued from 22 February 1990.

Mr EDE (Stuart): Mr Speaker, the opposition does not oppose the changes proposed in this legislation. Quite clearly, the effect of the amendment is twofold. The first result will be a cleaning up of the Grain Marketing Act prior to the expiration of the Agricultural Development and Marketing Authority in June of this year. The second will be some change in the composition of the board during the remainder of its term of office, as well as the extension of the furnishing of returns to proposed plantings.

Whilst none of these changes causes the opposition any problems, I have some concerns which arise from a statement made by the minister in his second-reading speech. I refer to the minister's decision to reject the advice from the industry that 3-year terms be introduced for grower representatives on the board instead of 2-year terms. While I am prepared

to accept that there may be some very valid reasons behind the minister's decisions, I am intrigued by the single reason which he gave, and I quote: 'At this stage of the development of the grain industry there is some fluctuation in the participants in the industry'.

On the face of it, this appears to be an admission by the government of some rather serious problems in the industry. I would like a further elucidation by the minister of the basis for his concerns. If this comment was prompted by the high turnover of participants in the industry and the obviously deep-seated problems causing this, then I believe that this would be the first admission by a Northern Territory government minister that the grain industry is not well. The rhetoric of successive ministers responsible for primary industry over many years would not be in accord with that sentiment. It would appear, therefore, that the current minister is being remarkably frank.

The minister's concerns would appear to have been backed up by a small article which appeared in the NT News yesterday. It stated that 18 cattle stations and 6 rural farm properties are on the market in the Katherine region. It says that some farms and stations have been on the market for more than 3 years and that the number could increase in a month, when surface water dries up. It is interesting that the Katherine Primary Industry and Fisheries district agronomist, Mr Steven Yates, said that the area was likely to be drought declared, which has been the case for the last 4 years. He said that the low rainfall had affected everybody on the land, but some more than others. The article stated that a Katherine real estate agent said some properties were not selling because they were overpriced, gave low yields because of the lack of rain or were considered 'dirty' in terms of BTEC. In fact, BTEC is a problem for many of the properties in that area.

I would think that a 3-year term would provide a reasonable period to enable people to gain experience on the board and would help to provide the continuity needed in such a body, rather than the 2-year terms that the minister has proposed. If he had opposed that on the philosophical grounds that he thought that 2 years was adequate in terms of democratic principles, I could have understood it. However, the fact that he is saying that he is unable to put people in for 3-year terms because the turnover in participants in the industry is too rapid is of concern.

Grain growing in the Northern Territory has had a very chequered history. The establishment of the Agricultural Development and Marketing Authority was supposed to have straightened that out and set the industry on a solid footing. The minister said in his speech that ADMA will be wound up on 30 June 1990. In light of that fact and in light of the minister's concerns about fluctuations among participants in the industry, I ask the government to give some consideration to undertaking a review and an independent audit of the performance of that body. There has been much criticism of various aspects of the operation of ADMA and its various changes in policy over the years. In conjunction with a review and independent audit, it would also be timely for a detailed assessment to be made of the weaknesses and strengths of the industry and its potential both in the short and the long term.

In view of the fact that ADMA has operated for something like 10 years, I believe that all participants in the industry, and certainly we in the Labor Party, would be very keen to see just what impact on the grain industry this body has had, to what extent that impact has been negative and to what extent it has been positive and the costs involved. The Labor Party

believes that all such government bodies should be subject to regular review. Since the inception of ADMA, the only real review made was that of the Markham Corporation in 1985.

It is now time for a second review. It is unfortunate that the government does not have a strategy for the regular review of all statutory authorities. Regardless of that, now is most certainly the time to sift through its results and impact. We need to know whether the proper lessons have been learnt from the failings of that body in the past. Hopefully, this time, if we are able to analyse the failures and the costs, we can ensure that those failures will not be repeated. The days when the long suffering taxpayer was seen as having bottomless pockets have long gone. The ADMA has been a very generous user of the public purse and it is time to check its results.

If, after 10 years of the life of ADMA, we could see a flourishing industry with long-term strategies in place, one that was shaping up as a solid and stable industry with real potential for increased population, better utilisation of our land resources, import substitution in place and added linkages to those areas of primary industries which could use the products of grain growing, then the cost would be justified. On the other hand, if the current state of agriculture is such that the minister will not give grower members of the Grain Marketing Board a 3-year term because of fluctuations in participants in the industry, we have to start to become somewhat concerned about the money that has been spent. If he cannot reasonably expect that the members appointed to the board will be around in 3 years time, the industry would appear to be in parlous state.

A second area of concern relates to section 10 of the act and has some effect on the changes before us. I have been informed that the minister has been approached to amend section 10 of the act. So that honourable members can see how it relates to the current amendments, I will read it out in full. Section 10(1) states:

> Subject to subsection (2), for the purposes of this part, the board shall maintain a list of eligible voters which shall consist of the names and postal addresses of each grower in the Territory who, in the immediately preceding completed growing season, grew not less than 40 ha of a commodity crop or an aggregate of not less than 40 ha of commodity crops and who, in its opinion, will not in the current growing season cease to be a grower or does not intend in respect of the ensuing growing season to cease to be a grower.

The essence of the information that I have received - and I would like the honourable minister to confirm or deny this - is that the industry is concerned about these criteria because keeping them in place will provide too small a pool of people from which to select grower members of the Grain Marketing Board. In other words, there are many in the industry who do not believe that a sufficient number of people will fit the criteria stated in that section to enable them adequately to fill the 3 positions from a broad enough cross-section of the people involved in the industry. I ask the minister to indicate how many people in the industry comply with the 40 ha rule. If the information given to me by growers is correct, the amendments before us would indicate that the industry is in dire straits.

In summary, let me say that the opposition does not oppose the effects of the legislation, but that it is concerned about both the remarks of the minister in his second-reading speech and, on the evidence of some industry members, the state of the grain industry. I would like the honourable

minister to advise whether he has received representations to lower the 40 ha limit. If not, how many people comply with the 40 ha limit? Perhaps he could give us some idea of what proportion of growers that entails. How many people grow 30 ha, 20 ha, 10 ha? All of those come under the act as growers for the purposes of having their entire crop taken by the board, but are not eligible to be voters.

My challenge to the government is as follows. At the end of 10 years of work, let an independent assessor look at the work of the ADMA and report to this House the results of moneys expended versus benefits gained. We will then assess the decisions and policies, the money spent and the mistakes found. If it is found that ADMA has done its job effectively, then the Grain Marketing Board, which we are reforming under this legislation, will be able to start its term with a clean sheet in front of it. If it has not, and I strongly suspect that this will be the case, then the taxpayers and the industry have the right to know what went wrong, and the Grain Marketing Board will be able to benefit from the mistakes of the past.

I will be watching the operation of the Grain Marketing Board with interest. It must be said that, around Australia, there is a movement away from this type of board which requires the total product of growers to go to one board and then to be marketed. As the member for Sadadeen reminded me, the Americans regard it as a restrictive trade practice. I think that is possibly drawing a long bow. However, growers and others have commented about the restrictions placed on people being able to trade privately in crops. I note that, under our act, the Grain Marketing Board is able to give a written exemption from the requirement that growers market all their crops through the Grain Marketing Board and so allow people to market them privately. I ask the minister to advise how well that particular part of it is working.

I ask the minister also whether people find it easy to obtain approval to market their product outside of the Grain Marketing Board in 2 different circumstances. The first circumstance is when the amount of product that they are delivering is less than the minimum category acceptable to the Grain Marketing Board. Obviously, those people have to market that produce elsewhere. More particularly, what is the situation when, because of private arrangements which they have made with people who need the product, growers are able to get a better price than that available through the Grain Marketing Board? It is important that the board not create restrictions in that situation, which could arise when a crop is not grown in large quantities but has a specialist market through meeting a particular consumer's need? It may be that the consumer is willing to pay above tote odds for that particular product and, in that situation, I would hope that the Grain Marketing Board readily gives approval for people to go outside its restrictions.

In government, we will be looking very seriously at whether we need to continue with this type of Grain Marketing Board. Obviously, we need a body of some kind in place but, in the long run, the present restrictions on the board may not be the best way of developing the grain industry effectively. It may be better to allow much more freedom. I do not have the information that will enable me to make that decision at this stage but we will certainly be looking at the issue and making some decision on it between now and the early months of our period in government.

Mr COLLINS (Sadadeen): Mr Speaker, the member for Stuart has suggested that the grain industry in the Territory does not seem to be flourishing as it was hoped it would flourish when Paul Everingham, as Chief Minister,

promoted it in the early 1980s. I am sure that the major reason for this is what would seem to be a considerable change in the weather pattern.

Mr Ede: It is restrictive practices by ADMA.

Mr Hatton: It is a product of bad weather.

Mr COLLINS: I think that the weather has to be taken fully into account. The weather has been quite difficult. There may be other effects, but farmers cannot control the weather. I wish that we could. I would be rather richer myself if I had that power. However, that is the way farming is in the Territory. It is certainly not for the faint-hearted. Many people came to ADMA from interstate grain-growing areas. Quite a few of them battled for a considerable period but eventually the weather beat them and they withdrew.

When the concept of the Grain Marketing Board was suggested in those early days, I opposed it gently, being a member of the government at that time. I was not kicked around the flat for doing that but I would draw to the minister's attention the fact that, as I am sure he is aware, there has been a long-running debate about whether wheat boards, wool boards and so forth are the best way of marketing produce. From a grower's point of view, the boards involved with agricultural produce restrict his choice. He puts his wheat, oats, barley, sorghum or whatever into the silos and the board eventually sells it off. He receives a payment at a certain stage, another payment later on, and so forth. As I understand it, the grower receives a return which derives from the average product. That is to say that, if your produce goes in with inferior produce, your return will be lower than it might have been if you had sold it separately.

With the best will in the world, boards will consider only averaging. Board employees receive a certain salary, whether they get out and work really hard or whether they do not work so hard. I believe that boards limit the entrepreneurial spirit of the person who has produced the crop to get out and do some marketing. I am sure that there are some farmers who are quite happy for the board to do the marketing for them and I am equally sure that there are others who would prefer to be able to make their own arrangements and reap the benefits of their own efforts.

The transfer from ADMA to this Grain Marketing Authority does not concern me greatly. I agree with the member for Stuart that it is unfair not to allow people with less than 40 ha to be board members whilst simultaneously requiring them to market their grain through the board. If the number of growers is down, it might be wise to lift that particular restriction. All in all, I tend to believe that the marketing would be done better by individual farmers who are prepared to get up and give it a go. At present, we are restricting the farmers who have that initiative and would make that effort to benefit themselves. If they produce a top quality product, they should get a top quality price, and the person who produces a product of lower quality should not be picking up on the averages. I believe very strongly in the power of the market and I think that it provides the best way of encouraging people whose product is inferior to make the effort to get it up to scratch in order to obtain the better prices.

With those words, I support the basic premise of the bill. The changeover is simply a mechanical matter, but I reiterate that I have a strong feeling that individual marketing brings many benefits.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, in rising to support the bill, I would like to go back over some of the things that have occurred over the years in the establishment of the grain industry in the Northern Territory. Whilst I was not around when the ADMA legislation was put in place in 1980, I was certainly around when its life was extended by 5 years in 1985. We had a similar debate at that time in terms of the relative merits of ADMA, its achievements and the restrictions which applied under the Grain Marketing Act.

There has been much debate and concern about what has occurred in the course of the development of the grain industry in the Northern Territory. Certainly, I have had some concerns in that area. I agree that it would have been better if, in establishing a grain industry in the Northern Territory, we had recognised from the beginning the need for diversification. Having myself come from a farming background, it has always been my view that diversification in farming has been the norm in Australia. However, in the Northern Territory, we were starting almost from scratch with the aim of establishing a fairly substantial industry in a short period. I do not believe for a minute that what has occurred has been a failure. In fact, I believe that it has been a success. It has not been as bright a success as people had hoped in 1980, when the ADMA legislation was put in place and we set about bringing people into the Territory, acquiring land and establishing the grain industry. Nevertheless, the industry has a future in the Northern Territory.

The member for Sadadeen raised the matter of the weather. I have to say that the weather has played a very significant role in the turnover of some members of the grain-growing industry in the top end of the Northern Territory, but it has not necessarily been the major role. The major role has been played by the very high interest rates brought about by the policies of the federal government.

Farming in Australia - particularly broad-acre farming - usually requires fairly substantial borrowings each year in order to grow a crop. Farmers rely on their borrowings and their faith in the weather for success. The very substantial borrowings of growers in the grain industry in the Northern Territory and the horrendous interest rates brought about by Labor policies have been the significant factor in bringing down some of the farmers, and probably the majority of the farmers who have given the game away in the Douglas/Daly and Katherine regions during the last few years. Certainly, interest rates have played a big part in creating a situation in which a number of farms are on the market right now, not only in Katherine but also in the Douglas/Daly area.

Mrs Padgham-Purich: And right throughout Australia.

Mr McCARTHY: I was coming to that. This situation is not unique to the Northern Territory. In fact, if members opposite were to open their eyes and look at what is happening around the country, they would see that farms are on the market everywhere, that growers are failing and that rural industries are in a very bad state. This is not only because of the weather, although it has played a big part both through drought and flood. The floods in Queensland and New South Wales will create enormous problems during the next 12 months. However, the weather is only part of the problem. Unless they get significant support from governments, people who are attempting to rebuild will find their situation very difficult with the very high interest rates brought about by Labor government policy. That is a major issue. It is a major issue for the people who are leaving the

industry right now. Whilst the weather has played a part, the major issue is high interest rates.

I am very disappointed to see that people with extensive experience in the tropical grain industry in the Top End are pulling out now. We are losing their expertise in many cases and that is of great concern to me. However, such events are not unusual. Businesses fail all the time, largely because of interest rates. They are failing all around us all the time and we are losing expertise from areas right around Australia all the time. The problem is not unique to the grain industry in the Northern Territory. It applies to every industry in Australia. We are losing expertise in our industries because of the crippling situation which interest rates have created.

I believe that we have a proven ability to grow grain in the Northern Territory. I believe that the industry will survive because the people who come into the industry from now on will be moving on to farms which have largely been developed. Hopefully, if they have adequate finance behind them, they will diversify. We are seeing it happen now. People are grazing cattle on crop stubble and on other available land. They are developing a range of activities which will enable them to get through the bad times. That was not to be for many of our initial growers, and I think that is unfortunate. However, it is not unusual in this industry.

The member for Stuart expressed concern about the fact that the legislation would allow only for 2-year periods of office for the members of the Grain Marketing Board.

Mrs Padgham-Purich: So do I.

Mr McCARTHY: I do not know why you are concerned. The fact is that we have had a big turnover of people in the industry and it is probably unreasonable to introduce a 3-year period in this time of flux only to find that members have to be replaced continually. One thing is certain. The growers are not dying at the stake in relation to that period. They are quite happy with the 2-year period. It is certainly better than a 1-year term and, at this time, I believe they recognise that it is more appropriate than a 3-year period, although that was what they sought initially.

The member for Stuart said that the opposition does not really agree with the concept of the Grain Marketing Board or the Grain Marketing Act but that the growers want them. In the case of 3-year periods, he says that we should do what the growers say but, in another case, he says that we should not do what they say. It is the growers who have insisted, and continue to insist, on the existence of the Grain Marketing Board. I think that the honourable member ought to be prepared to accept that criticism as just. I am throwing back at him the type of argument he used against the 2-year period. It is a very similar argument.

As I said earlier, I have a great deal of confidence in farming in the Northern Territory. I believe we will move more towards mixed farming in a range of areas, and we will see it increase in the pastoral industry. Not only will people on pastoral properties be growing improved pasture, but they will be growing grain. We are seeing ex-cattlemen going into the farming industry now.

Mr Coulter: And grain growers are going into cattle.

Mr McCARTHY: Yes, and vice versa. That is happening. I believe that, because of the very good work done by ADMA over the last 10 years, and the input of the farmers who have been in that industry over that period ...

Mr Ede: The farmers have done it, not ADMA. They did it in spite of ADMA.

Mr McCARTHY: That may be your view, but it is typical of your party's view of public servants. You do not believe they have the capacity to do anything. You knock public servants every time you get to your feet in this House.

Mr Ede: No, it is your policies.

Mr McCARTHY: You knock public servants continually.

Mr Speaker, ADMA has been a success over that period ...

Mr Ede interjecting.

Mr McCARTHY: Nobody is perfect. Even I do not claim to be perfect, and you certainly cannot claim to be perfect. You seem to think you have all the answers. I can assure the honourable member that, had he been in office, we would not have a grain industry in the Northern Territory. We would not have a pastoral industry in the Northern Territory because he would permit the retention of diseased cattle all around the Territory to this day. That is the sort of minister the honourable member would make.

Mr Ede: We have a much smaller industry than we used to have.

Mr McCARTHY: It is clear that the farmers support this move. It is clear that they support the Grain Marketing Act, and they supported ADMA. The fact is that the need for ADMA has ceased, and there is no reason for it to continue. We will need the Grain Marketing Board in place and this legislation, which will effect precisely that, is strongly supported by myself.

Mrs PADGHAM-PURICH (Koolpinyah): Thank you, Mr Speaker ...

Mr Coulter: Our prominent goat breeder.

Mrs PADGHAM-PURICH: Yes, and soon to be a red-claw breeder, when I can get some advice from the Department of Primary Industry and Fisheries.

Mr Reed: I hope you get plenty of it.

Mrs PADGHAM-PURICH: I grow older waiting for it.

Mr Speaker, in rising to speak to this legislation today, I am aware of the remarks made by the member for Stuart and those by the member for Victoria River. I have to say that, on most points, I agree with the member for Stuart. The member for Victoria River cannot point the finger of scorn at me because, whilst he may say that the member for Stuart does not know what he is talking about, I do know what I am talking about. It is very easy to be wise with hindsight.

When ADMA was formed in 1980, it was one of the better initiatives introduced by the CLP government that had occurred in the Northern Territory with regard to the development of agriculture. Even at that time, I was a

little concerned that it was proposed that it would be more of a monoculture operation than one introducing some diversification into the industry. This was undertaken on the advice of certain officers of the then Department of Primary Production who, at the time, I could not convince otherwise. I have always been a firm believer in diversification and, if diversification had been permitted by the minister at that time, many of the farmers in the Douglas-Daly area perhaps would not have been in the invidious position that they have been. They would have had something else to fall back on when the price for grain fell or when the seasons were not advantageous for the growing of grain. I hope that this has been a lesson that senior advisers to the Minister for Primary Industry and Fisheries have learnt, and I hope that they will remember it.

Diversification is one of the main keys to the development of the Northern Territory. The member for Victoria River mentioned that pastoral properties were looking now at other ways of using the land. He did not use the word 'diversification' but I have. I have been advocating this for some time. The pastoral industry has taken quite a knocking because of the depredations of BTEC and, to help pastoralists to get back on their feet, I believe that it is not only the work of the Minister for Primary Industry and Fisheries and his advisers but their bounden duty actively to pursue other lines of agricultural development in the Northern Territory. There are other agricultural and horticultural industries that can work hand-in-hand or side-by-side with the cattle industry in the Northern Territory, to the betterment of both. I could cite smaller animal industry, and improved pasture in certain conditions, provided the soil types were right and suitable water was available in copious quantities. I could cite grain growing in some areas, wool production in some areas and poultry production in some areas.

However, mine seems to be a voice crying in the wilderness because nobody with any authority seems to hear it. I am not speaking about the people on the ground, in the Department of Primary Industry and Fisheries. They know what is going on, what could be done and what could be advised for the betterment of agricultural development in the Northern Territory. However, when it comes to assessing whether certain senior advisers to the honourable minister really know what they are about, I have grave reservations. They may be good administrators, but I do not believe they have a real feel for agriculture or a real passion for agricultural development. If they did, they would be advising the minister differently so that he could put in place other policies than those he is instituting at the moment. He is going slowly on the way. I should say that agricultural development is turning to a more diversified way of life, although probably not with greatly increased help from the department but in spite of the department.

Having said that ADMA was good for primary production in 1980, I should add that it could have been even better, but I am speaking with the benefit of hindsight. I do not have any basic objection to the legislation before us. It provides for a clear and clean transition from the termination of the ADMA Act to the taking up of the whole grain marketing industry by the Grain Marketing Board. On the subject of boards, it was very interesting to hear the member for Stuart speak adversely about the Grain Marketing Board and its actions. A board is a sort of a socialistic invention. I must admit that boards are useful at certain times in certain places, but a marketing board is of use only in the infant stages of an agricultural industry.

The eastern states are now dismantling certain commodity marketing boards to allow a free marketing situation. I was reading just the other day, either in the rural newspaper or The Australian, of the dismantling of the Egg Board in New South Wales. I think a milk marketing board and other boards were involved also. I would say that they have been dismantled because they have become too unfair to the small producer. They have been too cumbersome and too expensive to support. I hope that the honourable minister or his advisers, because the advisers usually last longer than the minister, are aware of the fact that we cannot have a cumbersome Grain Marketing Board continuing ad infinitum, creating added expense and cumbersome administration for an industry. I hope that the Grain Marketing Board, which is of use to an infant industry now, will be reviewed from time to time in the future, so that it works for its money and does not become too cumbersome and expensive to administer.

Mr Speaker, I do not have any real argument with clause 11, the transitional clause. However, for the life of me, I cannot understand why a distinction has been created between the time that the grower members will take office under the new legislation, and the time when the chairman and ex-officio members will take office. Clause 11(1) says that the grower members remain in office until 1 January 1991, when the minister will make a declaration. No doubt, that declaration would refer to the time at which elections would be held. That would be for the 2-year period. Clause 11(3) then talks about the chairman and members of the board, and I assume that 'chairman and members' means ex-officio members of the board. They will take office for a period of 2 years from the time this legislation commences. I do not have any argument with either of those 2 terms, but why not do it the easy way and make them both the same? If the minister has a very deep and secret reason for making those 2 periods different, I would like to hear it because I believe legislation should be made as simple as possible.

In his second-reading speech, the minister said the term for grower members to be on the board until now has been 1 year. The industry wanted 3-year terms, but he has decided on 2-year terms. I would like to know why the minister decided on 2 years. No doubt, his advisers thought: 'Who the devil are these growers to tell us what to do? We say 2 years and therefore it will be 2 years'. If the grower members want a 3-year term, why didn't the minister give them their 3-year term? The minister talked about continuity but I do not think that is a valid argument. If a member is appointed for 3 years and then decides to leave the industry, his position will be declared vacant and somebody else will be elected. It is that simple. I have been a member of the Royal North Australian Show Society for 20 or 25 years.

Mr Finch: It is a long time.

Mrs PADGHAM-PURICH: It is a very long time.

We are elected for a certain period. If somebody resigns before the end of their term, someone else is elected for the remainder of that term. I cannot see why the minister would not grant the growers a 3-year term. He would have continuity by virtue of another person taking over for the remainder of the term. There would be other grower members who would see the 3-year term out. Not only would it give the members of the grain industry what they want, but it would also be less expensive. If the Electoral Office is to conduct the elections, that will cost money and it would be cheaper if those elections were held every 3 years rather than every 2 years.

As honourable members realise, I believe in free market forces. However, I must concede that, in the early stages of this infant industry, the Grain Marketing Board must have some idea of who will plant what in the next season. It must also know the stocks of particular grains held in the current season in order to make fair and proper pricing arrangements.

I would like to speak on a personal matter connected with the operations of ADMA and the Grain Marketing Board. I refer to the sale of the grain that is handled by the depot in Katherine. I have spoken about this before but I think it bears repeating because the honourable minister's advisers are listening. We have a situation whereby local growers of grain are looking for markets. We have end-users in the Territory looking for grain to feed to animals or to use in other ways. To my personal knowledge, on several occasions the grain has been required - and I refer to maize and rice in particular - stocks have been held at Katherine, but there have been bottlenecks in its supply to the Territory's top produce merchant, NT Stock Feeds at the 19-mile. At times, I have been wanting this grain, especially maize, and other end-users of the grain have also been disadvantaged.

I hope that these bottlenecks do not occur in the future. If merchants such as NT Stock Feeds cannot be assured of continuity of supply, they will go interstate which they did satisfactorily before ADMA was introduced and grain growers started growing here. In the interests of the growers in the Northern Territory and agricultural development as a whole, Territory grain must be made available to the end-users as expeditiously as possible. The more grain that is used, the more that can be grown.

Mr Speaker, I support the legislation. I hope the honourable minister has noted the reservation that I have mentioned. As I said, I may not know everything about everything, but I do know what I am talking about when I am talking on this subject.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I thank honourable members for their contributions. The matter of the 2-year terms seems to be a bigger issue here than it was with the representatives of the industry. I am advised that no individual approaches were made in relation to this matter. The board suggested a period of 3 years, mainly to minimise the electoral process and the mechanics of putting that in place. In the interests of continuity and the ability to maintain a level of attendance at the meetings - which has been a problem - it has been decided to have a 2-year term. That has been accepted by the industry. It is the industry that we hope to serve and, with due respect to the comments made by honourable members, if the industry is happy with the proposal that is to be put in place, that is the target at which we should aim.

The member for Stuart raised the question of eligibility for election. There is a limit of 40 ha. Some growers suggest that anyone producing under 40 ha is virtually a hobby farmer rather than a commercial grower. We are talking only about vested crops, sorghum and maize. The growers of other crops do not have the constraints placed on them that the growers of these crops have. There is no requirement for growers of other crops to market through the Grain Marketing Board. In fact, there are other opportunities for them to market their crops. They do not have to use the facilities provided and maintained by the Grain Marketing Board.

A question was asked in relation to the number of people who are eligible. If an election were held today, of 17 sorghum and 2 maize growers, only 3 would be ineligible because they would be growing less than 40 ha. And, of those 3, one would be the Territory Rural College.

Mr Ede: 16 people?

Mr REED: In fact, 15 because 1 maize grower also grows sorghum.

Mr Ede: 15 electors to fill 3 positions?

Mr REED: Yes. Most grow over 200 ha and some up to 1000 ha. Therefore, it is not appropriate to consider reductions in the eligibility threshold.

Mrs Padgham-Purich: What about the times of appointment of members during the transition?

Mr REED: Yes. The only way to have the appointed members and chairman from ADMA appointed on the same day as the 3 elected grower members would be for me to appoint those members on the same day as the Electoral Office announces the result of the election. Do you follow that?

Mrs Padgham-Purich: No.

Mr REED: They would need to be appointed by myself on the same day as the Electoral Office announced the results of the election.

Mrs Padgham-Purich: Which ones are they? The grower members or the chairman and ex-officio members?

Mr REED: For the members and the chairman from ADMA to be appointed on the same day as the 3 elected grower members, it would be necessary for me to appoint those members on the same day as the Electoral Office announced the results of the election after the process had been gone through.

Mrs Padgham-Purich: You could do that.

Mr REED: I will get some more advice on that for you. It was discussed at great length with the industry.

The member for Sadadeen touched on seasonal conditions. Perhaps it is appropriate for him to do so, because he is a grower himself although not of grain crops. He has experienced the vagaries of climatic conditions recently resulting in the almost complete destruction of his grape crop. It is indeed sad that we have not seen the grain industry in the Northern Territory progress to a level where we will be self-sufficient in grain, and the reasons for that are largely seasonal. The member for Victoria River touched on factors such as high interest rates and other problems which the farming sector is experiencing and has experienced over a number of years. However, we are faced with the problem of a lack of performance that is principally the result of seasonal conditions. Sadly, that matter is largely out of our control.

Mr Ede: What about the proportion of produce sold with Grain Marketing Board approval, but not through the Grain Marketing Board?

Mr REED: Are you talking about vested crops or crops other than vested crops?

Mr Ede: Both.

Mr REED: The quantity?

Mr Ede: Proportion.

Mr REED: I will obtain figures on that for you.

The member for Koolpinyah raised the issue of diversification. At the time, there were good reasons to concentrate on grain growing and, with hindsight, there are all sorts of reasons why perhaps that should not have been done. The fact is that that is history ...

Mrs Padgham-Purich: I said that I was speaking with hindsight.

Mr REED: At the outset of such programs, we would all like to have the benefit of hindsight.

I was a little saddened that the honourable member should take the opportunity to knock the administrators of the Department of Primary Industry and Fisheries in relation to current activities and programs that the department is undertaking.

Mrs Padgham-Purich: More diversification.

Mr REED: I think the department is pursuing diversification very strongly at present. Had the member for Koolpinyah been able to go to the Douglas/Daly Research Farm Open Day a few weeks ago, she would have had the opportunity to see a whole range of programs that the department is embarking on, some of which are quite revolutionary, certainly in the Northern Territory sense. One that comes to mind is the growing of shade and fodder trees. It is quite an innovative program. I single that program out only because it struck me as giving a real indication of the foresight that the department currently has and the way that it is responding to industry needs in that regard. It is concentrating on diversification very seriously in a wide variety of industries across the department's range of responsibilities. I mention that briefly, for the benefit of the member for Koolpinyah.

She commented also on the depredations of the BTEC. There is no question about that, and it would be remiss of me if I did not comment on her point. Depredations have been experienced by the cattle industry as a result of BTEC, but let us not forget the benefits. People in the industry will say themselves that they are realising some benefits from the BTEC program too. It is very easy for us to focus on the negative aspects of it.

The member for Koolpinyah said that it would be necessary to review the operation of the board from time to time to ensure it did not become cumbersome. I would not disagree with that. Come the time when there is a need for a review, I anticipate that the industry will be shouting hard and loud for exactly that. I would be surprised if the department and certainly myself ignored those calls should they come to the fore.

There are a couple of other points that I would like to touch on particularly in relation to the comments made by the member for Stuart about the properties that are for sale, which were mentioned in an article in the NT News of a day or 2 ago, and drought-affected properties in the Katherine region. In that regard, I think we can look at the experience over the last few years of the high demand for, and the sale of, properties in the Douglas/Daly region. As they have come up for sale, they have been sold at very good prices. That is encouraging and it is a positive aspect of the success of the project overall and the success, if you like, of ADMA that those properties now command a high price on the market and that the people

who are taking them up are diversifying, which is very much to the benefit of the industry and, hopefully, is to their own advantage.

There is diversification of another kind. Last week, a grower in Katherine, Mr Kevin Hickey, was harvesting in the order of 4 t/ha of sorghum from several hundred irrigated hectares of land. It is a very successful enterprise and it would be fair to say that, had he not had his irrigation equipment in place for this past season, he certainly would have had a substantially smaller crop than that which he has been harvesting over the last couple of weeks.

The cessation of ADMA on 30 June 1990 will see the end of an era in agricultural development in the Northern Territory but it is not, as some critics would have it, an indication of failure. ADMA was one of the necessary steps taken to establish an industry and provide the appropriate infrastructure and support arrangements. Current circumstances of the industry now dictate that alternative arrangements may have been of benefit. I pay tribute to the past chairmen and members of ADMA for their very significant contribution to the development of agriculture in the Northern Territory and, in particular, the private members of the authority who have provided a stable input over the life of ADMA. I thank Mr Jock Bremner and Mr Bill Dalzell, the latter being the Chairman of the Queensland Barley Board, for their perseverance and very worthwhile involvement as members. I will be meeting with the board prior to its final winding up on 30 June this year and will personally convey my thanks to them.

Mr Speaker, I thank members for their contributions to the debate, and I commend the bill to honourable members.

Motion agreed to; bill read a second time.

Mr REED (Primary Industry and Fisheries)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MINE MANAGEMENT BILL
(Serial 259)

Continued from 22 February 1990.

Mr BELL (MacDonnell): Mr Speaker, I have a number of comments I want to make in respect of this bill. It is major legislation which will affect the lives of many people living and working in the Northern Territory, some more directly than others. A number of issues need to be considered and, for the benefit of honourable members who are following this debate, I draw attention to an amendment schedule that has been circulated by the opposition. I will be dealing with that in due course.

The Mine Management Bill is a reworking of the Mines Safety Control Act. It updates that legislation and it has been the result of some consultation. My soundings in the mining industry indicate that the ownership and management of mines and the organisations that represent them are quite happy with this bill. They believe that it has to be worked through and that, at some stage in the future, amendments of some sort may be necessary. Unfortunately, as the honourable minister mentioned in his second-reading speech, the negotiations with the trade union movement have been non-existent, and I believe that the minister has done less than his

duty in respect of this bill. I point out to honourable members that, in his second-reading speech, the honourable minister expressed his 'disappointment at the failure of the mining industry unions to contribute to consultations between government, industry, unions and others on the reform of the Mines Safety Control Act, despite their being given opportunities to do so over the past 4 months'.

The review of the Mines Safety Control Act was carried out under the auspices of the Mining Board constituted under the former act. I point out to honourable members that the constitution of the Mining Board does not include members of the trade union movement. In my view, this is a central issue. I believe that the consultation that the government has carried out with the owners and managers, and the companies involved and their representatives, has been adequate but the people who work in the mines, mining employees and their organisations, have been left pretty much entirely out of the picture. The Mining Board, as it is constituted under the Mines Safety Control Act, currently includes the Director of Mines, the Chief Government Mining Engineer, a person appointed by the minister on the ground that his knowledge and experience in a particular field is, in the opinion of the minister, likely to be of benefit to the functions of the board, and 2 other persons appointed by the minister on the ground of their qualifications, knowledge and skill in the mining industry. In the view of the opposition, that approach excludes employees. Let us bear in mind that one of the central purposes of the Mine Management Bill is mine safety. The safety record in mines in the Northern Territory is not as bad as the safety record has been in the states. I remind honourable members of the fatalities which have occurred in recent years in mines in Western Australia. There was a fatality in the Northern Territory in 1989. In that context, I believe that it is important for trade unions to be involved in these processes in relation to safety arrangements.

The new Mining Board will leave the way open for the appointment of an employees' representative and I believe that is appropriate. Because of the minister's dogged refusal to consult with trade union officials, this bill and the resultant process have not been as positive as they might have been. I refer honourable members to an exchange of correspondence. The Trades and Labor Council picked up comments made in the minister's second-reading speech in February, and I draw members' attention to a letter to the minister from the Trades and Labor Council. That letter included its comments. Contrary to the minister's assertion in his second-reading speech, the Trades and Labor Council went to considerable trouble to comment on the bill. Those comments were virtually thrown back in its face by the minister.

Mr Coulter interjecting.

Mr BELL: The minister interjects and says that the comments were received on 8 March. I point out to the minister that the months of December and January were 2 of the 4 months set aside for the receipt of comment. I also understand that the Trades and Labor Council was advised of the matter rather later in the piece than the minister suggested in his comments.

Mr Coulter interjecting.

Mr BELL: Be that as it may, the honourable minister's gratuitous comments in his second-reading speech were less than appropriate in the circumstances. Had he taken cognisance of the comments from the Trades and Labor Council, he might have achieved a better bill than the one before the

House now. I hope that, through the acceptance of the amendments being put forward by the opposition, that will still occur.

Mr Speaker, I seek leave to table a letter of 12 March 1990 from the Secretary of the Trades and Labor Council to the minister, and a second letter from the Secretary of the Trades and Labor Council expressing his concerns to the minister.

Leave granted.

Mr BELL: Mr Speaker, I will comment on the minister's extraordinarily truculent response to the Trades and Labor Council. He said:

> It may well be that communications between officers of my various portfolios and the Northern Territory Trades and Labor Council could be improved. But, whilst members of your affiliated organisations refuse to cooperate with Territory mining initiatives such as the Mining Board inquiry into mine fatalities in early 1989, and persist in maintaining a single-minded, dogmatic approach regarding worker health and safety on Territory mines, I can see no point in meeting at this time to discuss any aspects of any of my portfolios with your organisation.

That is not the sort of response which leads to a constructive consideration of matters which endanger the lives of Territorians.

I turn now to a matter which, as far as I recall, was not addressed in the minister's second-reading speech. I refer to the relationship between the Work Health Act and the Mines Safety Control Act, which will be repealed by this Mine Management Bill. There are 2 schools of thought, one of which holds that the question of worker safety in mines is no different in its essential character to the question of worker safety in other areas. There is a certain logic to that point of view. The countervailing view holds that the working environment in mines necessitates worker health and safety arrangements which differ from those applying more generally. Various approaches have been adopted in the Australian states and I understand that there is no consensus in this regard.

I might mention in passing my appreciation of the efforts of the 2 officers of the Mines Division who spent some time informing me about the issues involved and the variety of expertise that is necessary in the control of mines. I will be seeking further information on the question of the relationship between safety on mine sites and more general questions of worker safety in other workplaces around the Territory, and I look forward to continuing debate in that regard. However, I must point out that the opposition is of the view that, within mine sites, there should be a distinction between the actual removal of material from the mine and the milling operation. The opposition believes that, because the work health area already impinges on mines in various ways, there is a need for clear demarcation. I understand that officers of the Work Health Authority are involved already in questions of worker safety on mine sites as are officers of the Mines Division. The view of the opposition is that the demarcation between the responsibilities of the 2 authorities should be between the extraction process, which should be the concern of the Mines Division, and the milling process, which should be dealt with by the Work Health Authority. That reasoning underlies our proposed amendments to clause 3.

During the committee stage, I will raise general questions concerning the role of mining sector trade unions in relation to this legislation. I

will say now that I think that there are a number of areas where the act needs to be amended to take into consideration trade union representation. I have already mentioned union representation on the Mining Board. I refer also to the involvement of trade unionists and trade union officials representing employees at a particular mine with processes relating to the mine record book and time injury reports as well as the question of the availability of winding engine log books to employee representatives and the capacity of a mining inspector to require the attendance of an employee representative where he deems it possible. We believe that such inspectors, as well as having the power to require the attendance of an owner, agent, manager, officer or employee, should have the power also to require the attendance of trade union representatives.

In addition, the opposition believes that there should be an obligation on a person employed in a mine not to carry out unsafe work. I have not had any first-hand experience as an employee, or in any other capacity, on a mine site. However, I do have some knowledge of questions of safety in the aviation industry. If honourable members will bear with me, I will explain what I see to be the parallel. Frequently, the Bureau of Air Safety Investigation has drawn to its attention concerns of employees in the general aviation sector that they are asked to carry out charter flights beyond those that the civil aviation orders would allow. That is presumably because of cost pressures on operators in the general aviation sector. Having read a couple of letters from commercial pilot employees who say that they are being asked to break the law by carrying out unsafe flights, it seems appropriate to me that an act of parliament seeking to introduce safer arrangements in mines should provide legislative protection in the form of an obligation on employees not to carry out what they genuinely regard as unsafe work. An opposition amendment to the clause relating to duty of employees will address this matter in the committee stage.

Further to that, I draw the attention of the minister to the question of employee inspections. As I recall, the predecessor to this bill provided that employees were to be allowed to carry out inspections on mine sites. The honourable minister has circulated an amendment which would require such inspections to be carried out in employees' own time. Obviously, that amendment has been put forward by mine ownership. Owners want to ensure that they do not pay for the time spent on such inspections. I have some reservations about that proposal and, before I made a decision one way or the other, I would want to receive representations from employees and their organisations as well. I have also a general concern about that particular provision. I believe that it is unrealistic to talk about employee representation or employee inspections without a consideration of trade unions or employee representatives. I believe that we are more likely to obtain a safer working environment in Territory mines if we include employee representatives in the consultation process and the processes set out in this bill. I point out that it may very well be otiose because trade union officials would have power under the federal Industrial Relations Act to carry out those inspections.

Similarly, we seek trade union involvement in the review of inspectorial decisions in the same way as mine ownership can seek review. The general issue is that mine ownership has a vested interest in ensuring that mining is done as quickly and cost effectively as possible. Equally, trade union representatives have a vested interest in protecting the safety of their members. I am not saying that companies in the Northern Territory do not demonstrate an interest in the safety of their employees. We have examples of excellent corporate citizens in that regard. What I am talking about is that, in terms of the hard realities of the marketplace, the mine ownership

does not have a vested interest in the safety of employees. The involvement of the trade union movement is one of the essential post-industrial revolution checks and balances that this government demonstrates an incapacity to understand. I trust that my comments in this debate will go some way towards educating it in that regard.

One other issue that needs to be pointed out to all honourable members is the opposition's concern about exemptions and the minister's capacity, under this bill, to provide exemptions. The honourable minister did not justify that exemption process in his second-reading speech and I see no reason why particular areas need to be given such exemptions. If there are particular decisions by mining engineers or other employees of the department in the operation of the act, some other mechanism needs to be developed rather than simply ministerial discretion to exempt a mine site in this blanket fashion. I do not believe that that is appropriate.

A further issue that I want to raise relates to environmental concerns. Comment has been made that environmental safety has not been addressed adequately in this bill. I am referring to environment-related worker safety issues. I remind honourable members of the very intensive worker safety provisions that are in place under separate legislation that apply to the uranium mines in the Northern Territory. I ask honourable members to consider the history behind the establishment of those environmental worker safety provisions, and to contrast them with environmental worker safety disasters. The example that comes most clearly to mind is the asbestos mining at Wittenoom in Western Australia. Undoubtedly, there are other examples that will spring to the minds of honourable members.

One other general point that I want to make is that it seems that it is very easy in the Northern Territory, which has a relatively young work force, for worker safety issues not to be taken as seriously as they might be where people are envisaging long-term employment. I think there are 2 issues there. There is the issue of longer-term employment and, secondly, there is the question of the relative youth of the work force involved. I think that the younger one is, the more blase one is likely to be about questions of safety in the workplace. That needs to be taken into consideration, and it strengthens the argument for the involvement of the trade union movement.

I have indicated the attitude of the opposition. I have a keen interest in this matter and not only because there is some mining activity in my electorate. I recall my mother talking about life as a young married woman at well-known mine sites like Norseman and Iron Knob in South Australia, the problems of life on mine sites and the inherent dangers. These questions need to be taken very seriously for the benefit of the men and women working on those sites. We have an obligation to ensure that the best possible legislative and administrative arrangements are put in place.

I would like to raise the matter of staff turnover in the Mines Division and the recruitment of appropriately qualified staff. As a result of my work on the Sessional Committee on the Environment, I am aware of the difficulties involved with staffing the Alligator Rivers Region Unit and providing continuity in that regard. I believe that there has been a considerable turnover of officers in the Mines Division who will be responsible ...

Mr Coulter interjecting.

Mr BELL: I pick up the interjection from the minister that Mr Roger Watters, formerly in charge of the Alligator Rivers Region Unit, is returning to the Territory as regional director in central Australia. His previous experience in the Territory, as well as his broader experience in the mining industry, will be of considerable value. In the context of staff turnover, it is pleasing to see that we obtain again the services of people who may resign at different times. It is important that the minister provide to this Assembly some information about the impact of staff turnover and the performance criteria on the basis of which the adequacy of the operation of this legislation can be judged. The views of companies concerned would be very much appreciated. It is not good enough for us simply to enact legislation in this parliament. It is important for performance criteria to be established on the basis of which the adequacy of its operation can be determined. I am not aware of how this will operate.

In another context, I point out the problem with the Juvenile Justice Act. We have a Juvenile Justice Act that, by and large, enjoyed bipartisan support. It set up a review mechanism that was never put in place. That is the type of problem that needs to be avoided. In this present context, I point out that the question of staff turnover needs to be addressed.

My final point relates to the question of interstate precedent. The operation of this legislation vis-a-vis interstate precedents needs to be considered. The involvement in the states of trade union representatives - for example, in their mine safety control mechanisms and their mine management mechanisms - needs to be brought before this Assembly so that where we are perhaps more advanced and where we are not as advanced as we might be can be debated logically on the basis of available information. I suggest that the honourable minister should give us some information in that regard. He might not have the information ...

Mr Coulter: I have.

Mr BELL: ... at his fingertips. If he does, I will be very interested to hear it. With those comments, I conclude. I trust that the honourable minister will take to his heart and to his mind all those comments that have been the fruit of the opposition's careful deliberations.

Mr SETTER (Jingili): Mr Speaker, having listened to what effectively was 40 minutes of vintage member for MacDonnell, I note that the only positive aspect to his comments was that he admitted the bill had been received very favourably by the mining industry. That is excellent news because the draft bill was circulated in November 1989 to some 43 different organisations. It appears that, regrettably, for some reason the Trades and Labor Council claimed that it did not receive a copy. The honourable member alluded to that during his later comments, and I think that is regrettable. I understand the council asked for and received a copy subsequently, and did put in a submission.

The theme that came through from the member for MacDonnell's comments was that employees had been left out of the picture, and that their interests and needs had not been considered. Of course, as he admitted quite openly, he was reflecting the views of the Trades and Labor Council. That is his privilege and his right but, nevertheless, the fact that he indicated that we have a good mine safety record in the Northern Territory was very comforting to me. From my own experience, having lived in Mt Isa for 5 years in the 1960s, I know that something like 10 employees were killed in the mine there annually, underground and above ground. It was a huge operation and, of course, any industrial site, particularly an

underground mining site, is fraught with hazards. In those days, they had their own mine safety officers, and would they award points and prizes to those different departments within the mine that had the best safety record, the lowest number of lost man-hours resulting from accidents and so on. Despite that, some 10 people were killed each year in accidents within the mine in the 1960s. I am not sure what the situation is today, but I hope that it has improved. Attitudes have improved and legislation controlling mining operations has improved.

In 1976, when the original Mines Safety Control Act was introduced to the industry, it could have been considered state-of-the-art legislation at that time, and it would have addressed the needs of the industry in the mid-1970s. Of course, we have come a long way since then. We have seen considerable development in the mining industry in the Northern Territory in the last 10 to 15 years, but it is regrettable that we have not been able to fulfil our full mining destiny during that period. Several major mines - mines that could make a considerable contribution to the economy, not only of the Northern Territory but of this nation, at a time when we have enormous foreign debt - remain unopened. These considerable resources have been locked up for at least 2 decades, to my knowledge, albeit that the mineral deposits have been there since time immemorial. Those mines could well have been developed during the last couple of decades. More recently, we have seen Coronation Hill made the subject of the same sort of delaying exercise. I note that, very recently, the federal government established a commission or committee which will review mining within the Conservation Zone of Stage 3 of Kakadu National Park. Of course, in that regard, I am talking about the potential mine site at Coronation Hill.

Naturally, the existing legislation has been amended over the years and has developed a whole raft of regulations. It now contains some 70 sections covering some 600 various sections of regulations. Of course, that has become an administrative nightmare. In effect, it needs a lawyer, not a miner, to interpret all of those various sections and regulations. I agree with the minister that, after those 15-odd years, it is appropriate now to review that act, and the bill before us is the result of a review that has been undertaken over recent times by the Department of Mines and Energy and the Mining Board.

The scope of mining, as such, has changed considerably over the past 14 years and is now dramatically different. Joe Fisher, who is well known in the Northern Territory, was the person who explored, in those early days, what is now known as Kakadu. Of course, that was the Alligator Rivers region and part of Arnhem Land. Joe Fisher, and others like him, were the people who explored the area, and they developed several mines during the 1950s and the 1960s. Indeed, the site at Coronation Hill was one such area where Joe Fisher mined in those early days. The legislation and regulations that controlled mining in those days was quite different from that which applies today, and considerably different from the legislative processes contained in the Mine Management Bill.

The control of mining, as such, has changed to the point where it now includes a whole range of additional processes. We are not talking just about the engineering processes of mining: clearing a site, removing the overburden, removing the ore body, crushing it, processing it to whatever point, and so on. It includes a whole range of other processes including, particularly in this day and age, environmental impact studies, the rehabilitation of mine sites, protection of the surrounding environment from the run-off of effluent, and a whole range of matters that may be included in the mining process. All of those factors are considered in depth. I

recall that, 4 or 5 years ago, in the vicinity of $15m was spent by the federal government on the rehabilitation of the Rum Jungle mine site. That site had been damaged environmentally in the late 1940s and 1950s when the Rum Jungle Mine was in operation. Since those days, priorities have changed totally, and protection of the environment is now a very important and high-profile function of the whole mining exercise. Last but not least, strong emphasis is placed now on issues of health and safety.

It may be surprising to some honourable members, but this bill redefines a mine. We would say that we know what a mine is. It is fairly obvious, but the definition, which was fairly lengthy in the old act, has been made far more concise and is much better as a result. The process has been defined with much more precision than it was in the past. The bill contains many provisions but, I am pleased to say, not as many as in the previous act. It covers an ever-increasing range of operational, safety and, as I indicated earlier, environmental issues. I will not go through all of the provisions but, for example, the bill talks about the establishment of a mining board in the Northern Territory, the management of mines, the appointment of mine managers, notification of accidents and injuries that might occur on sites, the appointment of mining inspectors, the employment of employees, the duties of employees, plans of mines, inspections of mines, and a range of miscellaneous issues. No doubt, the minister will allude to some of those in his closing remarks.

As honourable members are aware, 2 amendment schedules have been circulated, one by the honourable minister which, I understand, reflects some of the submissions which have come forward since the original bill was introduced and, as I indicated earlier, a raft of amendments submitted by the member for MacDonnell which reflects the submission from the Trades and Labor Council. No doubt, we will be considering both those amendment schedules during the committee stage. Mr Speaker, I support the bill and the amendments submitted by the minister.

Mr LEO (Nhulunbuy): Mr Speaker, I certainly have been involved in this debate before, as have the Minister for Mines and Energy, the Minister for Labour, Administrative Services and Local Government and the Minister for Health and Community Services. For the sake of those members who do not recall that debate, I will go through it again.

I come from a mining town. Perhaps the member for Barkly could claim to come from a mining town, but I do not think any other member can. I talk with miners. I speak to the mining company but, basically, I talk with the miners, the people who work in the mine. They are the miners, not the mining company. The mining company is an investor and that is all. The miner is the person who actually digs up the ground and extracts the ore or the metal. Mining companies are investors in mines; they are not miners. As the minister pointed out quite correctly, this legislation reflects the views, not of miners - as he would have it - but of investors in mines. It does not reflect the view of a single miner. It reflects the views of investors in mines. Each of us needs to be very clear about what this legislation reflects.

As I have said in this House before, for the life of me I cannot understand why mines safety legislation should reflect the health and work safety standards of people involved in processing. I can accept that work health and safety standards could be applicable in very specialised areas of mining activity. Some are highly specialised, depending on the product that is being mined. It could be uranium or involve underground mining. Generally, mining involves explosives. I can understand that the Mines

Safety Control Act controls the activity of mining as most people understand the term 'mining': extracting a mineral or compound or elements from the earth. However, I cannot understand why, in turn, that definition should be extended to processing.

It is extended even beyond processing. Some of my constituents are clerks, typists, designers and architects whose work health and safety standards are covered by the Mines Safety Control Act because they work near a processing plant. That is illogical. These people have nothing to do directly with processing, let alone mining. If they were employed in Darwin, their work health and safety standards would be controlled by the Work Health Act but, because they are employed on the Gove Peninsula by a mining company, their work health and safety standards are controlled by the present Mines Safety Control Act and also by this mine management legislation.

It is illogical. Either we should abandon the Work Health Act or we should allow it to affect those persons who, under any other circumstances, would have their work health and safety protected by it. That is the simple, logical conclusion that anybody must reach. Even the Minister for Mines and Energy must reach that conclusion. I am sure that the Chief Minister knows what I am talking about, and I am sure that members opposite know what I am talking about. I am sure they recognise the fundamental logic that one or the other piece of legislation should be abandoned. We cannot have it both ways.

Why should a clerk employed by Nabalco have his work health and safety standards protected by a different piece of legislation than that which covers a clerk employed by the government in Darwin? There is no logical reason unless the government is trying to satisfy the whims not of miners but of investors. I doubt that anybody who has a cracker invested in Aluswiss has ever dug a hole in his life. They are not miners; they are investors. If the Mines Safety Control Act is about satisfying the whims of investors - foreign or local - and not miners, then the minister should say so. It is ridiculous to regard the Chamber of Mines as a group representing miners. It represents investors. Its sole purpose is to represent investors, not miners. Miners dig holes and extract minerals. This legislation does not represent the interests of miners; it represents the interests of investors. It does not represent the interests of the miners and that is illogical. If we are thinking in terms of work health safety standards for employees, it is illogical to have persons in precisely the same category of employment as persons elsewhere in the Territory - clerks, accountants, draftspersons, electricians, plumbers, fork-lift drivers and so on, who have nothing to do with mining - who are not protected by the same legislation.

It is confusing and illogical. There is no reason for it unless the government is committed to representing, not the interests of those people employed in the Northern Territory in what are described as mines, but the interests of investors. That is the only way that it becomes logical. The government should not hide behind a mask of representing miners because it does not. The legislation represents the interests of investors. It is perfectly logical that those companies have one interest, and that is pursuing the objectives of their shareholders. They must pursue the interests of their shareholders or they will behave illegally. If any honourable member believes that the interests of shareholders are the same as the interests of a miner - the person who actually digs a hole - that is beyond belief.

I urge every member of this House to endorse the amendments as circulated, particularly amendments 107.1 and 107.2. These go to the heart of the matter and that is the application of this legislation. Members must support those amendments because we will then be demonstrating to the public of the Northern Territory that we have the interests of working people in mind and not those of a collection of investors whose interests must legally be those of their shareholders.

Mr COULTER (Mines and Energy): Mr Speaker, the member for Nhulunbuy wants to become involved in a semantic argument about who is an investor and who is a miner. I will invite him along to the next meeting of the Chamber of Mines and he might like to address its members. To my knowledge, there is only 1 person there who has not worked at the coalface in a mine over the long period of his working history. Even the mining company people are not all products of board rooms. I am very proud of the mining corporations of the Northern Territory and their senior corporate representatives. They did it the hard way. Many of them began as geologists in the Northern Territory in the early 1960s. They worked their way to the very senior positions that they now hold with national corporations and, indeed, some with international corporations.

The member for MacDonnell spoke about staff turnover. During boom times, staff turnover is very high in the Department of Mines and Energy. These people are taken up by corporations around Australia. In the boom time of the mid-1980s, I was very proud of the number of mine managers who were taken up by corporations. They are now holding very senior management positions in some of the biggest mining companies in Australia. I am proud of every one of them. In boom times, we lose staff from the Department of Mines and Energy. Corporations can pay higher salaries and they are not restricted by public service conditions or the MSL that may be in force at any one time in the Department of Mines and Energy.

We are in a downturn at the moment. The mining industry in Australia is in a state of contraction and there are more people available to return to the Department of Mines and Energy than there have been in recent times. It is cyclical. In the 1954 boom period in the Northern Territory, a number of very senior personnel in the mining industry began in the Department of Mines and Energy. Other people began their apprenticeship at that time. In fact, Noel Buntine was the Mining Warden in Tennant Creek at that time. He went on to become involved in transportation rather than mining. However, I use him as an example of people who started out in the department.

In those boom times, people from the Department of Mines and Energy are in great demand. When the cycle is in a downturn, those people tend to come back to the Department of Mines and Energy, although I am not suggesting for one moment that there is any connection between the return of Roger Watters to the department and the boom-time syndrome to which I have referred.

As for the debate about the Work Health Authority's jurisdiction over mines, we have heard it all before. That matter has been raised in this Assembly on many occasions and I do not want to regurgitate the arguments which have been put forward in those many debates. The legislation provides for people working as clerks and so forth. The Department of Mines and Energy prides itself on being a 1-stop shop. That is one of the reasons why mining in the Northern Territory has achieved its current status. Miners do not have to go to 34 departments to get action. The opening of the Tom's Gully Mine demonstrates my point. I remind honourable members that, from the day traces of gold were found in the area to the day the first bar of gold was poured, just 23 months had elapsed. That is a record in

Australia. If those traces had been found in Victoria, matters would not have progressed beyond noise and dust abatement, if anyone had discovered which department had the responsibility. In New South Wales, I understand that 43 different offices are involved in all the arrangements and the provision of permits which must precede the opening of a mine. That does not happen in the Territory.

Mr Speaker, I will give you another example of our success in this area. Recently, some mining personnel were in America looking for joint venture partners for a hydrocarbon project. They went to some of the biggest multinational corporations in the world involved in hydrocarbons and, when they said that the project was in the Northern Territory of Australia, the major corporations all said: 'That is fine, because we have heard of the reputation of the Northern Territory as a place to do business and as a place where the government is keen to facilitate the development of mining and has the necessary infrastructure in place'. That is an endorsement of our policies and our reputation, not only in Australia but throughout the world. We are very proud of our avoidance of duplication and I am extremely proud of the staff in the Department of Mines and Energy and their commitment to the industry.

I thank the member for Jingili for his comments. I would like to add to his remarks, particularly in respect of the Trades and Labor Council. In my second-reading speech of 22 February 1990, I expressed disappointment over the failure of mining industry unions to contribute to consultations on drafts of the bill. The member for MacDonnell has written to me stating that he has a copy of the Northern Territory Trades and Labor Council's submission on the bill and he has urged me to consider it. I believe that that was on Monday of this week. The submission from the Northern Territory Trades and Labor Council was originally received in my office on 8 March 1990, 15 days after the bill was introduced into this House. Mr Crossin has alleged that he did not receive a copy of the draft bill when it was circulated in November 1989. If that is correct, he is the only addressee on the mailing list who did not receive it. Some 43 copies went out and Mr Crossin said that he did not receive his. Mr Speaker, an officer of my department followed up by phone and arranged for Mr Crossin to pick up a copy of the bill in mid-January.

The submission by the Northern Territory Trades and Labor Council carries no substance on the review of the bill and addresses the bill in trade union terms only. I accept that. For example, clause 40 provides for 2 persons, employed at a mine and voted for at a meeting of mine employees, to inspect any part of the mine. The Northern Territory Trades and Labor Council submission proposes that only union members should be allowed to vote and that only union members should be allowed to inspect the mine. That, of course, represents a closed shop. The bill does not mention trade union representatives in an effort to create greater cooperation between miners and mine management. In at least 1 mine, the miners are not unionised at all and I feel sure that a number of other smaller mines, which also fall into this category, would not welcome the submission of the Northern Territory Trades and Labor Council. The council proposes also that 9 of its nominees should be appointed to the Mining Board, whereas the current bill allows me to appoint 4 persons representing the union's point of view. In summary, the department made clear endeavours to obtain union comment. That comment was received only after I made critical reference to its absence when I introduced the bill. The comments of the Trades and Labor Council were superficial and addressed purely trade union matters rather than the broad health and safety provisions of the bill. No response was received from any individual trade union.

I would like to correct the member for MacDonnell on a particular matter. There were 4 fatalities in mines in 1989, not 1. So far this year, thank goodness, there have been none. I accept that the member for MacDonnell recognises the good safety record of mining in the Northern Territory even though mining is a dangerous business.

The member for MacDonnell made comparisons between what happens here and what happens in the states of Australia. Can I tell him that both Victoria and New South Wales tried a work health regime and that they have subsequently returned to a mine safety regime. If we cannot learn anything from that, we are not trying. The mine safety regime in those states and in Queensland comes under mining legislation. We are not setting a precedent here. What we are doing is not new. It applies in states which have tried alternative approaches and which have reverted to a mine safety regime.

Amendment schedule 107, circulated by the member for MacDonnell, was given to me less than 1 hour before this bill was to be debated today. How does the opposition expect me to consider its amendments seriously? It has had plenty of time, but it comes in at the death knock with a large number of amendments. Fortunately, officers of my department have been working on those amendments, and I thank them for the time and effort which they have put into examining them. To save the time of the committee, I will give my position on the opposition amendments now.

Amendment 107.1 is unacceptable. It would make a treatment plant an industrial concern and place it under another authority for regulation, such as, for example, the Work Health Authority. That runs counter to the current 1-stop-shop approach, the advantages of which I have described already. For the same reason, I do not accept amendment 107.2.

We do not believe that amendment 107.3 is applicable to a mine owner, employer or an organisation that is registered. Neither the Chamber of Mines nor the Chamber of Commerce is an individual mine owner and therefore, we will not accept that amendment. In fact, we had no intention of accepting any of the amendments. The same principle is involved in all of them, and rejection of the first implies rejection of the remainder. However, we will be supporting amendment 107.4 which seeks to remove the ministerial discretion to exempt any mine from the provisions of the legislation. That would affect the access road and other facilities at the Gove Mission jetty, which comes under the special lease provisions.

Amendment 107.5 relates to clause 8(c), which refers to '4 persons appointed by the minister on the grounds of their qualifications, knowledge and skill in the mining industry'. An elected official or salaried union organiser would not meet that criterion. We are after qualifications, knowledge and skill in the mining industry, and that is why the amendment is unacceptable. The same applies to amendment 107.6.

As far as amendment 107.7 is concerned, the record book is an official mine document available to the mine manager, the mine inspector and mine employees, irrespective of whether or not they are union members. Amendment 107.8 refers to the record book which is accessible to any mine employee, irrespective of whether or not he is a union member. It is not a public information document. The amendments are unacceptable. The minister or the Chief Government Mining Engineer may authorise a person to inspect the mine, mine machinery or any part of the mine. A mine is not a public walkway. It is not accessible to the general public, and we will not accept amendment 107.9. Nor will we support amendment 107.10. The winding engine

log book is in the same category as the record book. It is not public information.

The union official or delegate's lack of specialist skills remove him from the category of an inspector employed by the Department of Mines and Energy. He would be a hindrance in what may be a judicial matter and, for that reason, we will not accept amendment 107.11.

On the subject covered by amendment 107.12, the bill seeks to promote a total safety situation between mine managers and mine employees. There are many mines in the Northern Territory which do not employ union labour. Because of that fact, amendments 107.12, 107.13 and 107.14 are all unacceptable. I advise the member for MacDonnell that we have looked at his amendments seriously. Officers studied them to see whether or not we could improve the legislation by including any of them and they came to the conclusion that we could not.

In conclusion, I would like to pay tribute to the officers of the Department of Mines and Energy for the consultative mechanism which they put in place to develop this legislation. I believe that it will become the envy of all mining departments throughout Australia, which will wish to see such comprehensive legislation, with the 1-stop-shop approach, introduced in their own jurisdictions. Certainly, it would enable them to get on with the job. As the member for MacDonnell has acknowledged, our safety record is very good indeed, in spite of the 4 deaths which occurred last year. Honourable members would be aware of the inquiries which were made as a result of those deaths. Self-regulation came under question last year, but it is working and it does provide a very good basis for safety in the Northern Territory.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr BELL: Mr Chairman, I move amendment 107.1.

This amendment would omit from the definition of 'mine' the words 'or treatment'. I am not satisfied with the explanation that the honourable minister gave in his second-reading speech about the relationship between the work health arrangements in other workplaces. He said that it was a hoary old chestnut. Perhaps, if he is that bored with his portfolio, he ought to resign.

Mr Coulter: You people have been saying that lately.

Mr BELL: A most impressive and frank admission from the honourable minister.

Mr Chairman, I believe that the proposal that the opposition has put forward here to omit 'treatment' from the definition is appropriate. As I said in my second-reading speech, I accept the argument that the engineering processes and the variety of other expertise that is involved, to use the terms of the bill, in the actual removal of a mineral or an extractive mineral requires a separate regime, but I am not prepared to accept that in the context of more general milling arrangements. I believe that there are

a large number of other industrial processes where engineering requirements are every bit as complicated. We do not have extensive secondary industry in the Northern Territory, but there is enough of it to mean that other areas of manufacturing should be included in this arrangement. I do not see that that proposal militates against the 1-stop-shop arrangement that the minister suggests is important.

I heartily concur with the need for certainty on the part of owners and management of mines in knowing what might be proposed. I might mention at this stage that, in view of his criticism of the trade union representatives involved in aspects that come under this legislation, I believe that it is quite absurd for him to mention Tom's Gully. Of course, Tom's Gully, which he said has been started in a record time, is a closed shop.

Mr Reed: What is wrong with that?

Mr BELL: I am not saying that there is anything wrong with a closed shop. I am a Labor Party member of this Assembly, but it sits oddly with the minister's criticism of trade unions, and his refusal to work with them in the context of this legislation.

Mr LEO: Mr Chairman, I have a question to ask the minister. I do not have a copy of the present act in front of me, but I am sure the minister will agree that its application was governed by the definition of a 'mine'. The definition of 'mine' was restricted to the 'geographical boundaries of a mining lease'. That was the application of the previous piece of legislation.

In the bill, the definition of 'mine' reads: '... means a place or area where the exploration for, or mining or treatment of, a mineral or an extractive mineral takes place and includes a place in relation to which a declaration under section 5(3) is in force'. Unfortunately, I do not see anywhere in this legislation an interpretation of what is meant by the word 'area'. If the definition is being changed from a very precise geographical boundary, that is, a mining lease, to something less precise, I will need to be able to tell those of my constituents who work in the area of a mine ...

Mr Coulter: Under a special purpose lease, which originally was 11 leases.

Mr LEO: ... exactly what the area of a mine is. Yirrkala is within the area of a mine. Are the work health and safety standards of the people there to be determined by the Mine Safety Controller? At the mission jetty, and I am sure the minister knows the place, are those people who are currently covered by the Work Health Act to be covered by the new legislation? I want to know what the area is that the minister is talking about. Perhaps there is a legal definition for the term 'area' but, if so, it is not contained within the bill. I need to know what will determine the work health and safety standards for my constituents so that I can explain that to them.

Mr COULTER: Mr Chairman, there are some good questions there, and I will admit that the Nhulunbuy region is perhaps a grey area, for a whole range of reasons. It is not simply the Mines Safety Control Act. We are talking leases here and Commonwealth jurisdiction, and the subject goes back to the mid-1960s and late 1960s. There are some very grey areas in this case.

I will give a black-and-white answer in terms of Yirrkala. That area is not a mine site, and work health would have jurisdiction there.

Mr Leo: But it is in the area of a mine.

Mr COULTER: And the Work Health Authority would have jurisdiction over it. There is your answer to that.

The honourable member's first question was about the old act. I would like to read it so that he can understand what we have done with it in the new legislation. I quote from the old act:

> 'Mine' means a place where any operation for the purpose of obtaining minerals has been or is being carried on, and a place where the products of that place are to be, have been or are being treated or dealt with, and includes a quarry, a place where at least 2 persons are employed in connection with prospecting operations for the purpose of discovery and or exploration for minerals whether by drilling or any other method ...
>
> (c) so much of:
>
> (i) the surface of the place occupied or used;
>
> (ii) the building, workshop, power plant, change house, laboratory structures and other improvements of that place as are occupied or used; and
>
> (iii) the machinery and works as are used by the owner of the mine -
>
> (iv) in connection with the working of that mine;
>
> (v) for the treatment of or dealing with the products of that mine; or
>
> (vi) for the removal from that mine of refuse from the storage of waste material resulting from the treatment of products of that mine; and
>
> (d) a place or part of a place in relation to which a declaration has been made pursuant to section 5(4).

Mr Chairman, that definition has been changed to some extent in the bill.

Mr Leo: It has been. Precisely.

Mr COULTER: '"Mine" means a place or area where the exploration for, or the mining or treatment of, a mineral or extractive mineral takes place and includes a place in relation to which a declaration under section 5(3) is in force'.

Mr Chairman, we can sit here all night and argue about the definitions of what is a mine, what is a treatment, and what is not. We have simplified that in this new legislation. As I said, we are proud of the 1-stop-shop legislation that we have in the Northern Territory, and I do not intend to change that policy or to have anything that runs counter to it. As the responsible minister, I have worked very hard to ensure that that is the case. We will not accept any amendment to that.

Mr LEO: Mr Chairman, I appreciate the minister's determination on this matter, but I hope he appreciates equally my determination to find out as much information as possible about this legislation and its effects on my constituents.

I have found out now that Yirrkala is exempt but, more specifically, are those persons employed on mining leases exempt? Are they exempt if they are employed by the Department of Civil Aviation and work at the airport for a Commonwealth department or if they are employed by a well-known watering hole at the airport? What if they are employees of airline companies who go to the airport to unload or load aircraft, or employees of oil companies who refuel those aircraft? I need to know for the sake of my constituents who are employed on a mining lease, but not by a mining company. One day, the ground that they work on will be mined out. Will their work health and safety standards be covered by this new legislation or not? Is it a matter of whether they are employed by a mining company or not? If that is what it is, let the minister say so.

Mr COULTER: Mr Chairman, the airport people are Commonwealth employees and the airport is on Commonwealth land.

Mr Leo: They are employed on a mining lease.

Mr COULTER: Mr Chairman, as I understand it, the airport is on Commonwealth land. I am happy to provide further information to the honourable member about who does and who does not come under this legislation. I recognise the peculiarly special circumstances of Nhulunbuy because of the technicalities of the lease arrangements and the Commonwealth leasing arrangements within that area.

Amendment negatived.

Mr BELL: Mr Chairman, I move amendment 107.2.

As with the previous amendment, it is appropriate that the bill be amended in this way. The government has indicated its refusal to do that. However, once again, I indicate our concern about the minister's lack of information about the role on mine sites of the Department of Labour and Administrative Services as well as that of his own department. I understand that the Work Health Authority is involved in the processes of mines around the Territory. The minister's refusal to debate those issues is unfortunate to say the least.

Amendment negatived.

Mr BELL (by leave): Mr Chairman, I move amendment 107.3.

This is important in respect of further amendments that we will move. The purpose of this clause is to define 'registered'. This amendment refers to the Conciliation and Arbitration Act 1904 of the Commonwealth. In fact, that has been repealed by the federal government and it is now the Industrial Relations Act 1988.

Mr Chairman, I move that the words 'Conciliation and Arbitration Act 1904' be omitted from this amendment and replaced with the words 'Industrial Relations Act 1988'.

Amendment to amendment agreed to.

Mr BELL: This definition is crucial to further questions of registration that I will be referring to later. I refer, by way of precedent, to the Queensland Mines Regulation Act 1964-83. I refer the honourable minister to 2 aspects of that act. First, the Mines Regulation Act 1964-83 of Queensland was enacted at a time when there was a conservative government in power in that state. The Mines Regulation Act in that state is full of references to trade unions, to district workers' representatives and to the appointment of local workers' representatives. Section 18 of that act states: 'The governing body for the state of Queensland of each union or association, which has in its membership persons employed in a mining operation in, on or about a mine, may submit to the minister a panel of names of persons, being members of the union concerned, who are eligible to be appointed as a district workers' representative'.

I draw that to the minister's attention so that his absolutely mindless intransigence in this matter can be sheeted home. If it is good enough for a conservative government in Queensland, I cannot see why it is not good enough for a conservative government in the Northern Territory.

Mr Coulter interjecting.

Mr BELL: The honourable minister refers to the first government of Queensland. This act of the Queensland parliament was enacted in March 1964, 7 years after the National Party and the Liberal Party took power in that state.

Mr Coulter: When was the last time that you said that that was a good government?

Mr BELL: Unlike the honourable minister, I do not have a blinkered view. Even this conservative government is capable of doing some things properly. On several occasions, I have given it credit where credit was due. I am equally happy to give the conservative government in Queensland credit for doing something that this government evidently is not prepared to do. The Queensland act makes continual reference to district workers' representatives and their roles. As we go through these amendments, I will be making frequent reference to the involvement of those district workers' representatives and the shortcomings and the intransigence of the minister in refusing to accept them.

The committee divided:

Ayes 13	Noes 7
Mr Coulter	Mr Bailey
Mr Dondas	Mr Bell
Mr Finch	Mr Ede
Mr Firmin	Mr Lanhupuy
Mr Harris	Mr Leo
Mr Hatton	Mr Smith
Mr McCarthy	Mr Tipiloura
Mr Manzie	
Mr Palmer	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Amendment negatived.

Clause 3 agreed to.

Clause 4 agreed to.

Clause 5:

Mr BELL: Mr Chairman, I move amendment 107.4

In relation to exemption proposals, the minister referred obliquely to a particular part of the Nabalco mine. He did not really explain why exemptions were necessary in that regard. It may be that he will do so now. I was not convinced by his reference to it.

Amendment negatived.

Clause 5 agreed to.

Mr Bell: Barry, I expect you to get up and explain why, or are you going to sit on your butt and do nothing?

Mr CHAIRMAN: Order! Intemperate language will not get us through this any more quickly. I thought the minister had explained himself earlier.

Mr Bell: No. He did not.

Clauses 6 and 7 agreed to.

Clause 8:

Mr BELL: Mr Chairman, I move amendment 107.5.

As honourable members will be aware, clause 8 refers to the constitution of the Mining Board. As I outlined in my second-reading speech, I believe that it is important that employees' representatives - that is,trade union representatives - be included on the Mining Board. In his second-reading speech, the minister made the condescending comment that no trade union official could have any skill in or knowledge of the mining industry. That demonstrates the sort of attitude ...

Mr Coulter: But it goes further than that.

Mr BELL: ... which will see this government removed from office. The fact is that it is important to recognise the contribution made by trade union representatives. The honourable minister should be aware that, in this day and age, trade unions around this country are employing a wide range of expertise in various areas. In fact, I raised with the Territory Trades and Labor Council representative the possibility of being able to tap into national resources in those terms. I would have thought that it would be constructive to consider such a possibility.

Mr COULTER: Mr Chairman, it is appropriate to reiterate exactly what I said before. I received these amendments 60 minutes before we were to discuss this bill. If the opposition were fair dinkum, I would have received them much earlier than that. However, on receiving them, officers of my department went through the schedule to see whether or not we could accommodate any of them. I have been more than cooperative in this exercise.

We received the Trades and Labor Council submission 15 days after the delivery of the second-reading speech. The TLC has not been cooperative in

any way, shape or form. I have been tolerant, Mr Chairman. I know that the hour is late and we have been through a great deal, but I would like the member for MacDonnell to realise that he is coming from behind the 8-ball in this exercise. I accept that trade union officials may have the necessary qualifications for a position on the Mining Board, but one does not have to be a trade union official or a member of the Trades and Labor Council to have those qualifications. The reason I am not supporting this amendment is that clause 8(c) allows the minister to appoint 4 persons on the grounds of their qualifications, knowledge and skill in the mining industry, not on the basis of whether or not they are union members. I remind the member for MacDonnell of my tolerance in this regard and of the work which has gone into addressing the amendments which he put before us 60 minutes before the bill was to be debated.

Mr BELL: In response to the minister's accusation about not having been given enough notice to enable proper consideration of the amendments, I make no apology. We have a 2-week sittings and, if the minister wants more time in which to give ...

Mr Coulter: You have had since November last year.

Mr Reed interjecting.

Mr BELL: I remind both interjectors that this bill was presented to this Assembly in February, just 2 months ago. Since then, considerable work has been done on it. Unlike the government, the opposition does not have sufficient resources to have speeches written and research carried out. Basically, we have to do that ourselves. If the minister feels that he wants some more time to consider the propositions that we are putting forward in these amendments, he can always defer the committee stage. There are 4 days of these sittings remaining and he would be able to do that quite easily.

Mr Chairman, let me point out that a Territory Labor government would not adopt the sort of xenophobic attitude that the minister has adopted to one particular section of the work force. A Territory Labor government would be seeking to achieve a balance between mine ownership and trade union representation, accepting the importance of relevant qualifications, knowledge and skill in the mining industry.

I reiterate what I said in the second-reading debate. Owners and managers of mines have a vested interest in production, and employee representatives and trade unions have a vested interest in the conditions and safety of employees. Those interests, which are conflicting in a sense, have to be balanced. I do not believe that the legislation before the House achieves that balance. I believe that a better framework is possible, for the reasons which I have outlined.

Amendment negatived.

Mr BELL: Mr Chairman, I move amendment 107.6. This amendment includes the reference to the new class of employees in an amendment which has already been negatived, so it probably does not matter all that much at this stage.

Amendment negatived.

Mr COULTER: Mr Chairman, I move amendment 106.1.

Amendment agreed to.

Mr COULTER: Mr Chairman, I move amendment 106.2.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 16 agreed to.

Clause 17:

Mr BELL: Mr Chairman, I move amendment 107.7.

This amendment inserts a reference to a trade union representative again in a clause which relates to the mine record book and the responsibilities in respect of the mine record book. I point out that subclause 17(2) requires the manager of a mine to make a mine record book available to an inspector, a person employed at the mine or a person authorised in writing for that purpose by the minister. I suggest that it is appropriate and in line with the conservative Queensland act that the book be available to trade union representatives. Section 17(6) of the Queensland Mines Regulation Act states:

> The person having custody or control of a record book of a mine shall make it available at all reasonable times for examination by an inspector or by any person employed in a mining operation in, on or about that mine or by a district workers' representative, a local workers' representative or by any person authorised in writing by the minister.

In terms of interstate precedent, there is a very strong case for the sort of proposal which we are putting forward. If it was good enough for the Tories in Queensland, it should be good enough to protect workers in mines in the Northern Territory.

Mr COULTER: In response to the member for MacDonnell, again I point out that the record book is an official mine document. It is available to the mine manager, the mines inspector and mine employees, irrespective of whether or not they are members of a union.

Amendment negatived.

Clause 17 agreed to.

Clauses 18 to 21 agreed to.

Clause 22:

Mr BELL: Mr Chairman, I move amendment 107.8.

This amendment refers to lost-time injury reports. Subclause 22(1) defines lost time injury whilst subclause 22(2) places the onus on the manager of a mine to provide to the Chief Government Mining Engineer a report giving details of the total number of people employed during each month and all lost-time injuries which occurred at the mine in a particular month. I point out that I am very surprised that this so-called comprehensive review process has not bothered to take into consideration the Queensland precedents, and I refer the honourable minister to section 39 of

the Queensland act. I point out to him that, under that act, notice of an accident has to be given both to the inspector and to the trade union representative to which I have already referred. I do not know why that is unacceptable in the Northern Territory.

Amendment negatived.

Clause 22 agreed to.

Clause 23 agreed to.

Clause 24:

Mr COULTER: Mr Chairman, I moved amendment 106.3.

Mr BELL: Mr Chairman, I had hoped that the minister might give us a little explanation. However, let us construe it as we go. The amendment places a requirement on a person employed at a mine, if the person knows that any machinery, equipment or place at the mine is unsafe or likely to cause danger to any person at the mine, wherever practicable, to endeavour to rectify, isolate, identify or prevent access to, as is appropriate, the machinery, equipment or place and report the matter to a person in authority over that person. As the clause stands at present, it requires a person employed to report immediately to a person in authority over the person anything likely to cause danger to any person at the mine. I seek some explanation from the minister as to why the additional wording is necessary.

Mr COULTER: Mr Chairman, this modification to the subclause is to place some onus on the employee to take remedial action where possible, as in the case of a small fire, or to prevent access to an unsafe place or equipment prior to leaving the area and to report the matter to a person in authority. That is the reason for that change.

Amendment agreed to.

Mr BELL: Mr Chairman, I move amendment 107.9.

This amendment seeks to add a further subclause that allows a trade union official to inspect machinery or equipment used by a person at a mine to ensure that it is safe. I believe that that is an appropriate proposal.

Amendment negatived.

Clause 24, as amended, agreed to.

Clauses 25 to 28 agreed to.

Clause 29:

Mr BELL: Mr Chairman, I move amendment 107.10.

Clause 29 refers to the winding engine log book, and subsection (2) of that clause is parallel with the provisions in respect of the record book. The arguments are the same and I believe that access to the winding engine log book should be available to workers' representatives.

Mr COULTER: Mr Chairman, we do not support the amendment for the reason discussed in relation to amendment 107.8 proposed by the honourable member.

Simply, that record is not for public information and, as I said, it is in the same category as the log book.

Amendment negatived.

Clause 29 agreed to.

Clauses 30 and 31 agreed to.

Clause 32:

Mr BELL: Mr Chairman, I withdraw amendment 107.11.

Clause 32 agreed to.

Clauses 33 to 39 agreed to.

Clause 40:

Mr BELL: I move amendment 107.12.

This is the one area where employees are given some recognition in this legislation. I believe that the long-term interests of mining in the Northern Territory will be served by a sensible inclusion of employees' organisations. The trade union movement should be included in this process. In view of the provision in the Queensland act to which I have already referred, I do not see that it is appropriate to exclude workers' representatives, and I trust that, at least in this area, the honourable minister will give some recognition to the role of trade unionists.

Amendment negatived.

Mr COULTER: Mr Chairman, I move amendment 106.4.

Mr BELL: Mr Chairman, I note that the insistence here is that the inspection by persons employed at the mine be carried out in their own time. In view of the minister's intransigence in respect of many of the other provisions, I do not accept that this amendment is reasonable. I believe that everybody else involved in the safety provisions, the government inspectors, the owners or their agents or their managers, when they are carrying out procedures under this legislation, are being paid for it. Basically, I believe that, if employees are to be involved, as they should be, it should be deemed to be part of their duties as well. This is a completely absurd provision which must be opposed. I accept that it is a possibility that it may be abused but, presumably, if that were attempted, other industrial relations processes would ensure that it did not occur.

I feel that it is desirable to compare that clause with the arrangements in the current Mines Safety Control Act. I believe that a comparison with the existing provision in that regard would be of some use. My recollection is that there is no such insistence under the present act for such inspection to be undertaken in employee's own time.

Mr COULTER: Mr Chairman, I understand what the member for MacDonnell is speaking about. He is quite right. The amendment aims to prevent people abusing the provision which allows 2 persons to be authorised by a majority vote of employees on a mine to make an inspection. Requiring the inspection to be carried out in their own time means that there can be no neglect of work duties, which could result in a complete shutdown.

The 2 persons so elected are, of course, still covered by workers' compensation provisions and so forth during the course of the inspection. I have some sympathy with what the member for MacDonnell is saying. Of course, all legislation has to be workable and it was believed that the provision might be open to abuse. However, I give the member for MacDonnell my undertaking that I will monitor the operation of the amended provision closely.

Amendment agreed to.

Mr COULTER: Mr Chairman, I move amendment 106.5.

Mr Chairman, having amended clause 40(1), it follows that the need for subclause (7) is now removed, as the 2 elected persons will not receive payment from their employer for that inspection time. Subclause (7) states: 'A person who carries out the inspection of a mine under this section shall be deemed, while carrying out this inspection, to be carrying out duties in accordance with the person's employment at the mine'.

Mr BELL: I must admit, as I said before, that I find that quite extraordinary.

Mr COULTER: We have already agreed to it. It is in there.

Mr BELL: I want to place on record my view that work safety requirements are generally regarded as part of the job and not just an incidental extra. I must strenuously oppose this amendment.

Mr COULTER: Can I say to the member for MacDonnell that I will be reviewing this clause as it operates in its amended form. We have already passed amendment 106.4, and 106.5 has to follow suit. I give the honourable member an undertaking that I will review the clause and, should I find any reason to believe that it is unworkable or that there are problems with it, I will bring it back to this Assembly for review. It is a question of balance. We cannot have the opportunity for abuse on either side. I put mine managers on notice that, if I find that they are abusing this provision, I will have no hesitation in bringing it back to the Assembly for revision.

Amendment agreed to.

Clause 40, as amended, agreed to.

Clauses 41 to 44 agreed to.

Clause 45:

Mr BELL: Mr Chairman, I move amendment 107.13.

In my view, the review of decisions provision makes it quite appropriate for an employee to find a decision by a government mining engineer unsatisfactory.

Mr Coulter: Come on!

Mr BELL: There are 2 types of decisions which could be taken by a government mining engineer as envisaged in this clause. A decision could place an onerous condition on an owner or manager of a mine, necessitating procedures which would make the running of the mine more difficult. An

owner or manager needs to be able to review such a decision if he believes that such a decision does not encourage a greater degree of safety.

Mr Coulter: So you are on the side of the mine owner.

Mr BELL: Wait a minute. I ask the minister to consider the possibility that a government mining engineer might take a decision which is regarded by employees or their representatives as an unsafe one. They should have exactly the same capacity as the mine owner or manager to apply for a review of the decision. Would it not be more productive to have an application for a review of the decision than to have a stop-work meeting? I suggest to the honourable minister that there is virtue in this proposal.

Mr COULTER: As I understand it, the Chief Government Mining Engineer is in a very powerful position. He or she determines how a mine will operate. Even if an owner, agent or manager makes a request for a review of a decision under subclause 45(5), the decision must be complied with. Somebody has to be in charge. Somebody has to make the decision and that decision has to stand. The rules cannot be made up as people go along.

Mr BELL: Yes. That decision stands while the review is carried out. That is the point of subclause (5). I accept that, and it is logical. However, that does not negate the fact that there can be decisions which err too much or insufficiently on the side of safety. I can envisage a situation in which a mining engineer may make a decision which, in the view of employees, is not necessarily safe. I think that the legislation should envisage that as well.

Mr COULTER: Mr Chairman, my point is that the inspector's decision has considerable clout. It can be reviewed only by the Chief Government Mining Engineer. We must have confidence in these people. To say that an inspector would make a decision that could lead to an unsafe practice is to cast great doubt on his integrity and experience, and I do not accept that. These inspectors have a very good record in the Northern Territory. I cannot think of any example in which a decision by an inspector has placed the safety of workers in peril. As for a mine manager accepting a decision which would imperil his workers, I do not believe it would happen. We are talking about highly-qualified people. There is provision for review by the Chief Government Mining Engineer or the Mining Board, and that can be done very promptly. However, we must have control in the mining situation. We place a great deal of faith in the mining engineers who make these decisions and I stand by that faith.

Mr BELL: I assume that the honourable minister did not mean what he said when he implied that I was reflecting on the integrity of any of the officers involved.

Mr Coulter: I am not doing that.

Mr BELL: You used the word 'integrity' and I want to make it quite clear that I was not reflecting on their integrity. My simple point is that this clause envisages a situation where there is disagreement between an inspector and a manager and allows an appeal to somebody higher in the departmental hierarchy. I believe that the clause should admit the possibility of a disagreement between an inspector and employees at a mine.

Amendment negatived.

Mr BELL: Mr Chairman, I move amendment 107.14.

This amendment would provide for an appeal from the decision of the Chief Government Mining Engineer to the Mining Board. That sort of hierarchy suggests that there needs to be a degree of balance between the different groups involved in the mining operation, employees as well as employers.

Amendment negatived.

Clause 45 agreed to.

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

Bill reported; report adopted.

Mr COULTER (Mines and Energy): Mr Speaker, I move that the bill be now read a third time.

In so doing, I want to say that my concern is for workers in the Northern Territory mining industry.

Mr Bell: You are having 2-bob each way! You cannot do that, Barry.

Mr COULTER: Mr Speaker, I am the longest-serving mines minister in Australia today. My commitment to the mining industry is absolute, and I have let that be known at many forums, both nationally and internationally, and throughout the Northern Territory. The employment opportunities that have been created in the Northern Territory during my time as Minister for Mines and Energy have been enormous. The exploration expenditure alone that has been put into mining in the Northern Territory is unparalleled anywhere else in Australia. I refer honourable members to the seismic survey that was carried out in Australia during 1987-88. Some 18 000 km² of land was covered by seismic surveys in Australia during the period 1987-88 and 14 500 km² of that was in the Northern Territory. This year, we will mine $1500m-worth of mineral and hydrocarbon wealth out of the Northern Territory. Gold production in the Northern Territory has gone from 3 t a year to 15 t a year. Millions of dollars have been invested by mining companies in the Northern Territory over the last 4 years.

I take great offence at the member for MacDonnell telling us what a Labor government would do for the mining industry. Let me remind him what his platform says that a Labor government would do: 'A Labor government will investigate the implications of allowing the Northern Territory Energy Commission to specify access of the commission to direct participation in any development such that, at any time during the exploration or development phase, the commission will have the power to take up 25% of the project by paying that amount of exploration or development cost incurred by that time'. In other words, if the hole is dry, the private sector wears the total loss and, if it is a good find, the government will take 25% of all the profits without risking a cent. That is what a Labor government would do!

According to its platform, it will prevent the development of any uranium mines other than Nabarlek, Ranger and Roxby Downs, and there are a whole range of other issues. It is a nightmare for corporate Australia and for anyone who might want to invest any money in the Northern Territory under a Labor government. Thank goodness, it will never happen and our mining industry will bloom and prosper. We are now one of the largest

producers in the world of high-grade manganese and bauxite. We produce $378m-worth of uranium.

Mr Speaker, I would like to thank honourable members who have contributed to this debate today. I will end by saying, as I stated in February, that the commitment to any real contribution by the Trades and Labor Council has been poor, to say the least. It has not cooperated and I think that that is a great pity. I only wish that it would.

Mr BELL (MacDonnell): Mr Speaker, in view of the provocative comments made by the honourable minister, I feel obliged to point out that, in my view, the government has taken a less than constructive attitude towards this legislation. Selectively quoting from Labor Party policy is essentially a furphy as far as the question of an appropriate framework for mine management is concerned. I believe that substantial improvements to this process could be made along the lines that I have indicated.

Motion agreed to; bill read a third time.

MOTION
Noting Ministerial Statement on Fitzgerald Inquiry

Continued from 24 August 1989.

Mr BELL (MacDonnell): Mr Deputy Speaker, the Chief Minister made a statement tabling the report and moved that the statement be noted. There was a subsequent speech by the Leader of the Opposition. I was under the impression that the ball was in the government's court. I understand that adjournment of the debate was moved by the Deputy Chief Minister. I was advised that the government wanted to bring on debate on this matter. In view of the Mulholland inquiry and the implications that that may or may not have, I was surprised. However, I assume that the government must have some reason for its action. If the honourable minister is prepared to speak now, I will seek leave to continue my remarks at a later hour. Mr Deputy Speaker, it appears he does not wish to speak.

I have read the Chief Minister's statement. I do not claim to have read the Fitzgerald Report in its entirety, but I have read with keen interest a great deal of the press comment on it. I have studied the report well enough to be able to make some comments. When tabling the report, the Chief Minister said that, broadly speaking, all the institutions of the Northern Territory are hale and hearty.

Mr Perron: Not so.

Mr BELL: He said that 'the system of government in the Northern Territory is not perfect nor is the bureaucracy nor are the police, but our systems and procedures are sound and our performance and standards are ahead of the rest of Australia'. He went on to say: 'This government is more than willing to act to root out misconduct and improve administration. We do not protect systems and procedures which will allow corruption to begin or grow'. He seemed to be saying that the system here was doing particularly well.

Mr Deputy Speaker, I have a general point that I want to make that is at the crux of my statement. It is the result of my consideration of the report. I do not claim to have read it in depth or to have internalised it in its entirety. However, of course, what was so important about the Fitzgerald Commission, that distinguished it from, say, the Beach Inquiry

into the police force in Victoria was that it examined the very weighty issues of the relationship between the judiciary, the executive and the parliament that go to the very root of our parliamentary system.

I am not seeking to comment on the recent issues that are the subject of the Mulholland inquiry and subsequent press comment. I trust what I have to say will be regarded by the Chief Minister as constructive comment. In his statement, he referred to the Auditor-General, the Ombudsman, chief executive officers and the Commissioner of Police. He referred also to the Clerk of the parliament. My proposal is that this parliament seek from those officers their views about the implications that the Fitzgerald Report may or may not have for the Northern Territory. I believe that it would be a simple matter for the parliament to request that those officers provide a paper for the members of the Assembly. Where that was extended to CEOs and to the Commissioner of Police, it would be necessary for that to be done by the minister responsible. In the case of the Auditor-General, the Ombudsman and the Clerk, as officers of the parliament, it would be done by resolution of the parliament. I believe that the Fitzgerald Commission demands that every state in the Commonwealth, regardless of political allegiance, assess its own performance. I think that was the tenor of the Chief Minister's comments. I suggest that we continue the process by having those officers to whom the Chief Minister referred provide a response to the Fitzgerald Report.

As a result of the Fitzgerald Report, I noted the belated conversion of the government to questions of open government. I noted that, in his speech tabling the report, the Chief Minister referred to a reference to the Law Reform Commission on administrative review and the question of possible freedom of information. I look forward to his further investigation of the South Australian approach in this regard. I note comments that I myself have made in this parliament in respect of freedom of information legislation.

The Attorney-General will be aware that the opposition proposed consideration of a review of administrative decisions bill, and the sad fact is that that happened 2 years ago. When that is compared to the knee-jerk reactions of the Attorney-General on issues like conveyancing, it is in stark contrast. The Attorney-General has referred that to the Land Law Review Committee and has not bothered to hear what it has to say.

I note the comments made in respect of the appointment of chief executive officers, and the concerns of both the report and of the Chief Minister. I believe that 12 years of self-government have so entrenched CLP favourites in many positions in the public service that it is not easy to declare that a 'proper and impartial consideration', to use the Chief Minister's term, has been given to all eligible persons, or that extraneous considerations of political association have been disregarded and so on.

The question of appointment without advertisement also has not been an entirely uncontentious matter in the Northern Territory, to say the least. I note the comment about 'whistle-blowers' legislation and I believe that there is a great deal to commend the proposal to provide a protection to people who supply important information about actions within the public service that may be embarrassing to politicians but are certainly not in the public interest.

I note also the decision announced by the Chief Minister in this statement to consult with the opposition as well as with professional bodies

in respect of judicial appointments. The Chief Minister made an interesting comment. He said that 'the administration of justice must be apolitical' and that 'law and order is an issue that is inevitably a partisan political one'. I am not quite sure what is meant there. Presumably, social order is an apolitical issue too. Everybody wants social order. It is an issue that needs to be considered because, around the Territory in recent months, we have had a spate of what are called law-and-order issues. When there is a law-and-order issue, politicians detect in the community a concern that the place is not as safe as it ought to be. That concern may be realistic or it may be unrealistic. I remind honourable members that, in the work of the National Committee on Violence, the studies showed that a perception of danger was not necessarily correlative with actual danger. When, as community leaders, we talk about a law-and-order issue being a political one, we have an obligation not to raise community fears unreasonably, and not to indulge in the kind of knee-jerk reaction that comes so easily in that context. There is a very justifiable demand that wrongdoers be punished and be seen to be punished, but I think that there is a real danger of public debate of that kind getting entirely out of hand. We have a duty to approach those issues and to deal with them responsibly.

In view of the Mulholland inquiry that is under way, I will not comment extensively about the provisions in respect of the police force, but I will reflect a concern that has come through to me in respect of the promotion system within the police force. Rather than go into that deeply, I will note that the Chief Minister said in his statement that the Northern Territory police 'have operated under a merit promotion system for some years' and that the 'approach used here in the Territory is very largely in line with the Fitzgerald recommendations'. He said that he sees 'no requirement for significant changes in this area'. I am aware of some disquiet in this area. It is not simply a question of disgruntled would-be promotees. A concern has been expressed in this regard and I would be very interested to hear the view of the Police Association and whether it shares the confidence that the Chief Minister evocated in his statement.

I welcome the tabling of the Fitzgerald Commission Report. I believe that it is very appropriate that this report be tabled in every parliament in this country and I would be very surprised if it were not. It examines deep issues involved in the separation of powers which, of course, were not understood by the former Premier of Queensland, Joh Bjelke-Petersen, a fact that makes one shiver for the state of democracy in that state and which should be a lesson to all of us. He is a man who achieved demagogic status and, like many of the ancient Greek demagogues, he suffered from a lack of capability and perspicacity. I think it was a triumph that the system was able to bring that state of affairs to an end in due course.

With those comments, I recommend to the government, to the Attorney-General and to the Chief Minister that the debate not be killed here but that the officers to whom I have referred be requested to report to the parliament in appropriate forms.

Mr MANZIE (Attorney-General): Mr Speaker, I apologise to the member for MacDonnell for not realising that he expected me to respond before he spoke. I note from the Notice Paper that the matter was adjourned by the Deputy Chief Minister, and I apologise for any inconvenience that I may have caused to him through his being called on to speak before he had expected to.

Mr Speaker, I rise to support the Chief Minister's statement on the report of the Fitzgerald Inquiry. I believe his comments provide a balanced assessment of the report in terms of the aspects that warrant consideration

in the Territory context and the aspects that are relevant solely to the Queensland situation. It is worth while quoting from the Chief Minister's statement:

> By careful examination of the range of issues identified in the Fitzgerald Report, and by following its chain of analysis, one can easily understand why the centrepiece of the recommendations is electoral reform. Put in its simplest form, the key proposal seems to be that an electoral system which makes it almost impossible for the people to change the government, and in which the government can hold office even when it has lost the support of the majority of its constituents, will provide a breeding ground for nepotism, obsessive secrecy and non-accountability which, at the extreme, lead to corruption.

I am sure that no member of this House nor indeed anyone in the Territory would suggest that our electoral system is one which is not designed to provide for one vote, one value. Indeed, ever since self-government, we have gone through a process of electoral redistribution before every Territory election to ensure that that process is maintained.

The comment made by the member for MacDonnell along the lines that public servants are CLP cronies, members or sympathisers was very unfortunate. It was an untrue comment and I suppose it reflected a perception that members of the opposition have of how they think it is actually done. It is rather frightening that that is a perception that they carry. If the remote possibility of their ever coming to power were to materialise, they would be coming in with the perception that they should remove all those public servants who do not sympathise with them. Already, the Leader of the Opposition has announced publicly that that indeed is what he would see happen.

That type of comment and attitude must cause great concern to people of all political persuasions in the Territory because, under the Westminster system, the political beliefs and directions of any public servant should not impinge on his role as a public servant. Indeed, I am sure that many members of this Assembly and others in the Territory know of many people in the public service, the teaching service and even in the police service who are of a different political persuasion to the government yet who not only do an excellent job but also go through the normal promotion processes and are not impeded at all because of those beliefs. The inferences that have been made are most unfortunate and I believe they are not worthy of members opposite.

I think also that the comment that the government is making a knee-jerk reaction in relation to conveyancing was most unfortunate. Nor was it correct to say that I had not yet heard from the Land Law Review Committee, having provided that committee with a reference seeking an assessment of the situation in relation to conveyancing. Perhaps the problem lies with the source of the member for MacDonnell's advice. Unfortunately, one group that was a member of that committee, the Law Society, pulled out before the committee made its recommendations. The society would not have been aware that the committee has reported to me and, if it had been advising the honourable member, that would explain the problem.

Mr Speaker, I do not propose to cover the same ground as Chief Minister, other than to state that I support his assessment of the Fitzgerald Report, including the potential traps and the lessons learnt, which we would be very wise to heed in the Territory. A matter raised by the Chief Minister on

which I do wish to comment briefly relates to the so-called whistle-blowing legislation. Mr Fitzgerald commented that honest public officials were the major source for the information needed to reduce maladministration and misconduct. He noted that such public officials would remain unwilling to come forward with such information until they were confident that their careers would not be prejudiced by their so doing. Mr Fitzgerald recommended a form of whistle-blowing legislation which would prohibit any person from being penalised for making accurate public statements about misconduct, inefficiency or other problems within public instrumentalities.

In his statement, the Chief Minister indicated that this government had nothing to fear from that sort of legislation, although it might be more appropriate to see such action taken on a national basis. Accordingly, I have successfully sought to have the issue of whistle-blowing legislation placed on the agenda of the Standing Committee of Attorneys-General. While, initially, some states indicated concern at the proposal, it is still before the committee. At present, we are waiting for a report from the Queensland Attorney-General to the committee to enable the issue to be considered further. I will keep honourable members informed of further developments.

Another point that I wish to raise in this debate concerns the Police Powers Review Committee. In referring to Mr Fitzgerald's proposals for a comprehensive review of police powers in Queensland, the Chief Minister indicated that the Solicitor-General might take over the chairmanship of this committee. This has now occurred. Further, the committee's first report has been received and, as honourable members would be aware, is presently before this House.

I believe that it is important, when considering Mr Fitzgerald's report, to look also at the underlying reasons as to why things have gone wrong in Queensland. There seems little doubt that a wide section of the community perceived that the principles of responsible government and the conventions which give rise to those principles were not being adhered to. In order to consider this issue properly, it is important that honourable members and the community have a reasonable understanding of what conventions such as the separation of powers and the rule of law actually mean.

The doctrine of the separation of powers, as it is generally understood, depends firstly on the proposition that the organs of government fall under 3 categories - namely the legislative, executive and judicial - and on the principle that none of the branches of government should seek to interfere with or seek to influence the exercise of the powers and responsibilities of either of the others. The underlying intention is, of course, to provide a system of checks and balances in the exercise of government power. This doctrine arose out of a misunderstanding of the British Constitution by a Frenchman called Montesquieu. His doctrine of the separation of powers said, firstly, that the 3 different types of power should be exercised by 3 different organs of government and, secondly, that persons belonging to 1 organ should not belong to another. As one constitutional writer has said, the basis of the Montesquieu formulation of the doctrine was the idea that a concentration of different sorts of power in one body or one person could easily lead to abuse of that power, whereas a complete separation of the exercise of powers would enable each of these 3 bodies to check the exercise of power by the other 2.

In theory, the legislature has the power to make the law, the judiciary has the power to interpret the law and the executive has the power to carry out the law. Neither the judiciary nor the executive makes the law. The legislature does that. Neither the legislature nor the executive declares

innocence or guilt under the law. The judiciary does that. Neither the judiciary nor the legislature executes and maintains the law. The executive does that. In practice, the doctrine as proposed by Montesquieu has never been applied properly to the British Constitution or in Australia. It has been said that the most notable deviation from the doctrine is that which flows from the Westminster system of responsible Cabinet government. In the Cabinet system, the executive government is in the hands of ministers of the Crown who are appointed from among members of the party which has a majority in the parliament, or in the Lower House if there are 2 Houses. The ministers are part of both the executive and the legislature. Obviously, the Cabinet system breaches the rule that persons belonging to one organ of government should not belong also to another.

Mrs Padgham-Purich: That is only Montesquieu's rule.

Mr MANZIE: It is the separation of powers.

Ironically, while the Cabinet system is the most obvious breach of the doctrine, it is justified and applauded on the basis that it enables the parliament to keep a check on the executive via the principle that ministers of the Crown can no longer hold office if they have lost the confidence of the parliament. In theory, the doctrine breaks down also to the extent that the executive engages in a kind of law-making. This arises from the practical necessity, in this day and age, of giving the executive the power to make subordinate legislation. However, none of this means that the underlying thrust of the doctrine is not important to Australia or to the Northern Territory. On the contrary, it is of very great importance. In particular, it is vital to ensure that the independence of the judiciary is maintained.

It has become fashionable to ask, particularly of politicians, what is meant by the doctrine of the separation of powers. It is not so fashionable to ask what is meant by the principle of the rule of law. I suspect that the reason for this is that very few people are familiar with the term, and even fewer know what it means. Nevertheless, it is probably more important to understand what the rule of law means than it is to understand what is meant by the separation of powers. In essence, the term 'the rule of law' is a reference to some of the fundamental principles of law which govern the way in which power is exercised. First of all, it is fundamental that all persons, however high or low and regardless of race, politics or religion, are subject to the ordinary law of the land as administered by the ordinary courts of law. In short, there must be equality before the law.

A second feature of the rule of law requires that the powers of the Crown and all its servants shall be derived from law, clearly delineated by legislation and the judicial decisions taken by independent courts. This needs to be contrasted with a different regime in which a government can exercise powers which go beyond the reach of the law. The dictator or totalitarian government can make decrees, confiscate lands and property and lock up political opponents without fear of challenge, with the exception, of course, of revolution or assassination.

In contrast, at the heart of our system of government lies the rule that no one - from the Chief Minister down through the ranks of ministers, secretaries of departments, directors and the police - can do anything that affects the individual, his property or his freedom, unless they can point to some specific provision of the law which authorises them to do so. If they cannot claim such authority for their acts under legislation, they can

be sued in the courts and can be compelled to put right what they have done or to pay compensation for the wrongs that they have done.

The third aspect of the rule of law is less easily understood by strangers to the legal system. However, it explains why, in the absence of elaborate written rules, Australia enjoys a reputation as having a free and open society compared with many others. Over the years, the courts have protected the rights and the freedoms of individuals. They have also checked the growth of state power and dealt professionally with its abuse. This has been achieved because of the respect accorded by those in power to landmark judicial decisions as a result of the attitude and influence of judges, lawyers, parliamentary counsel and legal advisers, who are characteristically conservative and jealous of well-established legal rules.

Of course, in all of this, the independence of the judiciary is of supreme importance. It is made up of 2 aspects - constitutional independence and independence of outlook. These 2 aspects are closely interwoven. Collectively, they make up the concept of judicial independence as we know it. This independence arises firstly from the method by which judges are appointed. Great care is taken to appoint only those persons whom it is known will enjoy the support and respect of existing judges. In addition, only persons with set minimum qualifications may be appointed. Secondly, and most importantly, judges have security of tenure of office. They can be removed only on an address from the Legislative Assembly, and then only on the grounds of proven misbehaviour or incapacity. A judge enjoys immunity from legal process in respect of acts performed while sitting in his or her capacity as a judge. Last, but by no means least, no member of the Legislative Assembly may use offensive or unbecoming words against, or cast reflections in debate on, the conduct of a member of the judiciary. To quote a ruling given in the House of Representatives: 'From time immemorial, the practice has been not to allow criticism of the judiciary. The honourable members can discuss the judgments of the court, but not the judges'.

There is no question that not only are these principles enforced in the Northern Territory but that also they are respected by all levels of our administration. No one should suggest that there has been any breach of the separation of powers, as it is publicly understood, or of the rule of law. There is no Queensland-Fitzgerald situation in the Northern Territory, either in public perception or in fact. Mr Speaker, I support the statement.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to comment on certain aspects of the Fitzgerald Report. When the report first came down, I did not comment on it for 2 or 3 weeks. When I commenced to comment on it, I did so quite publicly. In hindsight, there are certain aspects of the Fitzgerald Report which ought to be highlighted, particularly as they relate to the Territory today. One of the things that Fitzgerald has done is to change the attitude of the Australian community towards the police force, government, politicians and the administration of justice. Whereas, until the Fitzgerald Inquiry, many people in Australia might have had quiet confidence in the police, the government and the administration of justice, in many cases, that confidence now has been quite seriously dented. People who have followed the Fitzgerald Inquiry over a period are more liable to believe any adverse stories they hear about politicians, the police or the administration of justice than perhaps at any other time in Australia's history.

If one looks back, one sees that all this started with some pretty simple allegations. As I recall it, the Fitzgerald Inquiry was commenced

because a couple of senior police officers and politicians put their hands up and said that there was no prostitution in the Valley. The next thing we knew, prostitutes were appearing on television saying: 'Here we are. What are you going to do about that?' From that point on, the Fitzgerald Inquiry gained enormous momentum. Once the government conceded there was a need for an investigation and Fitzgerald was given power, all sorts of information emerged that generally shocked the state of Queensland. It is a matter of historical record that the subsequent hearings of Fitzgerald and his findings were responsible for the downfall of the government. One of the causes for that was the very painful way in which the extraction process took place. In the beginning, it was a case of 'it could not happen here' and 'we did not do it' and 'it is everybody else's fault'. However, Mr Fitzgerald worked his way slowly through the evidence and the submissions until it was pretty obvious that some people had not been abiding by the law or the standards expected of people in government. The rest is quite common knowledge. I would like to touch on a couple of points.

Firstly, there is the issue of prostitution. This matter was discussed on one of the last sitting days last year as a result of a paper tabled by the Attorney-General which resulted from the Fitzgerald findings. We have all taken great pride in the fact that the prostitution industry has never been 'a problem' in the Territory. However, we have always had the sneaking suspicion that there should be some control over it. The allegations made on the 7.30 Report the other night really highlighted the need for the parliament to address itself to the issue of legislation covering prostitutes. As I recall, the other night, the prostitute called Rhonda said that she was given permission by the police to practise her profession in Darwin on the basis that she reported information. She went on to say that she had a sexual liaison with a policeman and that, as a part of that relationship, a policeman asked her to sell drugs to another policeman so that he could be put in a compromising situation.

That allegation - and it is simply that at this stage - is the sort of thing that confirms the worst fears in the average person in the community. It is the sort of thing that you think can happen, but you do not really want to know if it happens in your police force or your community. You think to yourself: 'If this is the real thing, what is going on?' We cannot dismiss the fact that it does happen because Fitzgerald has just spent 2 years unravelling it in Queensland for everybody to see. I am of the view that, whilst we have been taking a pretty measured approach to addressing the prostitution industry and the way it should be controlled or oversighted, there is probably a very good argument for that consideration to be accelerated and for certain regulations to be put into place.

In the previous debate, I think we agreed that it was inappropriate for the police to be put in a position where, without the power of law, they were making decisions about who would be permitted to remain in the industry and who would be sifted out because of drug problems or whatever. If we are to have controls on the prostitution industry, and if police are to be involved in the regulation of the industry, as it appears they already are, they certainly need the power of law to give them the authority they require to do what has to be done.

The Fitzgerald Report has set the scene for how inquiries into police misconduct are likely to be undertaken around Australia in the future. It is an historic benchmark. It might take us some time to address that and admit it, but that is where we are at. As I said publicly the other day, I commend the Chief Minister for appointing Mr Mulholland to examine the problems that we have in the Territory. The Commissioner of Police is on

record as saying that he thought that Mr Mulholland was a good choice because of the sensitive nature of the files that are being investigated. However, once a person of stature was appointed to review the files, that gave the files and the cases involved the same significance as those issues that Fitzgerald had been considering in Queensland. Having appointed Mr Mulholland, the proper course is to deal with the matter in a public way so that people feel that all is aboveboard. The powers provided to Mr Fitzgerald were most significant in enabling him to carry out his task. In the end, and after a great deal of pain, the Queensland government agreed that Fitzgerald should have powers given to him by the parliament to call witnesses, seek information and do a whole range of things. Included in that was the power to give to witnesses indemnity against prosecution.

The reason that I raised that is that, if we are to have any sort of police inquiry in the Northern Territory and we give Mr Mulholland anything less than the powers that Mr Fitzgerald had and that he has been working with in Queensland, it will be seen by the public in the worst possible light. At the end of the day, the big losers in all of that will be the members of the police force, because they will be regarded as having been involved in a whitewash. Whatever the realities of the allegations are, the damage that has been done publicly is quite enormous. We would not be doing ourselves any justice at all were we to be oblivious to that. Given that that has happened, the powers provided to anybody making an inquiry into such allegations in the Territory should be, at the least, similar to those that Mr Fitzgerald had in Queensland. I would say to the Chief Minister that my view - which I have expressed publicly and which we do not necessarily agree on - is based on what the public is expecting, and that is to have the whole matter put to bed in the best possible light.

The Attorney-General referred quite extensively to whistle-blowing legislation. I have written to America and obtained some papers on such legislation. It is really quite interesting. Some states think it has worked well and other states think that it has not worked satisfactorily at all. Whistle-blowing legislation enables public servants or others to blow the whistle on impropriety which they believe is taking place in government without fear of retribution against themselves. It is hard to imagine just how it might apply here. However, after watching the 7.30 Report the other night, Sergeant Wren probably gave a fine demonstration of exactly why we need whistle-blowing legislation. Whatever the merits of the circumstances of his case and the legitimacy of his complaints, the reality was that, at the end of the day, he was so frustrated that he took his case into the public arena and did what he felt he had to do to try to get action.

If we had whistle-blowing legislation, people like Sergeant Wren could have their complaints dealt with under that legislation in a formal way and at a senior judicial level. If there were substance to it, certain things might occur to rectify the matter. If there is no substance in the complaints and it is shown that the complainant is paranoid or unreasonable in his approach, or lacks understanding, that can be sorted out at the time. After watching that show the other night, one can see the merit of having whistle-blowing legislation because it allows the letting-off of steam and the setting right of the record to be done in a formal and judicial way that is probably more productive than the options that are available to the aggrieved people at the moment.

Another issue that I would like to touch on is the separation of powers. The member for MacDonnell said that he did not think that the Premier of Queensland understood the separation of powers. I would have to give the former Premier more credit than that. He might have given the

impression that he did not understand it, but I am sure that you could not be a Premier for 20 years and in government for 40 years without having a pretty neat understanding of the separation of powers. The fact that he did not apply it does not mean that he did not understand the principle. Therein is a problem in itself. That issue is one that will bedevil us. One of the characters in the 7.30 re-enactment made the statement that, if there were any problems, he would get his friend in government to fix them up. In the 7.30 Report, Rhonda alleged she was taken to the station and later interviewed by 2 interviewing officers at Berrimah. One of them said: 'Would you be prepared to talk to a politician about this to try to get an understanding of our case'? I think that that is how it went and I am prepared to be corrected if I have misrepresented that. If those things were said, either by the policeman who was having the liaison or by the interviewing officer, I would be the first to concede that the politician probably had no knowledge at all that his name was being used by other people in that context. However, since those allegations have been made, someone now has to sort out whether there was knowledge.

Mr Perron: What is the allegation?

Mr TUXWORTH: The first allegation by the program was that the policeman who was having a liaison with the prostitute said that if there was a problem, he would talk to his mate in the government. The second was that the interviewing officer at Berrimah asked Rhonda whether she would be prepared to talk to a politician.

What I am saying is that those 2 officers used the name of a politician in reference to what they were doing, implying that they could gain some advantage for her or protection or whatever. I am saying that it is highly likely that those 2 officers made those statements without the knowledge or consent of the politician. However, because those allegations have been made on the 7.30 Report, the implication is now very strong. It is commonly discussed in the community that there is a connection between the police and the executive and that, if you need to get a problem fixed, some people who have contacts in the right place can fix it.

Mr Setter: That is a hypothetical re-enactment. The actual allegation was made by whom?

Mr TUXWORTH: Mr Speaker, I accept the interjection from the member for Jingili, and that is really my point. An allegation has now been made very publicly that implies that there is a connection between the public service and the executive which could be construed only as an unprofessional relationship. It is one that, in my view, the politician has probably no knowledge of. I believe that the way that that was put together, the reconstruction and the allegation implied a situation of gross impropriety. If those allegations are true, and it is a matter for somebody to establish that, then there is a serious problem. I come back to the point that that issue is something that, in my view, Mr Mulholland will have to sort out here just as Fitzgerald had to sort it out in Queensland, and it is probably more appropriate that Mr Mulholland be given the power to do that rather than a watching brief on it.

I may have a different view on this than others have, and I accept that that is likely. Nevertheless, the implications and the allegations have been made. They are most public. There is great discussion in the bars, the shops and the workplaces about who are the personalities referred to in the 7.30 Report and, as some people have said, innocent characters are receiving a fair bath when probably they should not have to or ...

Mr Perron: Do you want to give them legal protection to make the statements on a witness stand?

Mr TUXWORTH: Mr Speaker, if I could pick up the interjection by the Chief Minister, it could be that, if Mr Mulholland is given the powers and status, he may be able to prevent the publication of names that he feels have been raised unreasonably in the course of his inquiries. That may be an important ability that Mr Mulholland should have available to him, and I ask the Chief Minister to consider that point. That is one of the reasons why I think Mr Mulholland should be given more status.

The issues raised in the Fitzgerald Inquiry are so voluminous that we will be talking about them for years, but there is no doubt that the Fitzgerald Inquiry has now put a stamp on Australian society as to how impropriety in police forces, government, the judiciary or whatever will be handled. If complaints are to be handled with anything less than the thoroughness with which Mr Fitzgerald handled his inquiries, then the public will be very wary of the considerations that any inquiry has. I have no doubt that we will be talking about this again as the days go on and the Fitzgerald name will be raised 100 times over.

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

Mr EDE (Stuart): Mr Speaker, I will be brief. It is all very well to talk about the Fitzgerald Inquiry and to debate it at length, but let us not believe that, by debating this issue we, or specifically the Country Liberal Party government, will convince anyone in the Territory that this government stands behind the reforms he espoused. Now allegations have been made in the public arena and a review is to be carried out by Mr Mulholland of Queensland. The Chief Minister can call it an inquiry, but it is simply a review of files at this stage.

The public will assess the commitment of the government to the reforms recommended by Fitzgerald, and people will base their views on how this government treats the current allegations. If we do not have a full and open inquiry, with all the normal powers available under the Inquiries Act, the Chief Minister may say what he wishes to this House about the Fitzgerald Inquiry because people will not believe any of it.

Mr PERRON (Chief Minister): Mr Deputy Speaker, certainly this is a somewhat topical debate in the Northern Territory at present. I would like to close by touching on matters that were raised, primarily by the member for Barkly, but referred to also by the member for MacDonnell. At the outset, I must say that it is amazing that honourable members opposite should suggest that the situation in the Territory today is akin to the situation which led to the formation of the Fitzgerald Inquiry. I was not a close watcher of the media at the time, but my understanding of the lead-up to the Fitzgerald Inquiry was not simply that officialdom was saying that there were no brothels in Queensland and then a couple of prostitutes appeared on a television show one night. As I understand it, that is not what led to the inquiry.

Widespread, institutionalised corruption had grown up over a long period in Queensland. Fitzgerald said that, in his view, that emanated from an unfair electoral system which enabled a minority of people in the state and, indeed, in a particular section of the state, having regard to the nature of Queensland's electorates, to ensure that government was maintained despite widespread dissatisfaction. That situation led to a very long and comfortable term in office during which the government could almost do no

wrong. It had been going on for years, with neon signs at the brothels, newspaper advertisements and so on. There was nothing subtle about it. The system was quite well known. Cabinet deliberated on the appointment of teachers to schools in remote areas and, presumably, on the appointment and postings of other public servants and police. Those sorts of things were not denied. I can recall that government admitting that it became involved in those levels because it believed that was a responsibility of government. Was there organised crime in Queensland? Of course there was.

To relate that situation, which emerged over a long period, to the Northern Territory is amazing. Even honourable members opposite have acknowledged that the Northern Territory has an excellent police force and an absolutely top Commissioner of Police who has everyone's respect. In my view, every reasonable person who knows him, and even those who do not know him personally, have respect for our Commissioner of Police. He is an outstanding man and every state in Australia would dearly love to have him in the senior echelons of their police force. We can be very proud that he is a man prepared to stick to the Territory, and that is important.

The member for Barkly said that what we have seen in the Fitzgerald saga is how inquiries into police matters should be handled in the future. If that is correct, I think that it is a terrible shame. If we are to set up a full and open public inquiry which, among other things, is enormously expensive, every time that there is an allegation, even with some substantiation, that a police officer or a couple of police officers are involved in misconduct, that will be a step backwards. There has to be some faith in the systems that are in place. One of the problems in Australia today is that, because of trouble in police forces around the nation in past years, there have been moves to establish special oversighting units, comprised of an elite of trusted persons, because the organisations cannot be trusted. It is not known where the information is going, whether it is being leaked or whether protection systems are in place, and therefore these elite organisations are established. After a time, it seems that there is a taint about them and therefore others are established.

In Australia, we have 2 bodies, the ABCI - that is, the Australian Bureau of Criminal Intelligence - and the National Crimes Authority. These were established to provide an overview and they are comprised of hand-picked persons. And what do we find? There has been rumour and innuendo about the National Crimes Authority of late even though it has not been in existence for very long. It is being questioned already, not so very long after it has been established. Already, it is being questioned.

The answer is to have police forces that control themselves internally, efficiently and with integrity. Wherever trouble is identified in such organisations, it is rooted out ruthlessly forthwith even to the point - and an instance of this created somewhat of a storm yesterday - where a police officer, who has been charged with an offence of which he may be acquitted, should be dismissed if it is considered that he is unsuitable for the force. Enormously high standards are demanded of police officers by the community because they are in a position of trust. They are not judged on the basis of reasonable doubt. For a police officer, a further judgment can be made that, despite the fact that a case is not proven beyond reasonable doubt, that person may not be suitable to continue as a police officer. That is what Fitzgerald talks about in quite a few sections in his document. Unfortunately, I do not have it here, but some of the items were quoted in my answer to a question this morning. This morning, after question time, I made some inferences that there are basically 2 rules in

the system, and the rules for police are tougher than the rules for the rest of us.

We need police systems in which we have confidence so that we do not need to set up a separate oversighting body as a permanent feature, a body said to be the only group in society that can be trusted. The police force should be trusted by the community and, in the Northern Territory, there is no reason whatsoever for anyone not to have total confidence in our police force. Even if every allegation that has been hinted at on television during the last week were true, there is no reason for us not to have complete confidence in the Northern Territory police system. As I said the other day, it is not the great media expose that has caused this inquiry. These investigations were instigated by police. Some aspects are based on information from outside which then gather momentum inside as the police investigate the various leads. The media is weeks behind the police in these matters. The community might think that the media is leading the issue and that everyone is scrambling along behind, but that is not true at all. As I said today, if there is a police culture in the Northern Territory, it is not a culture of closing ranks, refusing to testify against each other and protecting each other in every way. It is a culture that roots out the bad cop when he is there. That is why we should have confidence in our force.

This is not the first time that police officers have been examined closely and have left the force or, in some cases, have been dismissed for misconduct. Those instances did not result in any calls for inquiries. I suppose that is because the media did not suss them out. Had it done so, we would have had media exposes whenever internal investigations were under way. It just happens that, in this case, apparently there has been considerable gossip around town. Investigative journalists have been tracking down people who are prepared to talk on air, as is their right as Australian citizens. Let us keep all this in perspective. We have heard expressions of general confidence in the police force, even from spokespersons like the Leader of the Opposition and the member for Barkly. Both have expressed confidence in and respect for the Police Commissioner. Neither has said a word against the Ombudsman and I guess that they have confidence in him and his integrity. Together with others, they have both applauded the standing and integrity of Mr Mulholland.

Notwithstanding that, the Leader of the Opposition and the member for Barkly are prepared to say publicly that it is not good enough for all these fine men to take charge of investigations and to follow them through to the point at which charges are laid or allegations are found to be proven or unproven. That is not good enough for them. What sort of confidence does that indicate? How can they express confidence in a Commissioner of Police and an interstate QC whilst maintaining that they will be satisfied only by a full and open public inquiry? Is the member for Barkly saying that, whilst he has confidence in the Commissioner of Police, the Ombudsman and Mr Mulholland, his constituents are unhappy and he is reflecting that unhappiness? If that is what he is saying and if that is what the Leader of the Opposition is saying, they are doing the Northern Territory an enormous disservice because it is they who are fuelling any uncertainty which might exist in the community. It is they who are attempting to shake public confidence in the police force and the Commissioner of Police. They should use the strength of their positions in the community to indicate that they are satisfied that these are men of high integrity and that, if anything is wrong, they will find it and, if they believe that they do not have the powers to find the truth because a few people will not answer questions, they will demand more powers or the establishment of a Royal Commission. If

I receive such an approach, I will act on it. I gave that undertaking the other day although I should not have had to give it. Mr Speaker, can you imagine a Chief Minister who would tell such people to go away on the basis that they were making too much of a fuss? He would not last 5 minutes.

The Leader of the Opposition and the member for Barkly have a responsibility to the community to uphold those institutions which are worth upholding, not to make them shake. However, what do we have? On the basis of an item on the 7.30 Report last Thursday night, the member for Barkly stated that he believed that we are about to witness a major revelation about corruption in the Northern Territory involving the government and the police and that, if that is the case, Mr Mulholland should be given the powers of a Royal Commissioner. That is an irresponsible statement from a man in the member for Barkly's position who saw a television report which was grossly dramatised and was the testimony of 2 aggrieved persons. Is that an indication that we are about to see a major revelation about corruption involving the government and police? The Leader of the Opposition went even further. In his first question in the Assembly this week, he said that there is a 'storm of corruption allegations gathering over the Northern Territory'. Despite the politics and our differences across the floor, it really disappoints me that these 2 men are acting in this way.

The media played its part, particularly the 7.30 Report which seems to repeat the word 'corruption' constantly in its programs. Even the NT News begins articles with reference to 'inquiries into police corruption'. It does not talk about inquiries into drug-related matters, one of which contains a specific allegation of corruption. No, it is all corruption. I think that it is a terrible shame that we have arrived in this present situation. However, the situation is by no means irretrievable.

I shall stick to my contention that Mr Mulholland has been given a very broad brief. He is a man of enormous standing and he is certainly not going to have that standing jeopardised by failing to handle this reference properly. Clearly, its broad terms will enable him to go public at any time should he believe that anyone, from the Chief Minister down, is obstructing him or if he believes that this web leads to areas which may require the application of greater resources than the Northern Territory Police Force can muster. In such circumstances, he will make his concerns known. Whatever he recommends, I have undertaken to put in place. Why isn't that sufficient for the Leader of the Opposition and the leader of the Territory Nationals? Why will they not indicate that the mechanisms which the government has put in place may be satisfactory, but that they will monitor them very closely. That would still enable them, if they were dissatisfied with the outcome in terms of the laying of charges or whatever, to argue that the process was a sham and that a full inquiry was necessary.

Why not give the present process a go? The institution which is being threatened is the police force. Even the Police Association is concerned. I can assure you, Mr Deputy Speaker, that neither politicians nor Commissioners of Police tell the Police Association what to do. Its members are their own men, and rightly so. With no prompting whatsoever, it stated the other day that it thought that what had been put in place was appropriate. I had thought that might have had an impact on the members opposite. At this stage, the Police Association opposed a full and open public inquiry, as indeed it should.

There has been no aspersion cast on the entire police force, as occurred in Queensland, where there was trouble at all levels from the street up.

There is none of that in the Territory. There are 700 people in our police force and only a very few have been the subject of allegations. I will not put a number on it in case someone says that I stated that there are 3 when, in reality, there are 4. Our police force has an excellent record of cleaning the dirty washing out of the cupboard. Is that a reason to cast aspersions on the entire police force? Not at all. Nevertheless, the Leader of the Opposition, who said he is standing up on behalf of the rank-and-file police officers who are having their names besmirched, wants to protect them by a full and open public inquiry. It is a shame that he did not pick up the phone and talk to the Police Association first to ask what it thought of the line he intended to take on behalf of its members. Clearly, he would have been told that, in its interests, he should take another course. The Police Association is not interested in the government's standing or interests. It will be continue to exist whichever government is in power. It is interested in its members, and so it should be. The people who are being investigated are members of the Police Association.

Mr SPEAKER: Order! The Chief Minister's time has expired.

Mr SETTER (Jingili): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Chief Minister from speaking for such time as would permit him to conclude his speech.

Motion agreed to.

Mr PERRON: Mr Speaker, it is not too late for honourable members opposite to reconsider their position. In the interests of the Northern Territory Police Force and our institutions, which are of high standing, it would be appropriate for them to say that they are prepared to ride with the current arrangements until their conclusion, whilst reserving the right subsequently to make further judgment and say whatever they like. It would be doing the police force an enormous service if they would do that, and I am not saying that just so that the media will say, 'Perron won the day'.

Mr Speaker, why should I worry whether there is a full and open public inquiry? Why am I taking this line? I am not going to go to jail. I am clean. Why don't I avoid all the fuss and innuendo, and say: 'All right. We will spend a couple of million bucks and let people get up on the witness stand and cast aspersions on other people'. The media would have a field day. It would carry on for 6 months or a year and have all its work done for it. Media members would not have to sit in here and try to turn our utterances into something worth while. They would love it.

Mrs Padgham-Purich: You would lose government.

Mr PERRON: I do not know whether I would lose government. Perhaps I would. But, I am saying that I am clean. There would be no skin off my nose. It would be a bit hard on the budget, but that would be too bad. The reason that I do not want to go down that route is because it is totally unnecessary. It is unwarranted, and it would cast aspersions on our police force and our institutions. No one talks much about the Ombudsman. Our legislation led the states in establishing the office of Ombudsman. It was revolutionary and socially progressive. It is an independent position with great powers. The Ombudsman can walk into Territory government offices and local government offices and seize filing cabinets. The Ombudsman can question public servants under oath. He has enormous powers, and he reports directly to parliament. He is appointed after consultation with the opposition. He is not a lackey of the Chief Minister. No one puts a sock

in his mouth. He has an important organised procedural role and is involved in joint investigations into complaints against the police. Do not cast him aside as if he were totally irrelevant, as if he were not there and he did not matter. Do not cast the Commissioner of Police to one side and say: 'We think he is a lovely fellow. He has a good reputation, but a full and open public inquiry will not do the Commissioner of Police any harm'. Do not do it to him. That is what I am saying. It is not necessary. It is not called for.

What about Mulholland himself? He is acclaimed universally. We can be thankful that there are such people in Australia. No one has a bad word to say about him. He is beyond reproach. Certainly, these 2 people are under enormous scrutiny - 1 blink sideways in the wrong place and a reputation will be destroyed. We asked Mulholland to accept a commission from the Northern Territory government to look into very sensitive matters. Would he take that commission if he felt that someone would snow him? Suggestions have been made by the Leader of the Opposition that Mr Mulholland will have only the files that the police send to him, and who is to say that those files are complete? That is exactly his job. He will tell them if the files are not complete. He is nobody's fool. No Territory policeman will snow him. I say to the Leader of the Opposition that, if he is prepared to support him, at least give him the credit to complete his charter. Then, if he believes that he has destroyed his reputation, he should tell him so: 'You really blew it this time, Mr Mulholland. You took on something that you could not handle'.

Let us keep the matter in perspective. It is really very important and I plead with my colleagues opposite. We cannot run government in the Northern Territory by the media. We cannot run an enforcement system by the media. We have to differentiate between unsubstantiated rumour and innuendo, which is third hand or 94th hand by the time it goes to air, and allegations made by people who are prepared to be interviewed in private by an appropriate person and have their complaints recorded for follow-up. That is how the investigatory policing system has to work.

What do we do after a full and open public inquiry when another group of people make allegations to a journalist? Do we do it all again because allegations were missed or were generated since the last inquiry was completed? Let us have some faith in the system. There is no reason why we should not have that faith in the system in the Northern Territory. I thank honourable members for their tolerance and for the granting of an extension of time to allow me to complete my remarks.

Motion agreed to.

MOTION

Noting Ministerial Statement on the Crocodile Industry

Continued from 30 November 1988.

Mr EDE (Stuart): Mr Speaker, there is no doubt that crocodiles generate big money and have the potential to generate bigger money. The benefits that the crocodile has provided to tourism and trade in the Northern Territory have been quite remarkable. At one stage, the crocodiles and buffalo were the centrepiece of the wildlife that brought the tourists to the Northern Territory. For a while it seemed that, every time a person was taken by a crocodile, we could be sure that there would be an upsurge in bookings to the Northern Territory. Such was the fascination that crocodiles had for people. It was almost a vicarious experience seeing

crocodiles, watching them feed and watching them in the wild and at the crocodile farm.

Crocodiles are also part of an economic food chain. As honourable members may know, one of their chief sources of food is those hens that are finished as layers, which are provided by the egg producers in the Top End. I believe that those 2 areas of generation of wealth will pale into insignificance if the exotic leather industry is established fully. There is no doubt that the work that has been done with barramundi skin has set people back on their heels and has been quite startling in its effect. The fashion materials provided from that source have been quite remarkable. If the tannery is able to produce high-quality, crocodile-skin leather in quantity for sale around Australia, the Northern Territory will have a quite remarkable and very profitable industry.

As mentioned in the minister's statement, there are problems with federal regulations in respect of export. I believe that these have been largely resolved. There may need to be further refinements. Thanks are due to people like Dr Goff Letts and others for the work that they have done in that regard. I think that those regulations reflected a bygone age and one of the impediments has been removed. An association has now been formed by people involved in the crocodile industry to further their work. I have offered to meet them and talk about any problems. Again, that is a very positive step.

We have come a fair way from the days when people were saying that the crocodile would die out. There were unrealistic fears that they had been shot out to such an extent that the species would not recover. There is no doubt that there is a very substantial buildup in crocodile numbers right around Australia's north. In fact, they are moving south along the east and west coasts into areas where they have not been seen in such numbers since the turn of the century. I was talking to some people from Yeppoon in central Queensland. I remember marvelling as a child over an enormous crocodile that was displayed at an hotel at Emu Park south of Yeppoon. An incredibly large crocodile had been caught there before the war. It has since fallen to pieces. They told me that they are now seeing crocodiles in substantial numbers that far south again. In fact, they are worrying about the effect on the tourist trade. I am told that the same movement is occurring in Western Australia where they are finding them much further south.

Crocodile numbers are increasing at a quite substantial rate. That leads me to the belief that possibly the research that is being done on captive breeding may have to be examined if it does not produce some results soon. I am told that there are some problems that are quite difficult to address and it could be quite a long process. I see the honourable minister is shaking his head. He may have different information, but it would seem to me that, with the present number of crocodiles in the wild and given the removal of some natural enemies, there may be a danger that overbreeding will result. The use by the industry of harvested eggs and harvesting of young crocodiles from the wild may be a very sound practice ecologically and may enable us to control crocodile numbers.

It is being done at the moment by the Conservation Commission, but I note from a statement made by the honourable minister that he was talking of moving out of that because of the hidden subsidy involved in it. I would support steps to move to a full cost-recovery situation, but let us not do it so fast that, to mix metaphors, we kill the goose that lays the golden egg. Let us work at a pace which the industry can live with, and see

whether harvesting can be taken over gradually by licensed recovery agents. Licensing can be balanced against the fact that they can make a profit from it. I would not think they could make a profit from the recovery of eggs if they had to compete with the Conservation Commission, which we are told is doing it at well below cost. It may be that that is another aspect of the industry that may develop in time, with the Conservation Commission possibly moving out of egg recovery, and the licensing of people in certain areas to supply the industry, working under restrictions on the number of eggs that they can take.

We support this industry. It has enormous potential. As I said, the value-added component involved in the crocodile-skin industry is something we hope will go ahead apace, and I hope that the expertise that we develop in that line will see us become importers of skins from places like Papua New Guinea and from Queensland for processing. That should not stop at finished leather for export. We should then extend into manufacturing finished products, in the form of bags, shoes or whatever. Once we get that moving, even as other places have become centres for the diamond trade and centres for other value-added products, so we may become the centre for crocodile products.

I note that the statement spoke of selling grown crocodiles, and put prices on such sale. My only question would be whether that represents cost recovery in this exercise or how far the government has moved towards cost recovery. If it is to be a healthy and growing industry, we must move to full cost recovery very quickly. That will eliminate any need for hidden subsidies in various parts of the operation and ensure that institutionalised subsidies do not become entrenched. Such subsidies always pose a threat to any industry because they set up strange quirks within it and, if withdrawn, they can lead to its sliding backwards.

Mr Speaker, let us hope that, in this industry, we have something which will become a major money earner for Territorians. From my information, it appears that we may have stolen a march on the rest of Australia. Let us hope that we can keep our noses well in front and make this industry one of the jewels in the Northern Territory's development crown.

Mr HATTON (Conservation): Mr Speaker, this week, I was very pleased to receive a press statement issued by a Crocodile Specialist Group of the Species Survival Commission of the International Union for the Conservation of Nature and Natural Resources in Florida in the United States. The chairman of this group is Australian wildlife authority Professor Harry Messel of the University of Sydney. He endorsed the press statement which reads:

> The crocodile research results and expertise achieved in the Northern Territory are being widely used to assist conservation programs for other species of crocodilians in Africa, Asia and South America. The Chairman of the Crocodile Specialist Group, Professor Harry Messel said in Gainsville, Florida, today: 'When the pioneering survey work carried out by the University of Sydney in the Northern Territory was wound down, I was concerned about the long-term future both of research and the crocodiles there, but the NT government has accepted the challenge and now has consolidated one of the most progressive programs on crocodilians ever undertaken. It has set an example of responsible and practical conservation which other world centres are striving to follow'.

In congratulating the Territory on its achievement, Professor Messel made special reference to the dedicated work of Dr Graham Webb who is now Regional Vice-chairman of the Crocodile Specialist Group for Eastern Asia, Oceania and Australasia. Professor Messel emphasised that there are still many problems to be overcome in relation to crocodile management. However, he was confident that the Territory would play a continuing role in the research to address those problems. He said: 'We are dealing with the subject that is of importance both in conservation and in the economics of many developing regions'. Professor Messel was speaking at the largest meeting of crocodile experts ever brought together to discuss the problems of conserving, and utilising on a sustainable basis, the world's crocodiles, alligators, caymens and gavials. Over 300 scientists, farmers and administrators are attending the meeting of the Crocodile Specialist Group being held in Gainsville, Florida, this week.

I think the press statement confirms what this government has been saying for some time. In the Territory, we have developed a conservation program and an industry that is a model for the rest of the world, and we should be proud of it. This is an excellent example of sustainable development and it is proof that this government's commitment to responsible conservation management is not something that has emerged overnight. The recognition of the threat to crocodile survival that led to the cessation of shooting in the Territory in 1971 saw the beginning of population studies funded by the Territory. In 1978, immediately following self-government, the Territory government increased its research effort and established the long-term research consultancy by Dr Graham Webb which has placed the Territory in the forefront of crocodile conservation and management. As a result of this effort, it became obvious that, for conservation to be effective outside of national parks, the landholder would need to perceive some benefit as an incentive to keep the habitat. This has led to a deliberate effort to establish commercial crocodile farming from 1983.

Concurrently, the government worked to develop conservation management programs which would gain national and international recognition and acceptance to allow export trade. Acceptance by CITES, the Convention on International Trade in Endangered Species, was achieved in 1985, with the management program being accepted under Territory and federal legislation in late 1986. After many years of capital investment, Territory farms achieved their first export sales in 1987.

The Territory can be proud of the management programs which are widely regarded as the best examples of their kind. The purpose of the programs is to demonstrate and ensure that our 2 species, the salt-water crocodile, Crocodylus porosus, and the freshwater crocodile, Crocodylus johnstoni, are managed for their continued survival and that utilisation of the each species enhances their conservation. To achieve these conservation objectives, management programs were directed to ranching which involves harvesting from the wild as the preferred system. It would have been much easier to opt for closed system farming, as was done in Queensland, and so avoid much of the international scrutiny. However, this would have done little to ensure conservation of the population in the wild. By taking the hard option, we have achieved a positive conservation impact and have set the scene for industry expansion based on our natural resource. Consistent effort by the Territory government over many years has brought us to the beginning of a new phase in conservation and a wildlife-based industry.

Turning now to the future, I would anticipate that the 4 pioneering farms - Letaba Crocodile Ranch, Janamba Croc Farm, Crocodile Farms NT Pty Ltd and Lagoon Crocodile Holdings Pty Ltd - will continue to improve

their sales and establish solid commercial viability. There are now over 20 000 crocodiles on Northern Territory farms. The second management program, which came into operation at the end of last year, has set the scene for an expansion and diversification of the industry. New farms and ranches will be allowed, based on the availability of a sustainable resource. The domestic sale of skins and products will now be allowed which will enhance the prospect of onshore, value-added offshoots, and the conservation effort will be focused on habitat management. In the establishment phase, the farms concentrated on intensive farming practices, using stock harvested from the wild. These farms will be seeking now to establish successful on-farm breeding and improvements in the quality of stock. They are moving now into animal husbandry of the crocodiles to improve growth rates quite dramatically, and are already achieving some very significant farming improvements as a result.

The Conservation Commission has a number of proposals for consideration under a new program which involves a ranching approach through which wild populations are harvested for a sustainable output. A third style of operation, which may be very appropriate, is that Aboriginal communities could harvest the wild resources for the supply of eggs and hatchlings to the capital-intensive production farms. We already have a proposal for this which is being developed now by Yunupingu Enterprises, headed by Mr Galarrwuy Yunupingu on Gove Peninsula. That is a very significant development and one which provides the potential to allow the development of a major industry and employment generator on Aboriginal land.

Having said that, none of this will be easy, nor will it happen overnight. The Territory's wild population of salties is estimated at around 52 000 animals - about half of the estimated pre-shooting population. This is a limited resource and harvesting will take place only at levels where stock populations can be sustained. Crocodile farming requires very high levels of capitalisation and long lead times to achieve returns on investment. Our American alligator friends are fond of saying that, if you want to make $1m from crocodiles, invest $2m.

The industry is very much in its infancy at the moment. It is very small and it is vulnerable to the chilly winds of international competition and, more importantly, to international manoeuvring in political and commercial circles. Our industry development has been so successful and the salt-water crocodile's skin is so valued that we are achieving the top prices in the world for crocodile skins - something like twice the price per inch of any other species. Because they are harvested legally under the CITES, the market is opening up to us very widely. Other farmers, including the alligator farmers of the United States, are naturally quite nervous because, as our industry develops and expands, it has the potential to cut into their market quite substantially.

The Crocodile Industry Association tells me that, with planned management development, there is a potential to develop this industry to a harvest of 100 000 crocodiles per annum as well as the potential to develop further with the processing of the skins. That is already starting to be done in Darwin with the opening of the tanning operation. I had a recent opportunity to inspect the tanning operation. As the member for Stuart mentioned, work is being done on tanning of fish skins and snake skins at the tannery. Work is proceeding also with the full tanning of the hides of the freshwater crocodiles. Some are being mounted for display and sale. The back pieces of all crocodiles have been kept over the years. These are being tanned, polished and turned into tourist artifacts such as key rings

and wrist bands. They are becoming available already to the Northern Territory tourist market as a locally-manufactured product.

The full tanning and polishing of the porosus skins will not occur for a while. New equipment has still to arrive and there will need to be trials of the procedures for tanning and polishing. With such a valuable product, it is absolutely essential that the tanning process is carried out successfully to maximise the value of the tanning operation. Certainly, one could envisage that, within the next year or 2, we should have a very viable and growing tanning operation in that industry.

The risk is that over-enthusiastic or ill-informed people could destroy this industry which has a potential worth tens of millions of dollars to the Territory. The industry could be destroyed by people who choose to ignore the realities of the world today and who fail to recognise the environmental value of having the crocodile in the wild and as a resource for the tourist industry, and who advocate indiscriminate culling and shooting of the crocodile outside of any approved management plan. That would succeed in undermining the years and millions of dollars worth of research which have gone into developing the industry to this stage. It could be wiped out overnight by our losing approvals under the CITES for the export of that product because we had broken our own agreed management procedures. Any change to management arrangements must be approved by the Australian government and it can approve such a change only when it has been approved first by the International Union for the Conservation of Nature, IUCN.

It is not a matter of Territory politicians saying that we will do this, that or something else. If we want to maintain this industry, we must abide by the international rules. Those people who advocate shooting must recognise that they threaten the very existence of the crocodile industry in the Northern Territory. We have demonstrated that, when the commercial value of this wildlife stock is removed, there is a serious risk that the animal will return to the status of an endangered species. That will never happen because it would invite further Commonwealth intervention as a result of our irresponsibility. While I am Minister for Conservation, we will not take that type of action.

Certainly, under the management arrangements, we will continue to remove problem crocodiles away from areas where they pose a threat to people. We do that by means of a process that I call culling by capture. Rather than shooting a problem crocodile, we capture the animal and sell it to one of the farms. It is a far more logical way of handling the problem. I can assure members that, because of our crocodile catching teams, the crocodiles are becoming very wary of people. They are smart enough to know that it is no fun to be chased by someone with a harpoon, captured and dragged into a boat. If a crocodile escapes once it has been harpooned, it will be 2 or 3 years before any ranger sees it again. They have to use traps to capture those crocodiles.

This process is also more economic than shooting them because a crocodile is worth more money alive than it is dead. To increase the economics of that, and to provide a boost to the tourist industry, recently I have approved a process whereby, under certain arrangements, people will be able to pay a fee to accompany the crocodile catching teams and witness that very exciting process. I have no doubt that many tourists would be interested in this. I can assure people that they would get the thrill of their lives from the experience. It would certainly send the adrenaline pumping through their bodies.

Mr Coulter: I would like to see your public liability insurance.

Mr HATTON: Mr Speaker, there will also be additional charges for eggs, hatchlings and stock caught in the wild. With the support of the crocodile industry, we will be removing any subsidies and the industry itself will be financing the continuing research and monitoring programs.

In summary, industry and government are facing these problems cooperatively. I am pleased to advise that the Crocodile Industry Association of Australia has been established as a result of the initiatives of Territory farmers. I am establishing an advisory committee of association representatives, the Conservation Commission, the Department of Industries and Development, and research interests to help coordinate our future efforts and decisions. The Territory crocodile program is a real demonstration of the following statement by the National Conservation Strategy for Australia: 'Development and conservation are but different expressions of the one process. Together, they are the means of providing for the needs of the present and the future'.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise to support this statement on the crocodile industry which was presented some 18 months ago. Like the Minister for Conservation, I congratulate the Northern Territory government for stimulating our crocodile industry to move into the leading position not only in Australia but in the world. The Northern Territory government, through the work of the Conservation Commission ...

Mr Hatton: You were part of that, Noel.

Mrs PADGHAM-PURICH: Yes, I know.

In particular, I do not think anybody who is in the crocodile industry or connected with wildlife husbandry can comment on the crocodile industry without commenting on the work of Dr Graham Webb. He stands alone as one of the people most knowledgeable on crocodiles not only in Australia but in the world. It is due to the efforts of Dr Graham Webb and Dr Graham Webb alone that crocodiles have been transferred from appendix 1 of the list of protected species to appendix 2 of the CITES.

A member: There were a few others.

Mrs PADGHAM-PURICH: Dr Graham Webb was the leading light. Of course, he did have help from the Conservation Commission. Not only was his work supported by the Conservation Commission and the Northern Territory government, it was also supported by the ANPWS. It then became the Australian submission to the CITES and was accepted in about 1984.

The fishing industry was probably the first industry to husband our native fauna advantageously, and the crocodile industry followed that. We are not doing enough to husband our native fauna at this time, and I foresee the crocodile industry being followed by the ...

Mr Reed: Bilby farming.

Mrs PADGHAM-PURICH: Bilby farming! You would not call that farming. Breeding them, yes. There is nothing wrong with breeding bilbies.

Mr Reed: A sunrise industry.

Mrs PADGHAM-PURICH: I believe the crocodile industry is leading the way for other industries to be set up which also husband native fauna. The red-claw industry is being established. I have been corrected and told not to call them red-claw yabbies. The name stands as red claws alone.

The Minister for Primary Industry and Fisheries referred to bilby farming as a sunrise industry but, ahead of it, is the piccaninny sunrise industry of magpie goose farming, and I think there is a future in that. All that is required to start industries of this kind is the enthusiasm of people who have a bit of imagination and an interest in wildlife. There is a future also for the farming of wallabies in the Northern Territory.

The crocodile industry provides meat. Personally, I do not care too much for it. It was something of a disappointment to me, but certainly it is a drawcard with visitors to the Northern Territory and I believe that it is reasonably nutritious. However, the greatest reward from the crocodile industry will stem from the secondary industry involved in using the skins of these animals. I think the tanning and manufacturing industry will grow and grow. As other honourable members have said, the offshoot of the crocodile industry and the tanning of the crocodile skins is the exotic tannery that has been established at Berrimah. I made inquiries there about the possibility of having a few goat skins tanned from time to time and was very pleased to hear the the tannery would be quite happy to do it provided there were not too many of them. I said that we did not kill very often and that I did not think that other people killed very often. They indicated that they would be quite happy to do it at what I consider to be a reasonable price. The major industry is gradually spreading out, and the little ripples that it creates will give encouragement to those other agricultural industries.

I applaud the minister on his lateral thinking in allowing tourists to watch the capturing of crocodiles. There is no way that I could be enticed to participate in one of those trips but, most certainly, it would be an adventure trip in the eyes of many people. I received a complaint from constituents who live near the Howard River that there was a large crocodile in the vicinity and, during the school holidays, they were worried about the risk to their children because, try as one might, you cannot keep children out of water. The Conservation Commission was very responsive and installed traps. A couple of days later, one large saltie was found and other salties have been found in the same area. Some months ago, complaints about incidents like that prompted me to suggest that there should be an open season on crocodiles at certain times, similar to the open season that is declared for magpie geese, barramundi, prawns ...

Mr Collins: Galahs?

Mrs PADGHAM-PURICH: There is no open season for galahs.

... and on water fowl, having regard to their breeding habits and the maintenance of species numbers. I believe my suggestion was quite valid. I must say that it did not meet with the approval of a number of people in the Conservation Commission, but somebody has to put ideas of this kind forward for people to consider. When the crocodile numbers build up further, that might be considered. We owe no thanks to Professor Harry Messel because, in my opinion, the views he presented following the work he did some years ago did not present a true picture of the crocodile population in the Northern Territory. Crocodile numbers are building up and I believe that we will have to consider active ways of reducing those numbers by licensing certain people to shoot them or in other ways. Whether we like crocodiles more than

humans or not, the general consensus in the community is that human lives are of more importance than those of crocodiles. If crocodiles present great danger to humans at billabongs, creeks, rivers and other water places in the Northern Territory, the safety of the human has to come before that of the crocodile, whatever its numbers.

The tourist industry is also actively involved with the crocodile industry. When tourists come to the Northern Territory, I understand that they want to see 2 forms of wildlife: a croc and a buff. Unfortunately, not many buffalo are left in the wild. In fact, they are as scarce as hens teeth at the moment. The tourists want to see a croc. When I drove past the old Yarrawonga Zoo each day, I observed that tourists would gather to take photographs around the buffalo pen and the crocodile pen. No doubt they do the same at the new wildlife park at Berry Springs now. The crocodile industry has spawned subsidiary souvenir industries for tourists. Most souvenirs available here nowadays have a representation of a crocodile on them in one form or another. If this is what the tourists want, it does no harm to anybody or the crocodiles if replicas of crocodiles appear on T-shirts, teaspoons and all sorts of things.

No doubt the current Minister for Conservation will consider it appropriate to update our information by introducing further statements from time to time on the state of the industry. To my knowledge, the crocodile farms in the Northern Territory at present are doing quite well. Perhaps 1 or 2 are developing rather more slowly than the others, but they are all getting there. A great deal of money is involved. In the beginning, high-risk capital was required to set up a farm, but many of the problems have been ironed out now. As the months and the years have gone by, the problems have been identified and overcome and I think the crocodile industry can only become more active in the Northern Territory. I would appreciate it if the honourable minister would keep us informed, from time to time, on the state of the industry. Mr Speaker, I support the statement.

Motion agreed to.

ADJOURNMENT

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

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in yesterday's adjournment debate, I was speaking about the noxious week mimosa and about the insect controls that have been introduced. It has been successful up to a point. I spoke about 2 beetle species that have been used. I mentioned a moth, Neurostroter gunnyella, and a stem-boring insect, Carmenta mimosa, which have also been used, and sprays. The insects used as biological controls have been successful up to a point. However, Mimosa pigra grows much more abundantly in the Northern Territory than it does in its native Mexico, as we saw on a television program tonight, and these insects have not been able to keep up with the more luxuriant growth rate here.

I would like to suggest 2 other forms of control that I believe are worth considering. One is a biological control and the other a mechanical control. First, I am suggesting biological control by the introduction of caprines into the environment where the Mimosa pigra is growing.

Members interjecting.

Mrs PADGHAM-PURICH: Mr Speaker, as soon as I mention goats, people start to laugh. Goats are not funny creatures at all. Goats are very useful in many ways and one of those is that they control noxious weeds. Goats are notorious for getting rid of blackberry in the south of Australia. Goats would clear the honourable member for Part Darwin's coffee bush in a very short time if they were let loose in Darwin. My suggestion to the Minister for Primary Industry and Fisheries is that he give serious consideration to having fenced plots established to determine whether goats will eat Mimosa pigra.

I am assuming that the Mimosa pigra would contain the deleterious substance mimosine which leucena glauca contains. Leucena glauca, which is coffee bush, is a relative of mimosa. For animals to eat leucena glauca in any quantity and stay healthy, they have to be given a drench containing certain bacteria which change the mimosine into a harmless substance. A system of husbandry incorporating this drenching would be very easy to evolve and maintain. It would necessitate adequate fencing and it would necessitate perhaps certain shepherding and husbanding. Naturally, this would cost money, but we must look at the current situation. Spraying and current insect biological control have not been successful and therefore this is worth a try.

Another way of controlling Mimosa pigra is by mulching it. I was speaking to a gentleman who has a business in partnership with another person. They take garden rubbish and mulch it mechanically. Either you buy the mulch or they take it somewhere else. It is not outside the bounds of possibility that a cane harvester could be adapted to harvest mimosa. Probably it would be necessary to put heavy tracks on the cane harvester. Behind the cane harvester would be a mulching machine which would also have to be put on tracks because of the swampy conditions where the Mimosa pigra grows. The mulched mimosa would then be put in hundreds of bins. The mulch is a very valuable substance. However, it cannot be spread willy-nilly because of the long life of the seeds of the Mimosa pigra. The seeds are able to germinate for some 7 years. However, this valuable mulch could be spread in restricted areas. If mimosa germinates from the seeds in the mulch, it could be either sprayed or turned over. The restricted areas could be in government farms or on private properties under close restriction or permit.

This morning, I presented a petition from 687 citizens of the Northern Territory, relating to the light sentencing of men who commit sexual and other assaults on women and children. For some time, I have been contacted mostly by women but also by some men, who are very concerned about the light sentencing of persons convicted of these crimes. The do-gooders in the community say that these people did not really mean to offend and all they need is counselling. They say that they must be brought back into the community to live ordinary lives as soon as possible.

Anybody who has any sense knows that one of the surest ways to encourage people to reoffend against the community is to treat their crimes lightly. I believe the penalties for these crimes in the legislation and as administered by the judiciary in the courts are far too lenient. I will not mention particular cases. In one well-known case, the Crown has appealed and for that reason it is not fit and proper that I mention it now. However, there have been many other cases in the Northern Territory where men have offended against the persons of women very seriously by sexual assault and they have been let off far too lightly.

I thought that probably it was only women of my age who were very concerned and who wanted retribution in the form of an eye for an eye and a tooth for a tooth. Mr Speaker, let me assure you and the Attorney-General that all women in the community are very concerned about the situation. They want justice. When 2 women cannot walk down Cavenagh Street without being assaulted by 2 men with knives, the situation is becoming pretty poor in the Northern Territory. I do not want to see a situation whereby women vigilante groups are formed. We do not want savage reactions like that of the young woman who believed a chap had infected her with AIDS. However, if lenient sentencing is continued, a situation may arise whereby women will have to protect themselves and their children on our streets.

Many pieces of legislation need to be looked at, in particular legislation relating to parole and sentencing. If the courts continue handing down what the community considers to be light sentences for such offences, I believe the government could do much worse than look at minimum sentences for crimes. It would be a first in Australia, but the Northern Territory has done many other things first in Australia. The Attorney-General has indicated in the media that he is examining legislation. I know these things must be done thoroughly, but I hope that the Attorney-General does not take too long over his consideration because the women and children cannot wait too much longer.

We cannot have the sentencing of the perpetrators of these vicious crimes considered in isolation. We must also consider the dissemination of violence in the community through the media and videos. We see protests and fighting occurring among crowds overseas. We see mass killings and shootings. Years ago, these were reported only at a distance and there were general descriptions. Today, every minute, nasty detail is portrayed by the media. We see close-ups of victims, warts and all, and the blood and gore. People's grief is shown unnecessarily and people's privacy is intruded on so that media people can sell their newspapers and television news shows.

The time has come when we need to look at controlling the violence in the community. Most people in the community would not indulge in violent activity. However, there are some people who are influenced to act in a similar way to what they see portrayed on television screens, film screens and video screens. They copy what they read about in the newspapers. By doing so, they think somehow that will enhance their rotten little egos.

The 687 people who signed that petition did so very seriously and they were mostly women. They were not from one particular group, but from all walks of life. I knew many of the people. They are women from all walks of life with different interests, professions, ages, religious beliefs and ethnic origins. There is concern in the community. It is no good the government saying that it is all for law and order if it does not do something about the far too lenient sentences handed down for sexual crimes against women in the community.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I rise to speak on a couple of matters raised by the member for Koolpinyah last night and tonight. Last night, the honourable member spoke about the noxious weed salvinia. I share the honourable member's concerns in relation to both salvinia and mimosa. They are a serious threat. Salvinia is a threat to our waterways and mimosa is a threat to our land, particularly from the point of view of conservation, and the use of land for pastoral and other purposes.

Salvinia is a free-floating fern which is spread on waterways by mechanical means and also by water flow. The wind also aids in its distribution and the rate of its proliferation within the river system. However, it is generally man who moves it between systems. Salvinia was first reported in the Territory in 1976 on a nursery display pond near Darwin. Since then, 17 infestations have been recorded. Of these, 6 were in nursery and aquatic suppliers' ponds and were quickly eradicated. Of the remaining 11 field infestations, 4 have been eradicated and the following still occur: the Nhulunbuy town lagoon, Mission Hole on Elizabeth Downs Station, Howard River downstream of the Gunn Point Road, Finniss River, Magela Creek, Holmes Jungle and the East Alligator River.

Control is carried out using physical barriers, manual removal, herbicides and biological means, and these methods are achieving results at all sites except for Magela Creek. Because the Office of the Supervising Scientist is monitoring the Magela environment, herbicides have not been used on the Magela salvinia infestation. In 1983, the biological control agent cyrtobagous was released at this site. However, control has been poor. Investigations are being carried out by the CSIRO Division of Entomology for the Australian National Parks and Wildlife Service to investigate why biological control of salvinia in this area has been so poor. As part of this program, the Department of Primary Industry and Fisheries is basing a weeds officer at Jabiru. That officer will be working on salvinia and mimosa.

The mechanical harvesting of salvinia has proved difficult in other parts of the world due to the amount of plant material involved and the problem of removing this material to a safe site. One of the suggestions that the member for Koolpinyah made last night was that it might be harvested and used as fodder for stock. The concern in relation to those types of activities is that any movement of the plant places those areas to which it is moved at risk.

The Department of Primary Industry and Fisheries commits quite a large sum of money each year to the control of mimosa. This financial year, it is something in the order of $750 000. The noxious week Mimosa pigra occurs in an arc from Port Keats in the west through to Oenpelli in the east and infests an area estimated to be in the order of 80 000 ha. Most infestations occur on flood plains, but some small infestations occur in the Darwin area and I think the honourable member alluded to that last night.

In the lead-up to the federal election campaign last month, the Prime Minister made a commitment to provide funding of $1.25m over the next 3 years for the control of Mimosa pigra. Late last year, the then Minister for the Environment, Senator Richardson, suggested in the Senate that the Northern Territory government had done nothing to control Mimosa pigra. It was a rather ill-informed statement and one would have expected something a little better from Senator Richardson but, sadly, that was not the case. In fact, the Northern Territory has done a considerable amount of work over the years to control mimosa. We still devote considerable resources to that end. It was the Northern Territory government which took the initiative for funding a biological control program in conjunction with the CSIRO Division of Entomology. That program commenced in 1979. It has been only since 1984 that the Commonwealth government, through the Australian Centre for International Agricultural Research, has had any significant input into controlling mimosa and even then the emphasis has been placed strongly towards foreign aid to Thailand.

Currently, the Weeds Unit of my Department of Primary Industry and Fisheries employs 4 scientists, 4 technical officers and 4 technical assistants based in Darwin who spend an average of 75% of their time on mimosa control. In 1982, the Northern Territory government introduced a Herbicide Subsidy Scheme through which the government meets 50% of the cost of approved herbicides used to control mimosa by landholders, and later it introduced the Spray Trailer Loan Scheme to overcome the equipment limitations of landholders. In 1985, the herbicide subsidy was expanded to meet 50% of the cost of aerial spraying operations by landholders against mimosa. Recently, the Northern Territory government has funded the placement of a weeds officer in Jabiru whose major task will be coordinating the attack on mimosa in the Kakadu region. As I have indicated, that officer will also undertake some work on salvinia.

Last week, I wrote to Hon Ros Kelly, Minister for the Arts, Sport, the Environment, Tourism and Territories, explaining the extent of the commitment by the Northern Territory government to the control of mimosa and the great threat that we see it to be. I outlined the amount of work that we do. In addition to the works that I have just mentioned, we provide funding for a CSIRO research scientist and a technical assistant based at Darwin, working on the biology and the ecology of mimosa. Also, we partly fund a technical officer and technical assistant based at the CSIRO in Brisbane working on the biology and host specificity of the insects imported in Australia for mimosa control. Thus, our commitment is large, despite what Senator Richardson claimed last year.

The point of my letter to Minister Kelly was to indicate to her the effort that we are putting into controlling mimosa, the seriousness of the problem and the difficulty of control, despite the fact that we are committing extensive resources and doing considerable work in Thailand in relation to this problem. Indeed, an officer of the Department of Primary Industry and Fisheries returned recently from Thailand after doing extensive field work there. Another officer will go there in October to continue that work. Apart from the benefit that Thailand obtains from these visits and the work that is undertaken in conjunction with Thai and CSIRO authorities, we have also the ability to assess, under different growing conditions but similar climatic conditions, the effect and benefits of various forms of control.

I have asked the federal minister to consider increasing the commitment which the Prime Minister indicated that he would make - of $1.25m over 3 years - to meet at least the commitment that the Northern Territory government, through the Department of Primary Industry and Fisheries, has made over the last few years, including this year. Hopefully, if the federal government is prepared to meet our commitment and to enter into a cooperative arrangement for further research into other methods of control, the member for Koolpinyah's suggestion that we use goats may prove worthy of some investigation. I would be a little concerned about her suggestion that the mimosa be harvested and the mulch used at other locations. As she indicated, the seed remains viable for several years. That is one of the problems that we face at the moment with chemical control. The seed generates new growth in subsequent years and there is a need for continuing control over a period of years in order simply to cope with the enormous seed stocks that are produced per hectare by this plant. Certainly, any suggestion relating to the control of this weed is worthy of consideration.

I hope that the federal minister responds in a positive way and that the federal government is prepared at least to match the Territory's expenditure in providing a combined, well-organised program to address the menace of

this weed. Attention will need to be given to this problem for a long time because of this plant's prolific growth patterns and its ability to spread. It is already creating environmental hazards on 80 000 ha of the Northern Territory.

Mr TUXWORTH (Barkly): Mr Speaker, I rise tonight to place on the record some history about the housing dilemma for the Aboriginal community in Elliott. In the last couple of days, there has been some discussion and banter across the Chamber between the Minister for Labour, Administrative Services and Local Government and the member for Arafura. That has reduced the situation to very simple terms for the benefit of a political argument. I think we ought to place on record the fact that the people in Elliott have been screwed mercilessly by the bureaucrats of the nation. While they have a bit to answer for themselves, in many ways they certainly are victims of the tyranny of distance and the apathy of bureaucrats.

Some years ago, through the Department of Aboriginal Affairs and the Aboriginal Development Commission, the federal government sponsored the funding of the Elliott Housing Association. This association operated for a couple of years and, regrettably, through a series of bad decisions and mismanagement, it went broke. When it went broke, it owed a large amount of money. It would be fair to say that some $400 000 is still outstanding to creditors even though some have been paid. I made representations to the federal minister to have his department intervene in the matter because it was hardly fair that the creditors, who had acted in good faith, should be penalised for their assistance. Nothing was done. In fact, nothing has been done to this day. No one has ever lifted a finger to try to resolve what happened, to follow through against any people who might have acted improperly or to settle any of the outstanding debts. That is to be regretted because the image that the town of Elliott has earned because of the failure of the association is a very unfortunate one.

Shortly after the failure of the housing association, the new community government, under the Chairmanship of Jim Rennie, was established and started to pull together the various local government activities of Elliott. One of the responsibilities that it was asked to undertake on behalf of the Commonwealth was the general maintenance of those houses that had been built by the housing association. From having spoken to the council on many occasions, I can say that the newly-formed local government body, with Mr Rennie as its chairman, was given a pretty rough time by the federal organisation in terms of the granting of funds it needed to do its job. I do not think that, at any stage, it has received sufficient funds to do it.

We have just been through a very difficult period in the last 2 years during which the community at Elliott wanted to proceed with its building program and, in fact, ensure that the program that it had started was completed. As the member for Arafura said yesterday, many people are still living in car bodies and in very unsatisfactory, overcrowded conditions. In the 1990s, we can only deplore that that situation even exists. In an endeavour to motivate the intent of government in Elliott, a local community group called the Gurungu council formed itself to try to obtain funds and to pressure people into giving it money. The group was ably supported by one of the Aboriginal organisations from Tennant Creek. Immediate conflict came when it became apparent that the Gurungu group reflected only the interests of a small number of people in Elliott and it was obvious that they had no intention of including in their plans the newly-formed Elliott Community Government Council.

I have to agree with the minister in the sense that it is pretty futile to have a body like the Elliott Community Government Council, in a small town like that, that does not have responsibility for administering a program of home building, on a small scale, for the Elliott community. At the same time, I have a fair amount of sympathy for the feelings of the Gurungu council, as they call themselves, or association as the minister calls them, in the sense that they wanted to have some input into the housing program that was to be developed on their lease in the town. That is the north lease.

Regrettably, because of some of the personalities involved, a fair amount of flak was flying for a while, considerable tension was experienced and still there was no resolution of the problem. Certainly, the granting of TCHIP funds was held up while the dispute was settled. It has taken some 6 months or more to settle the differences in the town, but I think the resolution that has been arrived at, in some cases willingly and in others not so willingly, is a pretty fair result and one that will enable the community to get on and build some houses for those people that need them. As I understand it, the dispute was resolved when the Minister for Lands and Housing provided $30 000 immediately for some planning, and it was decided that up to $1.3m would be spent over a couple of years on providing housing in the Elliott community. The Gurungu council will have a fair say on the type of houses and the placing of houses on the lease with which it is involved. The community government body of Elliott will be responsible for the administration of funds, and the Department of Transport and Works in Tennant Creek will oversee the contracts. That sounds like a pretty reasonable resolution of what has been a very sticky problem. What is most important is to ensure that this new formula is extremely successful. To do that, from time to time, it may be necessary for either the Minister for Lands and Housing or the Minister for Labour, Administrative Services and Local Government to call in on the town and inspect progress as the program develops.

The need for housing in Elliott is almost legend. In this day and age, anybody who would condone what exists in Elliott really does not have a very good sense of proportion and would not seem to be reasonable in their outlook. Housing must be provided. The government has made the funds available. The town council is now in a position to spend those funds and the Gurungu people are prepared to cooperate. The other very important aspect of the whole agreement is that the Elliott people want Elliott people employed on the construction of the houses. In going down that road, they are prepared to accept that it may take a little longer to build the houses, but it will give them some sense of satisfaction and purpose in relation to the project. It will also provide some much-needed employment and income. Some pretty unkind reports have appeared in the media about the situation at Elliott. I have heard the minister make what I would regard as unnecessary statements about apartheid in relation to this matter, and I have heard others taking a condemnatory view of the Elliott situation simply because it was bad. It was bad for a range of reasons, and I think it would be very hard for anybody to point the finger at any 1 person and say that it was his or her fault. Many people were at fault, some from the Territory and some from the federal scene. However, what is important is that the situation does not arise again, and I think that we now have the foundation for a very positive program to proceed.

During the course of the argle-bargle that has been going on in Elliott over this, some divisiveness has been experienced in the community. Some ill-feeling has been created and some things said that probably people wish had not been said. However, I am pleased to report that, on my last visit

there a few days ago, the respective parties were preparing to sit down and thrash out the important details surrounding the program so that, hopefully, it should not take long for the ill-feelings to subside. I do not think this should be regarded as a case of a few whingeing Aboriginals at Elliott, who did not really have much to argue about, kicking up a great fuss about nothing. There were very good reasons for people to complain. Perhaps that did not please some of the people who were involved in settling the issue but, certainly, those people were entitled to make their complaints and even more certainly they are entitled to something better than they have now.

In recent days, the government has spent considerable amounts of money in Elliott on upgrading the water supply, and I believe that the electricity situation has improved considerably as well. Once the housing need is satisfied, I believe people in the Aboriginal community in Elliott will be well pleased and satisfied with their lot given some of the progress that is being made.

Mr Speaker, I did plan to raise an issue relating to the dung beetle, but I will save that for another night because I have run out of time.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

LEAVE OF ABSENCE

Mr SMITH (Opposition Leader): Mr Speaker, I seek leave of absence for the member for Arnhem. The member for Arnhem, the shadow minister for Aboriginal affairs, is at this moment on his way to Galiwinku to assist in negotiations between the Galiwinku community leaders and the police regarding the maintenance of a police presence on the island. I should inform the House that he goes with the support of the Commissioner of Police, Mr Palmer. Because of the present state of tension on the island, it is expected that the process and negotiations may take some time. Nevertheless, the member for Arnhem is confident that an agreement acceptable to all parties will be found so as to allow the coming coronial inquiry to be conducted in an atmosphere of calm.

Leave granted.

PERSONAL EXPLANATION

Mr PALMER (Karama)(by leave): Mr Speaker, the member for MacDonnell, like a cowardly dog snarling at the end of a chain, chose to attack me in the guise of a question.

Mr SPEAKER: Order!

Mr PALMER: I withdraw 'cowardly dog', Mr Speaker. Like an unbrave canine, Mr Speaker, snarling from behind a chainmesh fence ...

Mr LEO: A point of order, Mr Speaker! Members of this House are given leave to make personal explanations. I have not yet heard the member for Karama make any attempt to give a personal explanation. All he has done so far is criticise another member of this House.

Mr SPEAKER: It is not debatable.

Mr BELL: Mr Speaker, I have a further point of order. I fail to see why, if the term 'dog' is regarded as unparliamentary and the honourable member is required to withdraw it, the Latinate 'canine' should be any more acceptable.

Mr SPEAKER: It is not debatable.

Mr PALMER: Mr Speaker, he chose to attack me from behind the brick wall of question time through questions to the Chief Minister. He could have asked me the question himself.

I will turn to my relationship with the Karama Tavern. The fact is that I am a member of a consortium of 4 people which has negotiated an option to lease that tavern. The fact is that I will not be the nominee of a licensee of that tavern. The fact is that, should we be successful in obtaining the lease, application would need to be made to the Liquor Commission to transfer the existing licence. The fact is that, at the moment, there is no pecuniary interest to register. The companies have not been formed. We do not have a lease. I have nothing to declare.

The opposition also cast aspersions on the independence of the Liquor Commission. I for one am satisfied that the members of that commission are

totally independent from government and will accept no direction from government to issue particular licences.

Mr Smith: You are putting an awful lot of pressure on its independence when you front up with an application.

Mr PALMER: That licence is already in place.

Mr Speaker, I hear the Leader of the Opposition or the would-be Chief Minister and Treasurer interjecting. By way of interjection yesterday, he asked what a non-recurrent liability is.

Mr LEO: A point of order, Mr Speaker! You indicated that personal explanations are for the purpose of providing the House with a personal explanation of some grievance that a member may feel. As you said in response to my point of order, it is not an opportunity to debate any matter. If the member has some personal explanation, he should make it and not debate other matters.

Mr SPEAKER: I ask the member for Karama to confine his remarks to a personal explanation as required by standing order 57.

Mr PALMER: Mr Speaker, members of the opposition cast aspersions on the integrity of other members and also purport to be able to run the Northern Territory as good businesslike people. I am particularly offended by the opposition's insinuations that I have to answer for some sinister motives. As I said, the Leader of the Opposition does not even know what a non-current liability is. I do not think that puts him in a position to question anybody else's business interests.

Mr LEO: A point of order, Mr Speaker! Do you intend to direct the member for Karama to confine his remarks to a personal explanation or not? Clearly, he is abusing the time of this House.

Mr SPEAKER: I ask the member for Karama to confine his remarks to a personal explanation. There is a point of order. The honourable member is introducing new matters to his explanation.

Mr PALMER: Mr Speaker, in relation to my pecuniary interests, honourable members opposite should take the time to study House of Representatives practice. Standing order 196 states: 'No member shall vote in a division upon a question ... in which he or she has direct pecuniary interests not held in common with the rest of the subjects of the Crown'. However, the rule does not apply to a question on a matter of 'public policy'.

Mr Leo: What has this to do with a personal explanation?

Mr PALMER: Mr Speaker, 'public policy' can be defined as 'government policy not identifying any particular person individually and immediately'. All legislation which comes before the House deals with matters of public policy and there is no provision in the standing orders for private bills. The only reference in the Northern Territory (Self-Government) Act is: 'A member of the Legislative Assembly who is party to, or has a direct interest or indirect interest in, a contract made by or on behalf of the Territory under which goods and services are to be supplied to the Territory shall not take part in the discussion of a matter or vote on a question in the Legislative Assembly where the matter or question relates directly or indirectly to that contract'.

Mr Speaker, in relation to this question, I am in no way in contravention of the law, of standing orders or of ethics. It has been common knowledge for some time that I have been interested in obtaining a lease on the tavern. I stand by that decision and I will continue to represent the people of my area.

STATEMENT
Conservation Strategy for the Northern Territory

Mr HATTON (Conservation): Mr Speaker, members will recall that, in November last year, I tabled a discussion paper titled 'On Balance - Towards a Conservation Strategy for the Northern Territory'. The aim of that document was to initiate public debate and consultation on the issues involved. The discussion paper was released to the public late in November last year and 3 months was allowed for individuals, industry and community groups to read and consider the matters raised in the paper, to raise any other conservation and development priorities of importance to the Territory and to provide written comments.

Advertisements appeared in Territory newspapers at weekly intervals and over 350 copies of the discussion paper were sent to interested individuals and organisations. A wide cross-section of the community has been involved, including government departments and local government, political, Aboriginal and social welfare groups, primary and secondary industry bodies, and professional societies. In addition to intra-government comment, 23 written submissions were received from the general community.

In addition, during the month of March, following on from the very successful Environment 90 Conference, a series of public meetings were held in the major urban centres of Darwin, Katherine, Tennant Creek, Alice Springs, Jabiru and Nhulunbuy. Whilst attendance at these meetings was not large, the people who attended were very positive and enthusiastic. The discussion panel included, as chairman, a person who is well known to members on both sides of this Assembly, Dr Goff Letts. It also included Ms Sue Jackson, a representative of the Northern Territory Environment Centre, and Dr Geoff Pickup of CSIRO Alice Springs, together with relevant Conservation Commission officers.

Approximately 100 people attended the series of meetings and a summary record has been completed of the 18 hours of discussion that resulted. This record, together with the written submissions, has given me some very positive and helpful information on which to base the further development of a conservation strategy for the Territory. The information obtained from these public participation processes has been analysed and grouped by the discussion panel into the following 5 categories: (a) reasons for a Northern Territory strategy; (b) whom should the strategy be designed for?; (c) a proposed structure for the conservation strategy; (d) the procedure for developing a strategy; and (e) the major issues to be covered.

The discussion panel has also provided valuable detailed advice on options for the development of the strategy, its structure and the need for public input. I would now like to make a few remarks with respect to each of the 5 categories and I wish to emphasise that these ideas are not simply my own drawn from advice provided by the Conservation Commission. These comments are all drawn from various individuals or groups within the community who have taken the time and effort to provide me with their ideas and concerns.

Category (a) is: Does the NT Need a conservation strategy and why? Without exception, all respondents agreed with the need for a strategy. To some extent, the reasons varied but here are some that were put forward: to extend beyond the World Conservation Strategy and the National Conservation Strategy of Australia and to address the need of the unique Territory environment; to help change attitudes and lifestyles; to apply conservation principles to enhance Territory lifestyles, not only to parks and reserves; to portray the natural environment as an investment to be nurtured by Territorians and to address all human activities in terms of environmental, economic and social factors; today's environmental, social and economic pressures require a community response; to promote a holistic approach to conservation, administration and legislation; to provide a framework to guide administrative and legislative decision, with relevant legislation to be reviewed in the light of the strategy; to aid planning by recognising sustainable development as the prime objective; to emphasise the need to integrate conservation and development, to remove any bias towards development, and to introduce conservation principles to planning and decision-making; and to ensure a balance of conservation and development.

Category (b) is: Whom should the strategy be designed for? It was generally conceded that the strategy should be for the whole community - that is, the Northern Territory community - by addressing issues which are of special Territory concern. It was also recognised, however, that some groups in the community have special needs, even to the extent that special editions of the strategy, using the most appropriate language or graphic techniques, may be necessary. Particular groups to which the strategy needed to relate included: our next generation - conservation should be given high priority in Territory schools; landowners - conservation on privately-owned land is crucial; Aboriginal communities - there is need for greater Aboriginal consultation on conservation issues; and other target groups - legislators, administrators, developers, industry, commerce, trade unions and professional bodies.

Category (c) is the structure for the strategy. Both the Environment Centre of the Northern Territory and the Central Australian Conservation Council argued strongly for the need for the preparation of 'state of the environment' reports. Such reports would summarise the diverse range of environments that we have in the Territory, comment on the condition of each and then lead on to the identification of priorities for protection, use or remedial action. The strategy should provide clearly defined goals, adopt principles and objectives of the World Conservation Strategy and the National Conservation Strategy of Australia as reviewed and updated, address priorities in a specific Territory context identified from state of the environment reports and promote the need for land use plans on all scales from regional to local with details provided in associated strategic and action plans, allowing for action plans on matters such as grazing impact and clearing controls.

Category (d) is the procedure for developing a strategy. The dominant comment that emerged in this context is that 'the community wants to be more involved in developing the strategy'. I can understand and empathise with that sentiment. The wider the public participation involved in developing a strategy, the greater the community commitment to implementing it. Some of the associated comments include the following: government should give a clear indication of its procedures for further development of a conservation strategy and should establish a broadly representative steering committee to oversee its preparation; there must be strong Aboriginal involvement in the development and implementation of the strategy; agencies responsible for the management and the development of natural resources need to develop their

own subsets of the strategy; the time frame originally suggested for the preparation of the strategy is too short for adequate consultation; and industry must be consulted to assess the impact of environmental measures.

Category (e) is the major issues to be covered in the conservation strategy for the Northern Territory. Without going into too much detail, I would like to indicate some of the priority issues which members of the Territory community have identified. For aquatic and marine environments, there were the following suggestions. We need to ensure control of urban and agricultural run-off to avoid pollution of rivers and coastal seas. We must have comprehensive environmental assessment of all tourism developments in the coastal zone. There is a need for more research on the loss of specific wildlife habitats such as seagrass beds, mangroves, fringing vegetation on inland rivers etc. We must recognise the need for more marine and estuarine protected areas.

For the terrestrial environments, it is suggested that there is a need to develop information bases with an increased emphasis on resource inventories and resource use surveys, to analyse the effects of various fire management techniques, to expand the use of remote sensing as a monitoring tool, to develop ecosystem health criteria, to provide for increased protection and conservation on private land, to document the loss of natural habitat and provide clearance of vegetation controls and to research geological effects of waste disposal and seek alternative means of disposal and use.

For urban and rural land use, there is a need to provide sound guidance for developers through the development of clear policies, strategies and concepts, to improve liaison between planners, to review the effectiveness of various water and power subsidies, to promote better building design, to provide more effective noise abatement legislation, to identify suitable and sustainable land uses through land use capability surveys, to review lease covenants placed on land capability surveys and ensure compliance, to increase support for arid zone issues such as fire management, feral animal control and identification of critical habitats, especially for endangered species, to encourage the use of biotechnology to multiply endangered species, to encourage the use of native species for meat production and to provide protection and enhancement of wildlife corridors on private land.

For industrial activities, there is a need to ensure against alienation of Aboriginal heritage, to protect habitat during mineral exploration and extraction, to ensure rehabilitation of exploration sites, to prevent contamination of surface and sub-surface water, to develop alternatives to the use of non-renewable resources, to prevent transport accidents and spills of hazardous substances, to minimise the use of and find alternatives to products producing waste disposal problems, to promote recycling, to protect ground water and provide strict guidelines and controls in relation to its use and to develop regional tourism and recreation strategies.

Still under the heading of 'industrial activities', a number of comments also drew attention to what are perceived to be organisational and institutional problems. Some of the comments were: encourage public participation at all stages of planning; provide project funding for key community groups; recognise the need for more comprehensive assessment of social impacts as part of the environmental assessment process; include environmental education as a separate subject and an intrinsic part of other subjects in school curricula; increase extension services to industry; promote the recognition of conservation as a valid land use; encourage better inter-agency communication; provide for the implementation of the

user pays principle; provide that no agencies or activity should be exempt from the provisions of the Environmental Assessment Act; and promote the high priority modelling of climatic change - for example, in relation to sea levels.

These are only some of the views expressed by members of the public on the issues which should be covered during the development of a conservation strategy for the Territory. I can assure members of this Assembly that all views will be considered during the preparation process. In addition, recommendations of the discussion panel will be taken up.

The first recommendation is that the duties of the chairperson and the steering committee during the preparation of the draft strategy will include the priority action of responsibility for further consultations with those groups whose views have not been fully canvassed during the initial consultation period. The second is that further public input to the development of the strategy will be encouraged by extending the period in which written submissions can be made to 'On Balance' to the end of June, and by seeking extensive public comment when the draft strategy has been prepared. The third is that a public announcement will be made outlining the government's proposed arrangements and timetable for completing the preparation of a strategy.

I wish to conclude by saying that the government intends to pursue the further development of a conservation strategy for the Northern Territory with vigour. Because the public input to that process has been so successful so far, we intend to extend that process. We will be appointing a steering committee of about 12 persons comprising both government and community representatives to guide a consultant in the preparation of a draft strategy. The steering committee will have a majority of non-government members. I am hopeful that a draft strategy will be ready by September for tabling in the Assembly in October, in order to allow further public comment on the draft prior to finalising the strategy by the end of this year. I am still hopeful that the opposition will make a positive contribution and provide the steering committee with a detailed written submission. To make it very clear to the community and to all honourable members that this process is totally in accord with the recommendations of the panel, which I referred to in the first stage of circulation, I will table the specific recommendations of that panel for the interest of honourable members, who will be able to see that the directions and the timetabling that we are adopting fit totally into the recommendations of the expert panel.

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

Mr BAILEY (Wanguri): Mr Speaker, there are a number of ways of developing a conservation strategy. What we have just heard is not really a ministerial statement on any form of government policy or direction. In response to the minister's request and similar requests in the press, the opposition will make a detailed statement of its environmental policies if the government provides us with a detailed and comprehensive statement of its position in relation to the environment. Basically, the government is saying that it will continue to go along until it finally ends up with something. All indications are that the government does not have a detailed comprehensive environmental policy and that its public consultation is occurring in a vacuum. I do not see any reason why we should flag, for the government's benefit, exactly what our policy will be when the government itself does not have a policy. When the government shows us its policy, we might reveal our policy to the government, other than what is already in our

platform, which is far more detailed than anything which appears in the CLP platform.

I will pick up on a number of individual issues within the minister's statement which cannot be allowed to pass without comment. Whilst I congratulate the minister on the inclusion of a representative from the Northern Territory Environment Centre, it appears to have been a rushed decision taken at the last moment, so much so indeed that members of the Environment Centre were unable to attend the first meeting because inadequate forewarning was given. I ask the minister whether the summaries of the transcripts which are mentioned in his speech can be made available to see whether they are consistent with the references that he made to them in his statement. It is mentioned here that there are summaries of those transcripts, and we request that they be made available.

From the recommendations made by this group, it appears that there is a need to provide more effective noise abatement legislation. I recall standing in this House as a fairly new member and seeking to convey the views of various people in the community that noise abatement was a significant issue and that this House should look at reviewing the legislation to see if the problem could be resolved. I will quote the comments of the Minister for Conservation on that matter, as recorded in Hansard:

> I urge defeat of this motion. If the honourable member really thinks that some additional law needs to be made, on the next General Business Day, he should introduce a specific proposal for legislation rather than some generalised motion which makes him feel good but achieves nothing. Instead of waving in front of the electorate the fact that he has raised his concerns about noise, without telling people that it has been done in the most unproductive manner, I urge the honourable member at least to argue a case and make a specific proposal.
>
> In fact, all we have had in a 12-month ...
>
> Mr Hatton: When was that?
>
> Mr BAILEY: The date? Wednesday 18 October.

That is all we are doing through this process. We are asking that the legislation be reviewed. Yet, when I raised this very concern last year, the minister treated it as a matter for derision and humour.

Yesterday, when we were debating the policy that the government is seeking to implement, the honourable minister said that not only did he release a conservation strategy last year but that he had also drafted heritage legislation which, at that time, was supposed to be an indication of the best the CLP could come up with in terms of a policy on heritage legislation. That received the same response as the draft conservation strategy statement. As he said, without doubt, many of the comments were critical of the draft bill.

While I give the minister his due for taking those policies to the people to obtain their response, the people's response to CLP policy on the environment is largely that it is still a long way behind what people really believe an effective government should be putting forward in terms of relevant policy on environmental issues.

Mr Hatton: The states are not even addressing the issue.

Mr BAILEY: The states have heritage legislation already.

Mr Hatton: They do not have conservation strategies. Talk about the conservation strategy. Get on to the subject, will you!

Mr BAILEY: Other ...

A member interjecting.

Mr BAILEY: It is very relevant. One of the major problems we have with this statement is that, in many areas, the minister talks about interdepartmental consultation and the need for the environment to be protected. He said that no agencies should be exempt from provisions of environmental assessment. Has the honourable minister discussed with the Minister for Lands and Housing the implications for environmental issues of the review of the Planning Act? Has he discussed the effect of trying to place under the control of his department the environmental monitoring of activities such as mining when, as he has stated quite clearly this morning, as Minister for Conservation he presently has no say on emissions into the air or water. There are no standards within the Territory with which people have to comply.

Mr Hatton: I do not understand what you are talking about.

Mr Manzie: You are supposed to be talking about the strategy. How about the strategy?

Mr BAILEY: We are talking about the strategy. As I said, the strategy is largely a review of comments made by the public, and I accept that the direction we are going ...

Mr Reed: That is not the strategy. That is the process for getting to the strategy.

Mr BAILEY: There is nothing in here about the strategy. This is only the process. The minister did not even mention the strategy.

Mr Finch: What do you want to do? Put the horse before the cart or the cart before the horse? Which way are you going?

Mr BAILEY: The minister released the strategy 2 sittings ago. The statement today relates to the process of implementing changes in the strategy. That is what I am talking about.

Mr Collins: You do not know what you are talking about.

Mr Reed: Let us see how you would do it. That is what we want to know! How would you do it?

Mr Manzie: If you reckon that is the wrong way to go about reaching the strategy, how would you do it?

Mr BAILEY: I have not criticised any part of the process of the implementation of the strategy.

Mr McCarthy: You are not getting a lot of support from your colleagues either. They have all left.

Mr BAILEY: I will tell you something. There were not many of you here when the minister was talking. You all came back to listen to me.

Mr Hatton: I had given them a briefing, as I did with you.

Mr Manzie: Sometimes we make mistakes too.

Mr Collins: You are not making sense, so sit down.

Mr Finch: Here is Neil.

Mr BAILEY: Thank you, Neil!

Mr DEPUTY SPEAKER: Order!

Mr BAILEY: Mr Deputy Speaker ...

Mr Collins: We would like to go to lunch early.

Mr BAILEY: Yes, would I like to go to lunch early? All right, I will take you up on that.

I will conclude by referring to the honourable minister's ...

Mr Reed: Page 51 of your policy document.

Mr BAILEY: Here we go again! Do you want me to read it out? There you go. It will make you feel happy.

Mr Reed: Yes, if you want to.

Mr BAILEY: I am quite happy. Here we go. Mr Deputy Speaker, I am allowed to read out our policy. Will that make honourable members happy?

Mr Collins: You have to ask your boss.

Mr Reed: That is what we want to hear. The people want to hear what the Labor Party would do.

Mr DEPUTY SPEAKER: Order!

Mr BAILEY: Mr Deputy Speaker, we have heard many things in the recommendations for the development of the strategy. Most of them are inconsistent with the present CLP policy on environmental issues. I refer, for example, to the need for public availability of information, an issue which I have raised again and again within this Assembly and with the minister. I refer also to the situation which the minister says he will try to address - although we never seem to get any further than that - in relation to requiring initial assessments of the environmental implications of all projects within the Northern Territory. If there is a perceived need for an assessment, a PER is done. The information from that PER, which is undertaken to assess the environmental risks, is not made public, on the grounds that the minister says that, because the company pays for the PER, the public has no right to know on what grounds there was believed to be no environmental risk.

I believe that the public has a right to know the environmental grounds on which a project is allowed to proceed and, until this government moves to change that legislation, it cannot be seen as a government that is concerned

about environmental issues. We see that the process for developing this environmental strategy will probably take us well past the next election. I see that as being quite significant because there is no way in the world that the minister's colleagues will allow any of these reasonable recommendations to go through.

Mr FINCH (Transport and Works): Mr Deputy Speaker, what a disgraceful and abysmal effort from the opposition's lead speaker in a debate on the environment! I am genuinely angry, once again, with the opposition's so-called spokesman on the environment, a member who was elected on the coat-tails of the green vote. Environmentally concerned people who voted for him must be feeling sick in the stomach. If only they could come in here and listen to his waffle, they would be absolutely distraught. He begrudgingly accepted that the approach taken by the minister was correct. Of course, he failed to understand what the statement was about: developing the processes to formulate finite strategies.

Mr Hatton: With the community.

Mr FINCH: Of course. If we did not involve the community in the consultation processes which the opposition harps about but does not understand, we would be justifiably criticised.

Most of the member for Wanguri's presumptions on environmental matters are so ill-based and ill-informed that his track record so far is about 0 out of 20. I will come to some of his previous efforts shortly. He is wrong in his presumption that processes and practices which take into account environmental considerations are not in place. He said that no authorities or agencies of government should be exempt from the environmental assessment process. That is already the case. It applies in the case of Minister for Lands and Housing, the Department of Mines and Energy, the Power and Water Authority, the Roads Division of the Department of Transport and Works and all sectors of government. We are all subject to the Environmental Assessment Act, as we should be. We may differ about how far those processes should go, but that is a matter for debate.

As far as the Department of Transport and Works is concerned, the processes are among the best in the country. They have been in place for a long time. In the 12 years since self-government, the Department of Transport and Works has developed a very sound reputation in this area already. Our environmental policy is already expressed in our actions, not by a profusion of words. Of course, the words need to be defined and that is what the minister is doing quite correctly by stimulating debate in the community and in this House. The various departments and authorities have had proper procedures and practices for over a decade. These cover such matters as the construction of sewerage treatment facilities, taking into account the environmental impacts of location and the discharge of effluent. They apply in the alignment of roads and a whole range of other areas.

In terms of our track record, Mr Deputy Speaker, you will recall that I raised a number of issues during the last sittings. One was a comparison between how the Commonwealth has treated the environment in such examples as the activities of its park managers at Uluru and how the Department of Transport and Works and the Conservation Commission have approached similar projects. The ANPWS was badly caught out in respect of the Olgas road. Certainly, a PER was carried out on the proposed alignment of the road, but that alignment was changed on the basis that is would have impinged on the habitat of the Mulgara rat. That was a worthwhile motivation. However,

after the PER was prepared, it was circulated only to a select few. Contrary of the view of the federal member, Warren Snowdon, and the opposition environment spokesman here, it was never circulated to the Department of Transport and Works, the ultimate agents for the technical design of the alignment and for supervision of construction. All the Department of Transport and Works received was a letter from the federal minister, as required under the act, to say that the environmental processes had been satisfied. He decided that the PER was sufficient and that it did not need to be put on public display. That is fine. That is his prerogative. However, it was quite wrong for Mr Snowdon to claim that the proposal was displayed publicly and consented to by the Department of Transport and Works.

Of course, what ANPWS failed to tell its minister - and it has probably been asked to provide an explanation subsequently - is that it did not comply with the very specific requirement of the PER that no large stands of desert oaks or no large single desert oaks should be disrupted. That was part of the conditions under which approval was granted. It was quite specific. Of course, ANPWS will have to explain how it moved off the alignment as displayed in its PER. Certainly, it had about 3 or 4 maps and there were 2 different interpretations within that report. However, neither of them complied with the final alignment by up to 3 km. Certainly, the park officers there may have felt justified in saving some stands of mulga for the sacrifice of ...

Mr Bailey: Not desert oaks again.

Mr FINCH: If you would like to sit down, you might hear a little about desert oaks. You might get some balance and some genuine concern for the environment into your mind. It is in black and white. Despite his bleetings from the sideline, the member for Wanguri will never change the facts. He does not like being reminded about his federal colleagues and their park mismanagers. How does he explain the record of ANPWS in relation to Kakadu and the rock paintings? I will be critical of ANPWS for as long as it deserves to be criticised.

Of course, we also have the charges made by the environmental politicians. I have no beef with environmental groups. They have a legitimate role to play. The dramatisation and, at times, the overemphasis in which they indulge are par for the course for single issue groups wishing to get their points across. However, when they play pure politics, it does them no credit. We had charges thrown back at Transport and Works about Kakadu and the Oenpelli Road.

Mr Ede: No. Mataranka.

Mr FINCH: It was about the road in Kakadu. I do not have the exact words of Mr Krockenberger. What we did not realise when he opened his mouth on behalf of his Labor party colleagues and in his defence of Warren Snowdon in the election campaign was that a full EIS - which no doubt was publicly displayed and accepted - had been undertaken for that road 5 years ago. Talk about leading with the chin, Mr Deputy Speaker. I do not mind them raising issues about Frog Hollow or anywhere, but they should find out the facts first. The government had designated Frog Hollow as a park under the control of the Darwin City Council. It had been done. It was not a problem. The member would not listen to advice that the road alignment had not been finalised. It was a preferred position of the road engineers that one of the school buildings be knocked over.

Mr Bailey: That is National Trust heritage.

Mr FINCH: Mr Deputy Speaker, for the benefit of the member for Wanguri, who has a capacity for talking nonsense, the registered buildings do not coincide with the preferred alignment of the road engineers. What he failed to say was that it is a matter for the city council, which has control of that area, to make decisions about the various long-term options for entry to and exit from the city. It has to be in the context of a proper planning process. We are talking about a population of 120 000 before this matter even needs to be considered. There are a number of options. The one that happens to be adjacent to Frog Hollow does not involve heritage-listed buildings or damage to the trees. There are other matters which will be debated when the city council needs to make the decision.

Unfortunately for the member for Wanguri, the Department of Transport and Works happens to be an environmental performer, and has been for a decade or more. Certainly, when you are developing infrastructure, there will always be the odd occasion when the knocking over of the odd tree is unavoidable, but to knock over 150 desert oaks for the sake of some mulga and a few rats ...

Mr Bailey: What is wrong with mulga?

Mr FINCH: Nothing is wrong with mulga.

Mr Bailey: It is much rarer than desert oaks but the minister thinks that it does not look so nice.

Mr FINCH: Mr Deputy Speaker, let us talk about desert oaks versus mulga. The experts tell me that it takes at least 50 years for desert oaks to even start to mature, unless they have extraordinarily good conditions. The member for Wanguri can shake his head if he likes, but the desert oaks which were knocked over were, in the main, 100 years old. The original alignment would not have destroyed 1 mature desert oak. The downside to the original route was that, in 764 nights of trapping or thereabouts, 1 Mulgara rat was trapped.

Mr Bailey: They are rare, aren't they.

Mr FINCH: The member for Wanguri says that they are rare. The irony of this whole story is that Mulgara rats were jumping around on the new alignment like a plague. The ANPWS people were as embarrassed as all heck and I do not blame them. The rats were there in numbers, like the cockroaches in a certain facility which I spoke about some time ago.

The track record is what we are talking about. We have in place the proper public processes of developing a formal strategy. In the meantime, each and every government authority is carrying out its environmental responsibilities properly. Whether we talk about sewerage facilities, land conservation, or ensuring that road design leads to water discharge at the proper velocity so that soil erosion does not result, Transport and Works engineers have the matters in hand. They live with the environment. The other day, I announced the construction of 2 bridges on the Kakadu Highway. One of the substantial reasons for the delay in the construction of those bridges was because the engineers, in consultation with the Conservation Commission, had been advised that 2 of the creeks being bridged were breeding areas for rainbow fish. Here we have a government department programming construction to suit the environment. That is part of normal practice. The member for Wanguri jumps on his hobbyhorse and moans and

groans about this document not doing this or that, and tells us that we do not have a strategy in place. That is absolute nonsense.

Mr Deputy Speaker, as I said at the commencement of my remarks, people in the electorate of Wanguri who voted Green, which is certainly the flavour of the month ...

Mr Bailey: The number of statements we have today on Green issues shows that.

Mr FINCH: Mr Deputy Speaker, those statements indicate that this CLP government has always had a sincere and genuine concern for the environment.

Mr Bailey: In the last 6 months.

Mr FINCH: Do not talk about programs. More than 10 years ago, I worked as a consulting engineer for the Department of Transport and Works. The department was meticulous about conservation requirements and they had to be complied with. I will not tell you, Mr Deputy Speaker, which part of my anatomy would have been at risk if we had unnecessarily knocked over a single desert oak.

Mr Bailey: Is that why you have such a highly pitched voice?

Mr FINCH: Mr Speaker, if the honourable member for Wanguri would like to talk to me outside afterwards, I will let him know about the pitch of voices. In the meantime, let me say that it was a pity that the Leader of the Opposition was not here to hear the honourable member's sick effort. He would have been horrified by the mealy-mouthed, sick approach of the opposition's lead speaker on the environment, the member for Wanguri, who really has to examine why he is in this place.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I would have thought that the members opposite would have been very keen to talk about a conservation strategy for the Northern Territory. After all, they made a big play last year when the Prime Minister presented the greatest conservation strategy for the country. They made a big issue of that. Obviously, they are not nearly as keen to talk about it when the Northern Territory government comes up with a very positive strategy for the conservation of resources in the Northern Territory.

It was not really surprising, however, when the opposition spokesman on conservation made a very poor attempt to denigrate the very good work that the minister has put into the development of this strategy. When asked about his strategy, he said basically: 'You show us yours and we will show you ours'. At least, we are a long way down the line because of the efforts of this government. You cannot have it both ways: you cannot have the best strategy and do it overnight. If we are to have the best strategy for the Northern Territory, it will be done with proper consultation, taking into account the wishes of all the people of the Northern Territory, not only as individuals, but as people who have an interest in environmental protection and people who have an interest in development. The ideas of all people have to be taken into account.

Mr Speaker, the old saying says that actions speak louder than words. The actions of the Territory government in this area have been genuinely motivated and timely. The government recognises that there is a need for sound community input. That will not come about unless there is a strategy

for obtaining that input. You must have a clear set of guidelines as to how you will gather the material that will contribute to a strategy. That is exactly what the minister and the government have done in this case.

Mr Bailey: That is what we are doing.

Mr McCARTHY: You can say that is what you are doing. You say that you are doing it and it is certainly in your policy. We can refer back to your platform if you like. Your platform is to do exactly what this government is doing. We are not talking about doing something whilst having a written policy which can be denied, as the opposition has done this morning with almost every other part of its policy and platform. During the luncheon break, the Leader of the Opposition basically denied the existence of what I read directly from his party's platform this morning. He admitted that a shorter working week was on the agenda, as I indicated, but denied that the agenda would bring an end to the practice of having contractors perform work for the government. He admits that one thing is in the policy - although he claims that it is on the back burner - but he absolutely denies that something else is there. It is there. My eyes do not lie. I can read it, as can everybody else in the Northern Territory.

The Northern Territory government policy says that we intend 'to develop and implement a Territory conservation strategy which is compatible with the National Conservation Strategy'. If that is not what the minister is doing, I do not know what is. Obviously, that is exactly what the Northern Territory government is setting out to do. It does not intend to do it without genuine input from the community. It will not come up with the world's best strategy overnight because, quite simply, that is impossible. It will be done with genuine input from the people who have an interest in the area. In his statement, the minister spoke about the discussion panel which included Dr Goff Letts. I think all honourable members would agree that Dr Letts is a man with a genuine interest in the conservation of the resources of the Northern Territory, but also a man with the rational view that that can only be accomplished in conjunction with proper and sound development.

Also on the panel was Ms Sue Jackson, a representative of the Northern Territory Environment Centre. Ms Jackson is genuine in her attempts to ensure that we have the best strategy for the Northern Territory. Dr Geoff Pickup of the CSIRO, and relevant Conservation Commission officers made up the balance of the panel - a panel of very sound people with the task of putting together a strategy that will be of genuine value to the Northern Territory. The minister circulated the recommendations put forward by the panel. All of those recommendations have been picked up by the minister in this statement, and there is now room for further consultation to ensure that the whole of the Territory is satisfied with what the panel has come up with. That is genuine consultation.

If we were to go ahead now and put in place the findings of the panel, there would be room for a great deal of concern throughout the Territory that we have not consulted as widely as we might have done. The minister has made it clear that there will be further consultation on those recommendations, and why shouldn't that occur?

Mr Bailey: Who was sent the final recommendations of the panel?

Mr McCARTHY: They are recommendations of a panel ...

Mr Bailey: They are final recommendations.

Mr McCARTHY: They are the recommendations of a panel. They do not necessarily reflect the desires of the entire Northern Territory population. We will seek that further input.

A very sound set of guidelines has been considered by the panel. It has looked at the reasons for having a strategy, who the strategy should be designed for, the structures, the procedures and the major issues, all of which are all very relevant to the preparation of a genuine conservation strategy for the Northern Territory. It would be impossible to do it all in a very short space of time. At present, only a very short period has elapsed since this process began. The panel had a very broad look at what a conservation strategy for the Northern Territory should include. At the point that we have reached to date, if we were to present this House with a hard and fast government position on a conservation strategy, we would not be doing our jobs very well.

It is important that the broader issues of conservation aligned with sound development are considered. The minister's statement identified a number of factors which need to be looked at in that context, including some which animal liberationists certainly will not like, but which conservationists will probably have no real problem with. In fact, the world conservation movement has always insisted that, to give a native species true value, one must use it. This statement reinforces that approach. As I have said, everyone will not agree with it. The greatest enemies in the Northern Territory are animal liberationists and conservationists. One group believes that we should clear feral animals from the Territory, whilst the other believes that we should not hurt them. Quite clearly, differing viewpoints exist in the community and they must be taken into account if we are to come up with a genuine strategy for the Northern Territory.

It is important that people be able to talk about what they would like the results of this process to be. Certainly, I have my views and I am sure that, if we were to ask everybody in this Chamber, a range of views on the final contents of the strategy would be expressed. Such a strategy, however, would not necessarily reflect the needs, desires and hopes of the people of the Northern Territory. The minister has set the process in place. We are further down the line than any other state in this country, as we are in so many areas. We have policies that are developed and are working. When this strategy is in place, it will reflect largely what this government has practised for many years, and that is genuine conservation and genuine development. We have tied the 2 together, and it has been done well.

I strongly support the statement made by the Minister for Conservation this morning. I believe that it is a clear sign that the government is not basing its future strategies on mere words, but on true action and genuine consultation and involvement with the community.

Mr SMITH (Opposition Leader): Mr Speaker, I start by congratulating the government on the steps that it has taken to open up the conservation strategy debate. Obviously, it is an important debate that is taking place in the community, both here and Australia-wide, and the government is to be congratulated on the efforts which it has made. It is an interesting comment on how quickly the conservation debate has moved, when one considers attitudes expressed in this House in recent years by honourable members, particularly honourable members opposite, and how some of those attitudes have been modified quite dramatically by recent events.

Mr McCarthy: Not as dramatically as some of your ideas have been modified from your policy of last year to your policy statement of today.

Mr SMITH: Mr Speaker, it comes from a sense of political reality. We are all political animals and we all know where the votes can be garnered. All parties have had to come to grips rapidly with the growing power of environmental groups. We have had to have a very close look at our strategies and policies and we have had to come to grips with matters which neither party would have spent much time on 10 or 15 years ago. Certainly, recent elections in the Northern Territory and Australia-wide have demonstrated the growing power of the environmental movement. That is a positive development. It reflects a growing awareness of the fragile nature of the world that we live in and the need for us to consider not only our own welfare but the welfare of the next generation and subsequent generations. Once again, I congratulate the government for being part of that process.

Similarly, as I expect my honourable colleague said, this side of the House is engaged in a similar process. Of course, we do not have the facilities that the government has and we will not be able to finalise a detailed conservation strategy before the next election. We will simply be unable to carry out the consultation necessary to put in place a detailed conservation strategy before the next election. However, what we can do and what we are doing is taking a very close look at the government structures which are necessary to put some teeth into the conservation strategies which are developed. This is the area in which the government is falling short at present.

It is all very well to consult with the community on what a conservation strategy should contain, and I again congratulate the government on doing that, but there is a real need to look at the government structures which are necessary to ensure that the conservation strategy can be implemented. Of course, there are serious structural problems in the government's approach to very basic environmental and conservation matters. For example, environmental controls are scattered across a number of acts and a number of ministers. Frankly, that does not make any sense to me. One of the things people are looking at is how the government intends to put together its own structures, its own departments and authorities, to provide a comprehensive approach to these very vital questions.

We also need to know, and I hope that the government will address this matter, how it intends to put some teeth into the strategy that it develops. Are we simply going to have a lot of nice statements printed on recycled paper only to find that, when it comes to the crunch, the strategy has no teeth? If we do not integrate the conservation strategy with other key areas, particularly the approach to economic development, we really are wasting our time, apart from having created a very useful public discussion and perhaps having changed or at least modified some attitudes. I do not decry the importance of that. One of the good things emerging from the consultations that are taking place on both sides of the House is that we are changing attitudes. People are realising that there is an important debate occurring in the community and the results of that debate are important.

Equally, it is important that the government demonstrate, through an awareness of the need to change some of its present inadequate structures, that it realises that there is more to a conservation strategy than a booklet printed on recycled paper. It must be putting into place the structures that will enable it to implement its conservation strategy. This

is an evolutionary process and it is not a debate that should be hurried. However, a strategy document from the government needs to indicate, for example, how the conservation strategy will be implemented in respect of urban and rural planning. How will it be integrated into that and what structural approach will the government adopt? That is an area on which the opposition has done a considerable amount of work. We have been looking at the structures that we would like to put in place in government to ensure a coordinated approach to planning, environmental and conservation issues. We are concerned at the fragmented approach that is evident in the government's policy at present and at the lack of legislative power in some key areas. We recognise that there is a need to revise those structures and put in place a more coherent process.

That process is being developed within the Labor Party. It is not at the stage where it can be released publicly yet. Certainly, it will provide another useful mechanism for stimulating debate in the community about these broad issues. This ministerial statement is one of those mechanisms for stimulating debate and I congratulate the government on it. Similarly, our document will also stimulate debate on these very important issues. We have adopted a slightly different approach by looking at our structures and how they would operate in terms of an overall coordinated approach. The government has gone the other way and I am not critical of that. There is always more than one way of examining matters.

It certainly is a very important task that we are engaged on. Because we are a small community in a large land, we have the opportunity to get it right on behalf of future generations. Let us hope that we do get it right. Let us hope that, in the process, we can have an open, honest and healthy debate and not become bogged down in political mud-slinging and point-scoring. It is too important for that. You will notice, Mr Speaker, that I have not attempted to do that. It is an important debate and, obviously, there are different ways of proceeding with it and different points of view. Ours will be different from the government's. However, it will create a climate whereby the community will recognise that these matters are high on the list of priorities of both the government and the opposition. We all want to get them right. That will involve a lot of discussion and open debate.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I do not have any need for it, but I would like to compliment the Minister for Conservation for putting forward this strategy plan. Now that his colour has changed, I ask if he would like to borrow my green hair wig.

It is indeed pleasing to hear a bipartisan approach to a subject like this. Because I am an independent, I notice more than the party members that people in the community are becoming sick and tired of the parties sniping at and trying to score off each other, which seems to occur ad nauseam. It is very refreshing to see a bipartisan approach to a matter like this. I only wish that there was more of it.

I support the government in its conservation strategy for the Northern Territory. I think it is on the right track. I hope that it does not go overboard and fail to see the wood for the trees or, to use another expression, that it does not end up sitting under a gum tree contemplating its navel. A conservation strategy is not something to be continually talked about. It is an action strategy and I would like to see some action pretty soon, and where it is needed. I have spoken on this subject many times in the past. In fact, I was probably involved in such matters a long time before the minister and perhaps most other honourable members. I would

like to comment briefly on different aspects of the statement which are of interest to me.

The honourable minister said that a series of public meetings were held in relation to this conservation strategy in the major urban centres of Darwin, Katherine, Tennant Creek, Alice Springs, Jabiru and Nhulunbuy. I believe that the committee made a gross omission there, because there are more than 1 or 2 people living in the Darwin rural area who would not go to Darwin, Katherine or Tennant Creek for a meeting. They would like the committee to visit the rural area. Perhaps the honourable minister or his advisers could consider that. I do not know whether many people would turn up if such a meeting were held in the rural area but I would imagine that there would be as many as there were at the meetings in the urban centres. The views of the people in the rural area are as worth listening to as those of people in the rest of the Northern Territory.

The first heading was: does the Northern Territory need a conservation strategy and why? All respondents agreed to the need for a strategy. To some extent the reasons varied, but one of them was that it was necessary to help change attitudes and lifestyles. I would like to qualify that. It is far too broad a statement. It should be to help to change attitudes and lifestyles which are not in tune with a conservation-minded community. Some of our attitudes and lifestyles may not need to be changed. Some of us may be way out in front already.

I agree with some of the other comments: to apply conservation principles to enhance Territory lifestyles; to have the natural environment nurtured by Territorians; and to address all human activities in terms of environmental, economic and social factors. It is true that today's environmental, social and economic pressures require a community response. A holistic approach to conservation is also to be applauded.

Another point which arose from contributions to the committee was the need to integrate conservation and development, to remove any bias towards development and to introduce conservation principles to planning and decision-making. That assumes that conservation issues are not of major importance to some people. I believe that any bias should be removed completely, not only against development but against non-development. We must have development of certain industries in the community. With our population increasing as it is, we cannot afford the luxury of having more and more land which is not in use. We must have multiple uses for our land. I believe, however, that integration is the best approach.

Whom should the strategy be designed for? That is a very interesting question. I believe that the strategy should be designed for everybody, which is more or less what the statement said. It said that there was a need to recognise that some community groups have special needs 'even to the extent that special editions of the strategy, using the most appropriate language techniques, may be necessary'. I do not know what that means, Mr Speaker. I hope it does not mean one of those ghastly comics full of gutter language which were supposed to tell young people the facts of life. They used the most revolting gutter language that I have ever seen and, if that is what we have to be reduced to to get our message across, I believe that there is something wrong with our education system. I have said that more than once.

I do not know what 'appropriate language' means. If it means a language other than English, the first question is: 'Why aren't those people who come to Australia not speaking English or why don't they learn English?' If

I went to live in Greece, Italy or Denmark, I would have to learn the language of the country if I wanted to get on. If 'appropriate language' means doing away with long words in a paper like this to make it easier for people to understand, perhaps that is appropriate. However, it should not be reduced to the level of the revolting comics of which I spoke.

Every man and his dog seems to have the idea that their particular interest should be given high priority in schools. They are all do-gooders of course. They all want everything taught to the children.

Mr Hatton: It is already in the curriculum.

Mrs PADGHAM-PURICH: It probably is, but the comment is that it has to be given a high priority in Northern Territory schools.

The more social issues we force on our children's shoulders at an early age, the less and less time they will have to become educated. Children go to school to receive a basic education. Dare I say, with all these teachers and educationalists listening to me, that we seem to be getting away from the old-fashioned 3 Rs and teaching the children to be socially conscious and so forth rather than giving them the basic skills and waiting a few years until they are able to make up their own minds on certain matters.

The conservation strategy, of course, needs to be designed and explained to landowners. I believe that is crucial, but why have 2 sorts of landowners? On one line, the statement talks about landowners and on the next it talks about Aboriginal communities. Aboriginals own land. Black people own land and white people own land. Why are we not all called landowners? We get this division again. It is all very well to say that Aboriginal communities have different problems and different understandings of conservation. The same could be said of different sorts of farmers. Farmers, orchardists, crop-growers and people who use the land for mining are all landowners, albeit in different ways. Why are these divisions necessary? The statement says: 'There is a need for greater Aboriginal consultation on conservation issues'. It refers to consultation only in relation to Aboriginal communities. Nevertheless the landowners - and I assume that it refers to white landowners - are to be involved in conservation management on privately-owned land. That is said to be crucial. I believe the same should apply to Aboriginal communities. There should be no distinction in that regard.

The target groups mentioned are: legislators, administrators, developers, industry, commerce, trade unions and professional bodies. What is the difference between industry and commerce?

Mr Hatton: Industry refers essentially to manufacturing and mining production and commerce is tertiary, white collar activity.

Mrs PADGHAM-PURICH: There could be other target groups. Many migrants who come to Australia do not learn English as quickly and as thoroughly as migrants did after the Second World War. They could be one of the target groups.

I compliment the minister on the thoroughness of his statement. I hope that he and his staff and this committee do not make this a be-all and end-all of the issue. I agree that the government should give a clear indication of its procedures for further development of the conservation strategy. I agree also that there must be strong Aboriginal involvement, but why single out Aboriginals? I believe that there should be strong

farmer involvement because farmers have land too. There should be strong mining involvement. Why separate people into colours again? They should all have a strong involvement in the development and implementation of this strategy.

Mr Hatton: They will.

Mrs PADGHAM-PURICH: Yes, but why single them out?

Mr Hatton: That is what people told us.

Mrs PADGHAM-PURICH: The minister went on to say that industry must be consulted to assess the impact of environmental measures. That is very important. We also have to live, to eat food, to use metals and to mine. Thus, cost benefit studies will always have to be undertaken.

I agree with the statement's suggestions in relation to aquatic and marine environments. Many people seem to think that some marine environments on the coast are rubbish country. Because these are mangroves and smelly swamps, some people believe that they should be filled and made into industrial areas. I would like to see that type of attitude change. As any thinking person knows, the food chain for many marine creatures begins in the mangroves. They are very important. While on the subject of mangroves, I spoke to the Minister for Transport and Works about doing something about the mangroves on both sides of Tiger Brennan Drive. I do not want to see the mangroves removed. However, I believe something could be done to tidy the area without making it too twee or damaging it in any way. I would like to put that to the Minister for Conservation as the other honourable minister was not very interested in it.

The strategy as it relates to terrestrial environments is important. There is reference in the statement to analysing 'the effects of various fire management techniques'. Surely we know enough about fire management techniques by now. In fact, at lunchtime, I had to go home because we had a fire break out from a bit of burning off that was done last night. I broke a few speed limits going home but, luckily, the fire brigade had risen once more to the call and had put it out. I thought that analysis of fire management techniques would have been done to death by now. I thought everybody interested in fire management knew all about it. However, there are certain differences of opinion between senior personnel of the Northern Territory Fire Service and senior personnel of the Bushfires Council. I can inform honourable members of the details too, and the honourable minister knows them as well as I do. I live on a farm and I tend to come down on the side of the Bushfire Council's view on how to control fire in the rural area. At the same time, I must say that the Fire Services personnel cannot be beaten on the ground. Its officers sometimes know more about fire control and the day-to-day management of fires than the senior personnel.

The strategy says that there is a need to 'provide for increased protection and conservation on private land'. That raises quite a few questions. What form would this take? What controls would it imply? How much would it cost? Who will pay, the landholder or the government? If it means conservation to the exclusion of farming, that will mean that much less food will be produced. The effects on the agricultural development of the Northern Territory will need to be studied.

The statement also refers to the need to 'research the ecological effects of waste disposal and seek alternative means of disposal or use'. That is very important these days. In answer to a question this morning,

the minister talked about reusing material. In addition to that, many of the products that we purchase in the shops are grossly overpackaged. Some items have 3 or 4 coverings on them.

For urban and rural land use, there was a recommendation relating to the need to improve liaison between planners. That seems rather unfair to me. It does not explain whether it means private sector or public service planners, but I thought that all the planners got together anyway. I will be making private inquiries of my own in relation to this later.

There is a recommendation to 'provide more effective noise abatement legislation', and I heartedly agree. One goes to so-called parties and other social gatherings where there is noise. I could not call it music. It is magnified noise which comes from records, compact discs and tapes. Some of that noise not only affects the ears detrimentally, and sometimes permanently, but also can affect other parts of the body. At one time, following the Tennant Creek Show, I attended a Show Society Beef Breeders dinner and, towards the end of the evening, when the noise was turned up, I was sitting some distance away from and with my back turned to the noisemaker. One could not call it a music-maker. I had to leave very quickly because I could feel the decibels on my back. It was as though somebody was thumping me.

There is a recommendation for urban and rural land use 'to encourage the use of native species for meat production'. I could not agree more because I have had an interest in that for a number of years. There is a recommendation 'to encourage the use of biotechnology to multiply endangered species'. I could not agree more strongly. There is a recommendation 'to provide protection and enhancement of wildlife corridors on private land'. I agree with that on principle although certain questions need to be asked. Does the government buy the land? Who looks after these corridors? Does the landholder receive any financial encouragement? Are there any controls and, if so, what are they?

There are some matters that I have not discussed but this is quite an extensive statement. In what remains of my time, I would like to compliment the minister and say that I agree with the thrust of his policy and this strategy plan. I hope that he will continue with the process, but not to the extent that it becomes a talkfest and the people involved lose sight of what they are supposed to be talking about. I hope that we will see action coming from this strategy plan, and pretty soon.

Mr BELL (MacDonnell): Mr Deputy Speaker, in speaking to the minister's second statement in 6 months on his conservation strategy, this time I will resist the temptation to make provocative comments about the difference between his views then and now and how green he has become. I was trying to think of what the opposite of green is. I suppose we could not say that it is red but, certainly, the colour of the Minister for Mines and Energy is somewhat less than green or, at best, a very pale shade of green. In passing, I point out that, in last night's debate on the Mine Management Bill, he failed to pick up my comments in relation to environmental concerns and the relatively scant advice apparent in that regard.

That brings me to the major point that I wish to make on the conservation strategy. The conservation strategy is so much in character with the sunny mien of the Minister for Health and Community Services. It is stock-in-trade of the Minister for Health and Community Services to be all-embracing, sunny and seeking to take into consideration the views of all. I welcome that refreshing approach to the world and, of course, it is

in stark contrast to the approach taken by some of his colleagues. However, I will not dwell on that today. The central point which needs to be made in debates of this sort is that, whenever they are occur, we should have an audit. Off the top of one's head, one can identify the major tough environmental issues in the Territory. In my view - and I stand to be corrected because I am talking very much from my own experience, this area being the province of the opposition spokesman for conservation - the critical areas, which are being closely looked at by people outside the Territory, are uranium mining, arid lands management and, more recently, the selective felling of gutta-percha and lancewood ...

Mr Reed: You have to be joking!

Mr BELL: I will come back to that. I think I am using the correct term: 'selective felling'.

Mr Hatton: Selective felling is correct. It was only announced yesterday.

Mr BELL: It is important. I will come back to that shortly.

Mr Reed: If it had not been announced yesterday, you would not have known about it.

Mr BELL: There are those 3 issues, and I think that any statement about a conservation strategy should be talking about an audit. It is very important, not only from the international perspective of conservation, but also with respect to the institutions of public administration in the Northern Territory. I believe that they are the tough areas. I will go through each of those issues and provide some comment that I think will be of interest.

I will not comment at length on the question of the supervision regime in the Alligator Rivers area, except to say that the work I have done as a member of the Sessional Committee on the Environment has been some of the most satisfying work which I have done in this Assembly. I have learnt a great deal about the variety of institutions that are involved in what is arguably the most sensitive environmental issue in the country, including the question of protection of rainforests and woodchipping, which have been such high-profile issues in the southern and eastern states. The issue, of course, will not go away.

What we still have before us is a debate on the tabling of a report. Before he was resurrected to the frontbench of the government, like Lazarus risen from the dead, the Minister for Health and Community Services, in his former not-so-dormant state - or his mortal state, to follow the metaphor through accurately - was one of my co-members on the Sessional Committee on the Environment. He will recall our travels to the Office of the Supervising Scientist at Jabiru and the briefings from Queensland Mines at Nabarlek and from Ranger staff. Very difficult issues are involved in determining what is safe and what is justifiable, and what is not. It is very important that the debate be as bipartisan as possible and, therefore, I appreciate the general tone. I appreciate the fact that the issue has been picked up by the government because it is aware that there is an effective environmental vote out there. The Labor Party was canned for supporting environmental issues before they were popular but now the government has decided that it needs to get in on the act. Those are the politics of the matter.

As far as the realities are concerned, the question of determining satisfactory standards is central. That brings me to the other major issue, which is the protection of the arid lands. There have been a number of debates in this parliament about the question of arid lands and I do not intend to rehearse their contents. A great deal of information has been put forward and much argument has occurred. It is a black mark against this government that it has refused to refer that very sensitive issue to the Sessional Committee on the Environment. I note that the minister's statement does not address the issue and that is the basis of my criticism of the statement: it places great stress on the broad picture, the need to consult and so forth, but it does not ask the hard questions. Whenever the opposition has asked those hard questions and put forward constructive proposals in that regard, it has been told to shut up.

Mr Speaker, let me refer to the Centralian Land Management Association which, at this moment, is conducting a field day at Erldunda Station as part of its land care program. I am sure that other honourable members, certainly those from central Australia, received an invitation from the president of the association, Mr Chalmers, to attend the field day. The Centralian Land Management Association is essentially a grouping of central Australian pastoralists who are aware of the arid lands debate and are keen to be informed and to put forward their views about what they see as appropriate land management practices.

Mr Chalmers' letter to me says: 'Lively discussion between landholders and range lands researchers at field sites will cover a range of topics including distribution of watering points and land spelling; establishment of grasses; the Bonne opposed disc plough; pitting, ponding and other soil conservation techniques; rabbit control by ripping and regeneration of treated areas; spread of woody shrubs and some control measures'. I do not need to remind members who are aware of the context of this debate of the work that has been done by the CSIRO, both with LANDSAT imagery and on-the-ground research into vegetation change in central Australia. I believe that, in central Australia, with most of the properties run by families or family companies, the land is in very good hands. I believe that elsewhere in the Territory we have some problems with the large aggregation of holdings by public companies. I refer, for example, to the Sherwin companies. I welcome that initiative by the Centralian Land Management Association and I believe that those type of initiatives should be included in an audit as part of this conservation strategy.

I now turn to the other question of gutta-percha and lancewood, which the member for Katherine and the minister were scoffing about.

Mr Reed: You did not know about it until yesterday.

Mr BELL: If the member for Katherine would like to come over here and look at the correspondence which I have had with the Minister for Conservation during the last 12 months, he might find otherwise. I point out to the member for Katherine that, having investigated the question, I wrote to the Minister for Conservation in August last year seeking a clarification of the approval given by the minister for the clearing of lancewood and gutta-percha from some stations in the Territory. I received a comprehensive reply from the member for Sanderson, who was then the minister. He provided me with considerable information about the assessment of the project. I think he was seeking my support for the government's approach. He also attached to that a lengthy assessment from Perkins Timber Exports Pty Ltd. It gives details of the company's negotiations with both the federal and the Territory governments, as the honourable minister

outlined in question time this morning. A preliminary environmental report was carried out pursuant to the Environmental Assessment Act and a considerable amount of information about the species, buffer zones and supervising officers etc was provided. I was pleased to receive that information.

However, as a supporter and member of the Australian Conservation Foundation and somebody who has taken a keen interest in conservation and environmental issues over the years, I recently received a request for a donation with a letter from Mr Peter Garrett and a brochure concerning the ACF's 1990 annual appeal. It uses certain expressions - such as,'if you go down to the woods today, you are in for a big surprise' - to draw attention in dramatic terms to the problems of clear felling in southern forests. Although that matter is not of direct concern to this legislature, I also received a Conservation Foundation brochure with headings such as: 'We are the caretakers of our forests'; 'Why are national estate forests worth fighting for?'; and 'What is clear felling?' There is a map of Australia with an arrow pointing to each state. I note that the campaign to protect the national estate forests and wilderness of south-east New South Wales from woodchipping will continue in 1990. There is a reference to the Douglas Apsley National Park in Tasmania. There is reference to protection of the eucalypt, kauri and jarrah forests of south-western Western Australia.

There is also reference to the Northern Territory. It says: 'Proposals for extraction and export of lancewood and gutta-percha timber are threatening the Roper River and Daly Waters regions in the Northern Territory. As little is known of the biology, conservation and natural heritage values of these areas and there is little documentation of their cultural values, a full environmental impact assessment process is needed before such proposals are granted'.

Let us say that there is a contradiction between the claims in that brochure and the information that I have been able to obtain from the minister. What I find so objectionable about the approach of the Minister for Transport and Works is that he is seeking simply to score political points. He never does his homework about the clearance of those desert oaks. The minister is also responsible for that. I gave him a serve about it at the last sittings and I will resist the temptation to do so again.

The reason I raise this is that we have a responsibility to audit the conservation problems in the Territory and to have a clear, regular input of information to this Assembly in relation to those sensitive issues. I have given a clear example of why that is necessary. It is very easy for those of us in the north to be painted as people who do not care about the environment. Let us do our job properly.

A point needs to be made about environmental concerns and the fair distribution of the wealth of this nation and the wealth of the world. There is a real danger that environmental concern will be the privilege only of the financially secure and the middle class. I believe that that issue, together with the immediate nitty-gritty issues of whether we chop down these trees or mine particular areas, needs to be addressed. It is not a simple issue. We must approach such matters nationally and internationally. I believe I have already referred in this Assembly to your experience and mine in Kiribati. We heard international speakers say: 'You white fellows, should not go sticking conservation down our throats'. Tough international political issues also need to be addressed. I hope those comments are of value to the minister.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to contribute to the debate on the minister's statement. There are some aspects of it that I feel are well worth elucidating. I would like to start with the concept that the minister has put in place of having a group travel through the Northern Territory to discuss conservation strategy with the various communities. I would like to report that Dr Letts and his committee came to Tennant Creek and held a meeting. Regrettably, the turnout was very small. The advertising of the meeting had not been carried out terribly well and people did not know about it. However, the few people who were there were very interested in the environment and the discussion was pretty lively.

I would like to place on record my appreciation of the way Dr Letts chaired the meeting. I can only say that the behaviour of some of the more aggressive environmentalists who attended the meeting was not terribly polite or appropriate. I felt that their attitude towards the meeting and the chairman was totally unreasonable. Dr Letts ought to be commended for his patience and perseverance in working his way through the respective arguments to try to get some reason into the discussion. I make the point that I do not think that was an easy task for him. He and his committee were pretty gracious. I can say that many people in Tennant Creek would be pretty embarrassed about the behaviour of some of the people at that meeting. It was not the sort of thing that we would regard as normal behaviour towards visitors.

It was clear at the meeting that there is a fair appreciation of the need to have an international strategy for conservation. The Australian strategy was looked on with some reservation because people could not see how it might fit into place. There was a clear understanding that we needed a Northern Territory strategy, but people want to know what the strategy will be for their area. For example, let us not talk about having a Northern Territory land conservation strategy because the matter of dealing with land conservation and land use in the Barkly will be remarkably different from dealing with it in the coastal and the wetland areas and distinctly different again from dealing with it in the VRD. The central Australia area will require totally different approaches to land conservation issues and priorities. People are saying that they want to know how to handle the environmental problems which occur specifically in their own areas.

Mr Hatton: Regional.

Mr TUXWORTH: We can call it a regional approach and I will develop that a little more in a minute. If we do not move to the regional approach, we will lose the support of people. They will say: 'They have sent us this stuff from Darwin and it all applies to the Top End. What are we all doing?' We will lose a great deal of enthusiasm and interest from the community and that would be a pity.

On top of the regional approach the minister mentioned a moment ago in his interjection, there is another step that we need to take. I am open to discussion in terms of whether it might best be done on a regional or a Territory basis. We need to prioritise those things that we believe are of immediate importance as distinct from those things that can wait. If you talk to farmers, miners, conservationists generally and people involved in parks and wildlife, they all have a range of things that need to be done in the near future and which they regard as important. The reality is that we cannot do them all now or quickly. We need to set a list of priorities that we will tackle first and the regions that we will tackle first. We need to design a hit list of the ones that we will concentrate on. Are we going to

concentrate on bushfires and burning off as a priority in the Barkly region, as against soil erosion in the McArthur area, as against control of other land measures in the south Barkly?

When those priorities have been identified and agreed on by the respective groups, we will have a pretty fair plan of attack for working our way through them. If we do not do that as a community and instead decide to have a go at everything, at the end of the day we will probably finish up doing very little about any of them. People will lose heart, not know in which direction they are supposed to be heading and not know when the money is coming for certain projects that need to be done. Eventually, many of these environmental needs will fall by the wayside.

There is a fair amount of stimulation in the community as a result of the visit by Dr Letts and his committee. It has certainly got people thinking about the important issues that they have to address in their community. That needs to be followed up, not necessarily by Dr Letts, but certainly by people who will be involved in the implementation of environmental programs. I would like to make it clear that I am not talking about environmental programs that have us all living in glass houses and leading utopian lives, but environmental programs that have some practical meaning in the lives and the workplaces of people in the Territory.

The member for MacDonnell had quite a few words to say about lancewood. I too have been watching the lancewood project develop quietly over a period. It has been very interesting because it has been trumpeted as something new. I do not know whether people know that, in the 1930s and the 1940s and when I was a kid in the 1950s, lancewood was harvested from the Elliott/Daly Waters area for mine shaft timbering in Tennant Creek. It was regarded as very difficult to work, but very good timber when you got it in place because it was tough, because it rarely split as a result of the wet/dry changes of the weather and because it was resistant to white ants. It was very popular for timbering shafts. If people in the Conservation Commission wander around the old shafts in Tennant Creek, they will find that the shafts which still have timber in them would probably be those that were timbered with lancewood. The virtue and the benefit of lancewood to the community is not something that has popped up in the 1990s. It is as old as mining in the region itself. In the early days, some of it was also used for the overland telegraph line for the very same reason that it was popular for timbering mining shafts.

I am not sure whether the member for MacDonnell has ever been through the thickets of lancewood. I think a 'thicket' is about the best possible description. All you could expect to get in the process of walking through a stand of lancewood would be scratches, bruises and cuts. Most of it falls over from age before it ever serves any useful purpose. It is very dense. I would put it to you, Mr Speaker, that driving a short-wheel-base Land Rover through a thicket of lancewood would be virtually impossible.

Mr Hatton: The trees would win.

Mr TUXWORTH: The trees would win. You would go back or go around it.

We are not talking about stands of timber which are likely to be wiped out by people doing a bit of harvesting. If the lancewood was to be quietly harvested over a number of years on a selective basis, the effect would be negligible. In fact, I would go so far as to say that the thickets of lancewood around Elliott, Newcastle Waters and Daly Waters would almost be

the size of Victoria. They are pretty extensive. If you look at them from the air, you can see that they extend for hundreds of kilometres.

To oppose the harvesting of lancewood on environmental grounds is really drawing a pretty long bow. There are farmers in the area who would say: 'If people want to take it all away and let us grow grass to fatten cattle, they can help themselves. It is nothing but a nuisance'. Of course, such an approach might as be as counterproductive as removing all the trees in the southern states of Australia over the last 100 years. We do not know what the effect would be. However, a sensible harvesting program might teach us a bit about the stands of timber, how they exist and survive, and what might make them multiply. It would be a very interesting program. I know a man in Tennant Creek who was involved in the harvesting of lancewood for timber in mine shafts in the 1950s. His advice to me is that you could cut it as hard as you like for as long as you like but you would never get rid of it because it would just keep coming back. That is one man's view. It is not a scientifically based opinion but he worked with lancewood for a long time and I would have to give him a certain amount of credibility on the subject.

It is important that, in order to counter the critics, appropriate environmental statements, reports or impact studies be put in place in relation to the harvesting of lancewood. I do not necessarily believe that they are important at this stage, but the member for MacDonnell pointed out that the Australian Conservation Foundation has listed the stands of lancewood in the Territory as part of a threatened national heritage. If we are to respond to people like that, we have to do so with reasoned, logical argument. If we do not go to the trouble of making environmental assessments and studies, we will expose ourselves to people who know less about it than we do but who happen to have greater access to the media to communicate their views to the great unwashed down south.

Mr Speaker, I would just say this to the minister, and I will say the same thing to the principals of the firm involved. It is important that we go through the environmental impact statement process pretty thoroughly and that we invite the critics to give their views. I would be interested to hear their views on how the thickets which have been present for so long could be eliminated.

Mr Hatton: Commonwealth environmental approvals were received too.

Mr TUXWORTH: I accept that. Our only weakness will be if somebody can say, in answer to the minister's ...

Mr Hatton: But they can make outrageous statements at any time. They do it all the time.

Mr TUXWORTH: But we would be able to respond by saying that environmental impact statements and reports have been done very thoroughly by impartial groups. That is important. In fact, I would not mind having a copy of such documents myself, simply for reference. It would be handy for the Elliott community, the Tennant Creek community and the Daly Waters community to have those sorts of documents on hand for local reference, because people in those communities are dealing with the critics of this sort of thing all the time.

The minister's statement highlights the immense job which we have in addressing the conservation and environmental issues that we have to face. The reality is that we now have to make conservation a way of life, not just

something we do on badge day or for the sake of political convenience. We need to make environmental approaches to our Territory a way of life so that we live that way every day and it becomes natural.

I am reminded often of the Territory Tidy Towns program and the anti-litter campaign started about 10 years ago by the former Chief Minister, Paul Everingham. At the time, they seemed like a pretty good political ploy which might help to improve the environment and ultimately improve the face of the Northern Territory. Over a period of time, those programs have made tidiness and friendliness a way of life in the Territory, more so than in other places. We now face the challenge of making environmental considerations a normal part of our daily working lives. We will not achieve that through a statement, a policy or a piece of legislation. We will do it through a long process of convincing people that this is the way to go. I look forward to further similar debates in the House, as conservation strategies are put forward by the various interest groups.

Mr COLLINS (Sadadeen): Mr Speaker, in all the debate on the environment which has been occurring for a considerable time, the general tenor is that there are many huge problems and the government has to do something. From week to week, environmental issues change. One day it is logging, the next day it is pesticides, the next day it is river pollution and so it goes on. I must confess that I am indebted to the Australian Institute of Public Policy for issuing one of its 'Economic Witness' documents to coincide with Earth Day on 22 April. The title of the paper is 'Environmental Protection: Is there a better way?' It is written by an American, Fred L. Smith, whose credentials are as follows: President of the Competitive Enterprise Institute in Washington DC, a private sector think tank which studies air and water pollution, wildlife preservation, hazardous waste management and biotechnology, and former senior policy analyst with the US Environmental Protection Agency.

Fred Smith points out that almost every analysis of environmental problems concludes that the government has to do something. The result is that governments tie themselves in knots trying to follow the trend rather than doing things properly. He asks whether there is a better way. If the search for solutions is a government problem, individuals have very little to do with it. Smith proposes that there is a better way - free-market environmentalism, which is working with nature rather than against it, using human diversity to protect natural diversity, and acting on the universally recognised fact that private property tends to be better cared for than common property. Smith visualises 'a world in which voluntary arrangements and expanding property rights would better allow individuals to play a direct role as environmental stewards'. That ties in with the member for Barkly's comments about doing things naturally by working with human nature. When people own property, there is a much better possibility that things will be protected in the natural way.

There is a great deal of information in the paper. It is too long to read in total but there are bits and pieces which are certainly worth reading into the record and I will seek to table the paper in due course. Smith refers to the common view that things which add to our economy are things which work against the environment and that the government has to get in there and sort things out, making rules and controlling our lives in often quite horrendous ways.

Smith talks about the case against ecological planning. Mr Speaker, if you have been reading the paper during the last few weeks, you will be well

aware of some horrendous environmental problems in the USSR. One lake has been totally destroyed, and we are learning of other ecological disasters which we would not have been told about a few years ago. In that country, the planned economy failed so badly that the people finally rebelled against their government and insisted that it change its ways. Their planned economy has failed. Planned environmental protection, if there was any, has been an abysmal failure.

This gives support to a view that I expressed the last time this topic was debated in this House. It is possible to look after the environment only from a position of economic strength, when wealth has been created and money provides the incentive and the ability to look after the environment. At that time, I mentioned certain people in the Australian Conservation Foundation. Mr Phillip Toyne, if I dare mention that name, sacred as it is to the member for MacDonnell, is one who said that we have to accept a lower standard of living. The USSR has a lower standard of living yet it has a terrible environmental record, as is being revealed to us through frank admissions by that country. Certainly, we do not want to be in that position.

I strongly reject a claim made by the member for MacDonnell during that last debate. He claimed that I had proposed that governments take measures to protect the environment only when they have sufficient money or when the economy is right. My argument is that you do what you can at any given time, but you will be able to do much more when the economy and the environment are tied in together, and when ordinary people have a share in the country and property rights over the environment. As Fred Smith says in his paper, people will then have the reason and the desire to protect the environment which has been entrusted to them.

Smith makes a point under heading of 'The Case Against Ecological Planning'. The United States had an Environmental Protection Authority for which he worked for a time. He says:

> Moreover, there's no easy way for political agencies to decide what to do next. What we find is that, in the United States and I suspect in Australia, the environmental agency lurches from crisis to crisis. One day, it's questions of timber policy, another time it's worried about nuclear power, another time it's worried about pesticides. Nothing much is finished because the headlines now switch to a new topic and it's off again running. The agency focuses on the sensational rather than the serious. There is no stability and no real consistency.
>
> And that is the predicament that this government may well find itself in.

Under the heading, 'The Poisoned Chalice of Politics', Smith points out some of the things that politicians tend to do: 'We "grandfather" existing plants, assigning them easier environmental standards than new plants. This means we discriminate against the future, against our future industries, against any industry that wants to build anew in any part of the country. We also discriminate against new technologies'. I am sure that honourable members will be interested in the following comment from Smith: 'Old technologies have defenders'. Didn't we hear that in the ALP policy this morning? It did not want to bring in new technology. It wanted to keep the old so that nobody had to be retrained. Smith's comment rings true: 'Old technologies have defenders: companies, unions, the users of those products. The new technology, the hope of the future, has no such defenders. Thus, environmental policy closes the door to new technologies'.

Smith makes another observation, and all sides of politics have been accusing one another of this: 'Politicians look for ways of looking good, and right now it is very difficult to look bad if you are the greenest politician in the scene'. Being quite cynical, many people say that everybody is trying to look greener that the other bloke. It is funny because, once upon a time, being green was not a state to be envied. Sometimes, politicians are so busy chasing votes, they do not think very clearly.

Smith goes on to talk about what he calls 'Bootleggers and Baptists'. He observes that some most unlikely people are getting together and that certain diverse business people form unholy alliances with conservationists who do not want to see any development. From the business point of view, the incentive is to stop anybody else getting in and creating competition. Thus, we see human nature at its worst. Smith claims that only diversity can protect diversity. He talks about 150 governments worldwide which have horrendous jobs to do, and points out that many of them are not doing the political and economic side of their work very well. We are trying to add the myriad complicated problems of the environment to their difficulties. He makes this point: 'In contrast, 5 billion people acting as individual owners might well find it possible to protect a much broader array of species. We need diversity if we are going to preserve diversity, and governments give us very little of that'.

Under the heading of 'Political Instability', Smith mentions President Jimmy Carter. He claims that, when Carter first came into office, he was very strong on the environment and set up all sorts of environmental agencies. Then, the somewhat contrived oil crisis hit and oil was the be-all and end-all. Carter granted licences and opened up exploration and the environment went out of the window as the search for oil went on without consideration of the environmental risks. Smith is making the point that politics is unstable and that governments focus on the fads in terms of current concerns.

Smith goes on to say that environmental protection agencies are pretty good empire builders. They are entrepreneurs, but not of the free-enterprise kind. They know darn well that often the best way to obtain a fat budget and plenty of power is not to solve an actual problem, but to create a scare. He says that the US Environment Protection Agency cost apple growers hundreds of millions of dollars over a claim that a particular chemical might cause cancer, although there was very little proof that it was actually harmful. There was concern about the same chemical in this country. Smith worked for the US Environmental Protection Agency and he claims that he knows. He says that such agencies know how to obtain big budgets by getting on to the front page of the newspapers and creating scares.

He then turns to the third world where most of the ecological problems are. He refers to the developed world's approach to environmental policy and contrasts that with the situation in the third world. Whilst the developed world relies on 'lots of money, lots of technologists, an honest civil service and a free and independent public interest movement', the fact is that 'none of these exists in much of the third world'. Smith goes on to say that 'if they had money and technologists, they wouldn't be in the third world'. Civil servants there tend to be more open to bribes: 'You can hardly expect to find an honest civil service without decent pay and training'. As Smith says, it is very expedient for a company whose production could be closed down by something like the Environmental Protection Agency to offer bribes to officials in order to continue

operating. Smith also observes that 'independent groups who stand up and resist third world governments often find themselves lying down again very swiftly'.

In places like the United States, the environmental protection agencies talk about the role of the individual, but Smith says that the role really boils down to the individual lobbying legislators to provide more money to the environmental protection agency. That plays into the hands of another big group of people who have a life of their own for their own purposes. Smith claims that environmental agencies in the USA have handled many of the big problems. They have cleaned up the rivers so that they do not catch fire like they used to. The big problems have been cleaned up but there is a myriad of smaller and much more complex problems which, he believes, would be better handled if individuals had a stake in solving them. That is what he calls 'free market environmentalism'.

Smith asks why the sheep and cattle populations of this world are not dying out. The answer is, of course, that man has come to terms with nature in this case. Sheep and cattle provide him with food and clothing. They provide the people who grow them with a living. They are valuable. They are owned by people. Because they are owned, they are looked after. Of course, we do not fear that sheep and cattle are going to die out. That is the line that Smith tends to take.

Smith also discusses elephants. There has been considerable talk about elephants and poachers and the burning of $3m-worth of ivory taken from poachers. He thought that was rather a stupid idea. He compares 2 countries. In Zimbabwe, the government has given licences to peasants to kill elephants. In Kenya, the government has adopted a western non-market view, keeping the economy and the environment separate. Smith points out that there were 30 000 elephants in Zimbabwe 10 years ago and there are now 40 000. That is quite a sizeable increase. Nevertheless, in that time, peasants have had licences to herd and to cull many thousands of elephants. In contrast, Kenya had 65 000 elephants 10 years ago. Today, it has 18 000.

Smith mentions Robin Hood. Most of us see Robin Hood as a bit of a hero because he stole from the king's land - land which was totally set aside for the king - and shared the proceeds with the people. People thought that he robbed the rich and gave to the poor and that that was a pretty good thing. Today, the poachers of elephants in Africa are depicted as terrible people. However, I bet my bottom dollar that they are seen as Robin Hoods by the people who receive the benefits. As Smith says, there is a much wiser way. The ownership of elephants in Zimbabwe is actually leading to increased elephant numbers. It demonstrates Smith's theme that it is possible to marry the economy and the environment. There is much more to Smith's paper but I cannot do it justice in the time available. It gives a refreshing perspective to the environment debate.

Mr Speaker, I seek leave to table Mr Smith's paper.

Leave granted.

Mr TIPILOURA (Arafura): Mr Deputy Speaker, I would like to make a brief comment on the minister's statement. Firstly, I congratulate the minister and the government on their efforts to develop a conservation strategy for the Northern Territory. It is a very important matter because anyone who has travelled to the United States, Europe and Asia realises that Australia is one of the best places in the world. I have talked to people who live in places like New York, London and Ireland, and they told me how lucky I am to

live in Australia. That is why looking after our environment is so important.

I would like to refer to the Aboriginal involvement in conservation. All honourable members are aware that the Aboriginal people have cared for and respected our land, which is so special to us in meeting our needs and in our survival. Without the land, we do not live at all. We do not exist. The land gave us everything we needed in the time before the Europeans came. It gave us food, shelter, water, plants, trees and everything else that we needed. Since then, many changes have come about. Nowadays, there is a lot of rubbish in many community council areas - papers, soft drink containers and things like that. Communities need to become aware of the importance of cleaning their areas. The government can play a part through its funding to community government councils and associations. I am sure that the government will provide that support.

The Territory Tidy Towns program operates in many Aboriginal communities. Community government councils have been involved and attitudes have changed as a result in places like Melville Island, Bathurst Island, Kalkaringi, Barunga, Daly River and Victoria River. The communities are starting to get their acts together and are working as groups instead of leaving it to individual families to look after areas. Aboriginal people are aware of the need to keep the environment clean and tidy. As I said, there are many changes in communities and packaged foods and soft drinks make some towns a bit dirty at times. A range of places need help. In places such as Elliott and Lajamanu, the people need more encouragement. It can come from government departments or the involvement of local European people. It is very important to keep areas clean, especially the areas where people live.

There is also a need for greater consultation with Aboriginal people on conservation issues. We need to talk to Aboriginal organisations, not only the community government councils but organisations like the Tangentyere Council, the Kalano Association and the Northern and Central Land Councils, to get the message across and make sure that everybody knows what is going on.

Having travelled around the world to places like Japan and the United States, I have heard people complaining about the problems of their cities that are often caused by a lack of planning. We need to do that planning now while the Territory is small. People need to be aware of the problems and possibilities. We will not achieve that overnight but we can make progress by keeping the Territory Tidy Towns program alive, by presenting awards relating to government departments, office buildings, health centres, police stations and so on. We should encourage it more and more. If we compare Darwin with Sydney, Melbourne and other big cities, it is obvious that it is much cleaner. I am sure that honourable members will be aware that we do not want our city to go down the same path. We need to get the message across to our people in the Territory. I support the statement. It is a starting point for getting everybody involved - local government, politicians, Aboriginal people, social welfare groups, primary and secondary industry bodies, professional societies and so on.

The minister said that he had attended a number of public meetings in major urban centres including Darwin, Katherine, Tennant Creek, Alice Springs, Jabiru and Nhulunbuy. I want to ask the minister whether he has visited any of the communities in the bush such as Bathurst Island, Elcho Island or Maningrida. I would like the minister to answer that question. I

believe that, if you can visit centres like Darwin and Katherine, you can also make the effort to visit some of the large Aboriginal communities in the Territory.

I support the comments in the statement relating to the 5 headings. There is a need to change attitudes and lifestyles. I have made that point in relation to the problems with tins and papers in some Aboriginal communities. We need to apply conservation principles to enhance not only our parks and reserves but to improve the Territory lifestyle generally and to ensure that there is a balance between conservation and development. In Aboriginal communities and in major centres, conservation and development need to be planned very carefully.

For the sake of the next generation, conservation should be a high priority in Territory schools. I believe that is a very valid point. We need to ensure that our kids are aware of the problems in their communities so that they can become involved in school projects and help with projects in their suburbs and communities, picking up papers and whatever.

I believe that landowners play an important part, whether they are farmers, Aboriginal traditional owners or whatever. There needs to be a greater involvement of Aboriginal people and government bodies to help to get the message across to the people. The steering committee should involve people from all over the Territory. As far as the Aboriginal people are concerned, there should be people from the Victoria River area, people from the Centre and people from the Top End. These people should become involved and try to establish a good committee.

More research should be undertaken into the loss of specific wildlife habitats such as seagrass beds, mangroves and vegetation in inland rivers. Those of us who live in the bush are aware of inland rivers such as the South Alligator River and the Victoria River. We need to keep them flowing. Pigs and buffalo go through them. We need to look after them and keep the water flowing.

We also need to protect the environment during mineral exploration and extraction. In the Nabarlek, Jabiru and Ranger areas, we need to ensure rehabilitation of exploration sites. That needs to be managed properly. I make regular visits to the Ranger site. I have been taken on tours of the area by the boss at Ranger and his men. They seem to be doing a good job out there. I have seen what they are doing in relation to protecting the environment. The Alligator Rivers Research Unit is doing a very good job of ensuring the protection of many species and the environment in that area. That is important for our future and for the future of our kids.

This statement indicates a welcome change in the government's attitude towards the environment. Ten years ago, it was not doing very much in terms of protecting the environment. The Leader of Government Business was always saying that we would be better off putting mines in Kakadu National Park. I think the government's attitude has changed and that is good. It is very important that we look after our environment and ensure that we get the message across to all people throughout the Territory. We also need to note what is happening around the world in places such as North and South America. Many forests have been destroyed. Japan has hardly any land left on which people can build. We should be aware of what is happening around the world so that we can compare it with what we are doing in our own community with regard to management and development. I commend the minister's statement.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I would like to contribute to this debate and generally support the minister's statement. As I was listening to the statement, I could not help but think of how things have changed in the last 10 to 20 years. When I was a young chap coming up by train from Adelaide prior to air-conditioning, one of the fun things we used to do was load up the carriages of the train with rocks. From the open windows of the Ghan, we would see who could knock over the most bottles. There were literally thousands of bottles along the sides of the track. These days, you do not see anything like that number. I think that is a reflection of how our community attitudes to the environment are changing.

I also remember travelling by car. If we were drinking a can of coke or unwrapping a lolly, we would automatically chuck the rubbish out the window. That is no longer the way to do things and I have mended my ways. I do quite a bit of travelling by car and every car that I travel in seems to have a bag for rubbish. Every road stop has containers where these can be deposited. In the past, people would carelessly litter the bush. These days, people seem to be more careful about what they do with their rubbish. They bury some rubbish and take other rubbish home with them. Recently, I was out at Ross River with some children. As I was walking along, I almost stepped on a little tree. The kids said: 'Watch out, Mr Floreani, you nearly knocked that tree over'.

The minister's statement is a reflection of what is occurring in our community. The conservation strategy is a positive move which reflects the grassroots feeling of the people. I have a cutting from the Business Review Weekly relating to the Australian Conservation Foundation. It states that the Australian Conservation Foundation is the biggest organisation on a growing list of environmental bodies in Australia. It is hard-headed and businesslike. It represents 19 000 members, a number which it intends to increase to 30 000 during the next 3 years. Its annual turnover is close to $3m, 70% of which comes from private donations and 12% of which comes from government grants. That interested me because I thought most of its funding would come from government grants. That indicates to me that it is a grassroots movement. Environmental concerns are coming from the people and I believe the minister's statement is very appropriate.

We are fortunate in Australia because we can learn from the environmental and conservation mistakes of other countries. I have mentioned previously that I have Swiss friends who tell me that, in particular places in Switzerland, 40% of the trees have died. In the past, trees used to hold back the snows in valleys. Tin sheets have to be erected now to hold the snows back from small villages. In some places, because of air pollution, children have serious bronchial problems. Further up in the mountains, there are no bronchial problems. We have much to learn from other countries' mistakes.

Because of the level of grassroots feeling in our community, people are now prepared to pay the costs of environmental and conservation protection. When all is said and done, all matters relating to conservation and the environment will involve us in spending money. I think the climate is moving in that direction. We should start talking about conservation or environmental consciousness. Increasingly in the years to come, if miners or farmers are not environmentally conscious, they will be in trouble. As an example, a good friend of mine is a manager of a a large corporation in South Australia. In the next few years, his company will spend $150m converting its machinery in order to become more environmentally sound. Thus, private industry is also taking note of these matters.

Conservation will be the subject of ongoing debate and, in that respect, the minister has set himself a mammoth task. I believe that the parliament will be pressured into giving more consideration to solar, wind and nuclear power and natural gas. The gas and air problems of soil erosion and waste management are also part of the total equation. What I hope that we do not do in the Northern Territory is take too much notice of what happens in other places in Australia. I have a very high regard for our Conservation Commission. It is a very professional body which is leading other areas of Australia. I hope that we do not get too caught up with following what happens interstate, but allow our people to develop in their own way. Up to date, the commission has done an excellent job. No one really understands our fragile environment as we do. I hope that we insist that our Conservation Commission people have the greater say in the direction that we take.

The minister will have some problems with the conflicting interests involved in this debate. Coronation Hill is a perfect example. Even Senator Collins says that a political decision was taken in relation to Coronation Hill. Nevertheless, the pretence was that it was an environmental matter. I think he has quite a tightrope to walk in future. I look forward to future debates as the strategy develops and unfolds.

Mr HATTON (Conservation): Mr Speaker, I would like to thank all honourable members for the contributions that they have made. In particular, I would like to congratulate the member for Arafura for a thoughtful and considered response in this debate. He sought my response on a couple of questions. It is true that the first committee did not visit locations other than those particularly mentioned. The honourable member will recall that I made particular mention in my statement of the fact that there needs to be more consultation with Aboriginal people, and that is a recognition of the inadequacy of consultation with them to date. It is important that we ensure that there is much broader consultation in this second round of discussions and that there is Aboriginal representation on the larger, more formalised committee. Through those mechanisms, we will ensure that the Aboriginal communities are fully consulted. They do have specific interests and needs with respect to conservation issues, as the honourable member outlined. I was pleased that he brought those matters forward, and I can assure him that both the committee and myself are aware of the need to address them.

I am sure that the honourable member is aware of the many visits that I have made to many Aboriginal communities throughout the Northern Territory during the last 5 years. Personally, I am well aware of many of the issues to which he referred. I can assure him that I will ensure that any strategies developed take those issues into account.

The contributions of the Leader of the Opposition and the shadow spokesman for the environment indicate that we must be making some progress in our consultations. Their attitude has changed from one of trenchant criticism to grudging support. I think that is a significant move in the right direction. Who knows? Perhaps we might receive their lukewarm support for the next round of consultations. No doubt, when we produce the final document with the community, the opposition will be saying that it was the ALP's idea anyway. We are accustomed to that particular process and at least members opposite are coming along. We are gradually dragging them towards the 21st century.

Mr Bailey: You might, but Barry won't.

Mr HATTON: Mr Speaker, for the benefit of the opposition spokesman on the environment, the member for Wanguri, we do have a policy of consultation with the community. That is true. However, our policy is purely one of consultation. The honourable member needs to understand the fundamental point that we have been in government for 15 years. We have a track record of performance in conservation and environmental management that is the envy of Australia, and it is there on the record. If people want to assess what we are going to do about conservation and environmental matters, they can see what we have been doing and what we are doing. What people in the community are curious about is what the ALP would do if, God help us, it ever gained power in the Northern Territory. I think that it is quite reasonable to ask what the ALP policy is and what it would do, but all that members opposite say is: 'We are thinking about it and we are consulting with the people. We will not consult with the people through the government, even though we have been invited to participate in that process ...

Mr Bailey: Yes, we do.

Mr HATTON: During the last sittings, members opposite said: 'We are not going to make a submission to that body. We are going to do our own thing, and we will tell the people what we are going to do. Forget what the government is doing and forget what the Conservation Commission is doing. We are doing our own thing because we know best'. I think that the opposition will find itself left out in the cold yet again on conservation and the environment because its members are running around and talking in dark alleys about something they know nothing about. It is really sad to see that happen, and it is even sadder to see the response of the Leader of the Opposition. From the political point of view, I suppose I should say that I am thrilled to see his response because most certainly it will assist us to retain government. During the debate in November, he said that the government was not serious in its approach because it had not put the structures in place. His logic is that, to demonstrate that you are serious about it, the structures have to be put in place before the strategy is developed. He said it again today. He asked why we were addressing the strategy when we did not have the structures in place.

In some matters which the government addresses, you know that you will take action irrespective of the way the strategies are developed. That relates, for example, to reviewing environmental assessment legislation and addressing the interrelationship between heritage, environmental assessment and planning. You address those issues and develop methods of dealing with them. You work on various programs such as those for seeking to protect the ozone layer and so on. You know that the end result will happen no matter what the strategy is. It seems to me, however, that if you are going to work with the community to set a strategy and a direction, you do that work with the community first. Having worked out the strategy, you then put a structure in place to implement it. You do not put the structure in place, and then develop a strategy to fit into your structure.

I really think that the Leader of the Opposition has it back to front. Having looked at this statement on transition to government, I am not sure that he even knows what a proposal for a structure is because, in option 2, he has the Chief Minister being responsible for an environmental protection agency, the Minister for Resources and Development responsible for rural land use, the Minister for Justice and the Environment responsible for the Planning Authority, urban land management and the conservation authority, and the Minister for Infrastructure and Administrative Services responsible for parks. The Conservation Commission would be scattered hell, west and

crooked. If that is organising a structure to address conservation and the environment and Labor got into government, we would be in real trouble.

That demonstrates just how ill-prepared for government that mob is. They do not have a clue what they are talking about, and they are playing like kids taking part in a primary school exercise on how to put a government together. What is more, that is actually a mild example of what they are doing. Let us leave that. I will not even address it because I want to get down to some real issues. A couple of points were raised which need to be addressed.

The member for Koolpinyah spoke about reducing waste and recycling and she was right. That is an important element in any conservation and environmental consideration. I touched on the subject briefly this morning. It is an issue that the Conservation Commission is continually addressing and promoting throughout the community. There are 4 stages involved in recycling that need to be considered: reduced waste generation; reclamation - the gathering of materials and resources for reuse; reprocessing or the treatment and modification of materials; and reuse. Those are the 4 phases in the recycling process: reduce, reclaim, reprocess and reuse. If any one of them is missing, the system breaks down, and that is where many of the difficulties are being experienced as we seek to develop recycling strategies. The better we understand those 4 phases, the greater the chance we will have to address them and find appropriate strategies.

There is one point that I must make. I have a special copy here for the member for Wanguri because he has confused himself again. He said that the community did not like our draft strategy. The problem with that statement is that we have never produced a draft strategy. The front page of the document we produced carries the heading: 'Towards a Conservation Strategy for the Northern Territory: On Balance. A Discussion Paper'. That is not a draft strategy. It is a discussion paper that raises the kind of subjects and so on that might be considered appropriate for inclusion in a conservation strategy.

Mr Speaker, I ask the attendant to place this document on the member for Wanguri's desk. Perhaps he can then read the headings. When he has access to a dictionary, he can read pages 1, 2 and 3 and, in about 2 years time, he will have finished reading the document. Then, he might be able to comment on it.

The member for MacDonnell spoke about things that need to be done. He said that it was all very well to talk and discuss, but that some action was needed. I advise the honourable member that some action is being taken. We are addressing some issues and, even now, we are putting some structures in place. I have referred to the need to conduct a review of the environmental assessment legislation, and I can advise honourable members that we are moving down that road. We are putting together a review group to work on that and, in concert with the Minister for Lands and Housing, public meetings are being organised to discuss with the community the interrelationship between heritage protection, environmental protection and planning. The aim is to ensure that, when those 3 pieces of legislation are being reviewed, there is coordination and an understanding of the interrelationship between the 3 legislative functions. Those processes of public discussion and debate will be engendered over the next couple of months as part of the environmental assessment review process. That will assist in developing understanding of how it interrelates with the other

legislative reviews that are taking place at the moment so that we will have coordinated and effective legislative frameworks in all of those areas

The member for MacDonnell also raised the subject of arid land management as an important issue. He mentioned the Centralian Land Care Association. We are very well aware of that organisation. I remind honourable members that, as far back as 1985, when I was Minister for Conservation and Primary Production, I was very actively promoting the development of land conservation and appropriate land management among members of the pastoral industry. I well remember Centralian Cattlemen's Association conferences in Alice Springs when much debate and discussion occurred. Further work has been done since then and it is pleasing to see the response from the pastoral and rural industries in the development of land care groups. Some 7 land care groups are formed or forming in the Northern Territory at present and they are becoming very active. They include the Victoria River Land Care Group as well as the Centralians, the Lower Mary River Land Care Group, the Pitjantjatjara Land Care Movement and a couple of others whose names escape me at the moment.

In addition, we have already formed a Northern Land Care Management Committee, which currently comprises 12 members from government, industry and the conservation movement, to look at issues of coordination of land care programs and land care strategies for the Northern Territory, particularly over the next decade. That committee has already met. I am chairing it myself and that is an indication of the status that I wish it to have. I want it to have the status of ministerial involvement wherever possible.

I might say that Mr Roger Smith, head of the Conservation Division of the Conservation Commission, is a member of this committee. He is also a director of Land Care Australia. We are involved in land care programs at both the national and Territory levels. Our committee will be meeting again next week. Whilst it has provisional terms of reference, I am working with the committee to develop its final terms of reference and composition. It is probable that we will be inviting representatives from each of the land care groups around the Northern Territory to be part of the program in order to help coordinate the Territory's efforts in this Decade of Land Care. The Territory will be at the forefront in land care work in Australia, as we have been for many years.

Mr Ede: What about lancewood?

Mr HATTON: Mr Speaker, in his contribution to this debate, the member for MacDonnell raised the issue of lancewood. His contribution demonstrates how dangerous it is to rely too heavily on quotations from the brochures of activist organisations like the Australian Conservation Foundation. Since the matter was raised by the honourable member, I have done some checking. I am advised that, in the Elliott area, there are some 20 000 km² of monoculture lancewood forests. That means that there is nothing else but lancewood in a 20 000 km² forest. It is a species which stretches from the Western Australian border right through to the Great Dividing Range in eastern Queensland - hardly an endangered species. It has very high reproductive capacity and the restrictions placed on harvesting it are so tight that there is no chance of damaging the resource.

The agreement contains a requirement that the company fund research to be carried out by the Northern Territory Conservation Commission into further understanding of both lancewood and gutta-percha. We believe that there is commercial potential now and we want to know whether there is

greater commercial potential. We know that what we are doing is safe. We want the research to tell us how much further we can go. Everybody is totally confident that we are well within the bounds of safety in respect of the current program. During the next 5 years, the company will fund research so that we will know more about lancewood and gutta-percha and be able to handle them far better.

It was interesting to hear the member for Barkly talking about what wonderful timber lancewood provides. Obviously,it has been harvested for an extensive period in the Northern Territory and quite extensive stands remain. The diaries of John McDouall Stuart indicate how, during his famous journey through the Northern Territory, he was blocked by the stands of lancewood in that area. Records relating to these lancewood stands therefore go right back to first penetration of the area by whites.

The federal government is more than satisfied that we are well within the range of tolerance. Information will be acquired by the Conservation Commission through company-funded research before any expansion of harvesting occurs and before the development of the resource reaches anything like its potential. We are quite confident about the situation. The problem arises when vested interest groups chase money for their own political and activist purposes. I am not objecting to their right to do that but they have a vested interest in beating up stories to attract money from people living in every state of Australia. They have a vested interest in doing that and their comments are not necessarily balanced and honest. I agree with the member for Barkly that there needs to be a regional view of environmental issues. We have a number of environments in the Territory and it will be important to take a regionalised approach. That matter should be addressed by local communities as the general conservation strategy for the Territory evolves.

There are so many things which members opposite did not say. I can assure the member for MacDonnell that there are many more environmental issues than those few which he mentioned. Fortunately, we know about them and we are addressing them. Off the top of my head, I can think of the issue of endangered species habitats. The member for MacDonnell did not even consider that. With the discovery of new species and rare and endangered species, we are addressing that issue.

Environmental and conservation issues will involve people in their day-to-day lives. They will involve regional and small communities. They will involve the Territory, Australia and the whole world. We must develop a framework and maintain a direction into the future. With the increasing pressures of overpopulation, industrialisation and a multitude of other global forces, we will all have to change the way we live if we are to maintain a life for future generations. That has to be our target. Environmental considerations have to become an integral part of our lives. I look forward to the day, for example, when there are no fights over environmental assessment because environmental considerations are built in at the baseline along with the geology, the geography, the finances and the markets. In other words, the environment should be considered automatically as one of the factors in any development project. When we achieve those sorts of approaches, we will have genuine environmental consciousness in this country. Our strategies should work equally towards changing general community attitudes as well as redressing problems which have occurred in the past.

Motion agreed to.

STATEMENT
Greening Australia NT - The Schools Community Program

Mr HARRIS (Education): Mr Speaker, the Northern Territory government has an excellent record on environmental issues but, as government members have lamented, we must be prepared to make a little more positive comment when embarking on new ventures, lest our silence be mistaken for lack of action. This is such an occasion. Today, I will outline to honourable members a project which will have a significant environmental impact on the Territory and its residents, particularly on those many generations of Territorians to come.

The Territory government has swung its weight behind the National Conservation Project, in which authorities hope to combat loss of vegetation and land degradation by propagating 1 billion trees in the 1990s. To play its part in this national venture, the Territory government has linked with Greening Australia to produce a schools community program. Through this alliance, today's Territory schoolchildren will be able to take a hand in shaping the Northern Territory of the future.

If those of us in the Assembly today were able to step back in time and compare our surroundings with those we knew in our childhood, I am sure that we would note the growth and development which has occurred but would also note that our natural environment has changed with it. Such changes have occurred throughout Australia and, in recent times, maps and photographs have been prepared to demonstrate without doubt that not all the changes have been for the better.

Like many members of the Assembly, I remember looking out on the Darwin landscape after Cyclone Tracy. I am sure that anyone who viewed that scene of devastation would have been chilled to the bone at the thought that an earthly landscape could be so utterly destroyed. Many young children would have seen the advertisement now appearing on television in which a man of the future, complete with breathing apparatus, departs for his day at work in an Australia which has become an environmental wreck. It is a gloomy picture which must cause some younger viewers to despair. But, as Territorians who have experienced that kind of rude shock in our own front yard, we must help to carry a more positive message to the younger generation.

As Minister for Education, I am pleased that the Territory is able to take part with Greening Australia in the program to plant a billion trees, particularly as the program will be largely school-based in the Territory. This is not a scheme which encourages young Territorians to dwell on gloomy predictions about the future. Its thrust is to give our young people resources and the opportunity to act. It is not a token gesture but a project which will provide tangible results which will remain as an illustration to us all. I have engaged in a fair deal of hyperbole, but the environment is an emotional issue. I am trying to illustrate that, while negative images shock us into action, positive programs help generate the community will needed to implement important projects of this sort.

Mr Speaker, 1990 marks the start of a 3-year project in which Territory students in Years 5 to 10 will be given opportunities to learn about trees, their requirements and how they are propagated. The types of opportunities to be taken up in this venture will vary throughout the Territory but, as an example, I will describe how Darwin schoolchildren will be involved this year. The 1990-91 project in Darwin is known as the Stuart Highway Ribbon

of Green. About 5 km of highway south of the Berrimah lights will be planted by Darwin and district schoolchildren in November this year, to take advantage of the wet season. As in all the projects to be undertaken in the Territory, students will collect, identify and store the seed for germination. They will be the ones who direct the seeding process. I think that, with the participation of Greening Australia and the enthusiasm of young Territorians from up to 15 schools, the outcome of this planting is likely to be quite spectacular. In fact, students may well teach us all a lesson.

I am sure that would please the member for Jingili who expressed his disappointment in the Assembly last August with the outcome of some previous tree planting exercises. I am sure that his observation that, on at least one occasion, unsuitable species were chosen, will not be lost on the young people controlling the Stuart Highway project. Be that as it may, 54 schools in the Darwin area have been asked whether they would like to participate in this first project. Up to 15 will get a guernsey and we will hear more about that in the next couple of weeks. Although, as I have said, the project is to be directed by the youngsters, it will nevertheless involve the whole community.

Greening Australia is a national voluntary community organisation which was established in 1982. Anyone can join and participate in its program and I urge Territorians to do so. For all projects in this community program, participating schools will be encouraged to link with community groups and, in the case of the Stuart Highway project, such a link already has been established. Shade houses, in which seedlings will be prepared by students from 3 of the participating schools, will be provided by the Darwin Sunrise Rotary Club, which has also agreed to help transport seedlings for planting. When planting begins, volunteers from the Australian Trust for Conservation will assist, as will staff from the Territory Conservation Commission and the Department of Transport and Works.

I aim to ensure that the Stuart Highway Ribbon of Green project becomes an example which is repeated throughout the Territory. People in all sections and regions of the Territory community should get in contact with Greening Australia or their local school or Education Department office and see how they can participate. I am sure that many members will have heard of the movement among Territory pastoralists who are forming land care groups. They have shown interest in participating and I believe that those groups are an example of how support for this program can be carried into the furthest corners of the Territory.

I want to make one point very clear. In its 3 years, this program will have a big impact. We are not talking about the planting of a dozen trees; we are talking of tens of thousands of trees. Greening Australia expects each school participating in 1990 to plant 500 trees this year. That means, for example, 7500 are to be planted in one short stretch of the Stuart Highway and thousands more will be planted in projects now under consideration. With this program to help motivate community interest, Greening Australia NT plans to more than adequately contribute to the national goal by planting and protecting 73 million trees in the Northern Territory this decade.

In supporting our maximum participation in the schools community program, I must thank the federal government for funding the venture. I understand that funding is linked to the participation of schoolchildren, not because they provide cheap labour but because the federal government sees this as an opportunity to develop environmental understanding, skill

and interest in the young. On the educational side, this project has been welcomed by teachers who see it as a way of giving their lessons in environmental education a practical and purposeful focus. It is a valuable way to demonstrate how subjects like science and social and cultural education are relevant to daily life.

While I am talking about environmental education, I will take the opportunity to remind teachers, students and others concerned about land degradation that an instructive book on the subject has been prepared here in the Territory. The book 'Soil Conservation in the Northern Territory' was written by Ian Melville of the Conservation Commission's Land Conservation Unit and is designed for schoolchildren to put these issues into a local context. I believe that book is excellent resource material especially for students who may be participating in the schools community program.

I am pleased that the Greening Australia program is structured to encourage participation by all Territorians because I am sure all Territorians would like to contribute in some way to improve our environment. All too often in recent times, the environment has been painted as a divisive issue. It has been tainted by politics and people have been encouraged to take sides rather than cooperate to achieve the best possible results. We have seen environmental groups taking sides in politics and I hope that, for the common good, that practice is short-lived. Recently, I saw some material prepared by an environmental group for circulation to schools. It was very good material, but it was undermined because it diverged from its subject in such a way as to suggest that party politics and the environment are inextricably linked. Some politicians like to think that is the case, but I think it is unfortunate to see that view coming from an environmental body.

In closing, I call on all Territorians and all of our community groups to play a part in this program. In itself, I believe it will be of tremendous value to the Territory, but I think its success will pave the way for similar projects through the 1990s and beyond. I move that the Assembly take note of the statement.

Mr BAILEY (Wanguri): Mr Speaker, it is very appropriate that we have another statement from the CLP on greening issues. We seem to have nothing but statements on greening issues from the CLP at the moment.

Mr Poole: We haven't had much from your side about your policies.

Mr BAILEY: We do not have the power to make ministerial statements ad nauseam.

I would like to begin by paying credit to the honourable minister for bringing to the public's attention this very important project in the Northern Territory by Greening Australia. I think that any publicity which can be given to Greening Australia for this project is very beneficial. It is a group that has been mentioned on many occasions in terms of the job which it is doing throughout Australia as part of the federal Labor government's initiative which involves the planting of a billion trees.

While it is very creditable that the Territory government has supported Greening Australia in some small way by providing it with office accommodation, I would call on the Minister for Education to see if it is possible, within his resources, to support Greening Australia with the schools project. I realise that his department has acknowledged the project

and is allowing it to go ahead within the schools, but I believe that there are areas in which the department may still be able to help out. It is my understanding that, after the seedlings have been grown in the schools, they will need to be planted along the Stuart Highway. One of the problems all schools will have is in transporting students to the locations to do the planting. It may be within the minister's power, perhaps in conjunction with the Minister for Transport and Works, to allocate buses to get the students to the Stuart Highway to plant the trees.

With the development of the Greening Australia program within schools, it may be possible for the honourable minister to find some support, through either resource positions or education officers, to help with the overall planning and coordination of the project as well as the possible development of associated educational packages or materials to help to increase students' interest and participation in these projects.

Whilst I am aware that a number of the schools involved in the program already have facilities such as shade houses for the propagation of plants, a number of schools have no such facilities. I acknowledge the role of Darwin Rotary Sunrise Club of which I was proud to be a member until recently. The department could make some funds available to schools which want to participate but do not have access to funds in the short term to build shade houses or to install irrigation equipment etc. I hope the minister will take those suggestions on board and see if there is any way that his department may be able to help in such an important project. Whilst the minister did mention it, I must reiterate from this side of the House that the main funding for this project comes from the federal ALP government.

Mr Finch: The Australian taxpayer actually.

Mr BAILEY: The same as the NT government and the NT taxpayer.

I acknowledge the honourable minister's support for this project through his department and the good work that he is doing. However, it is important to acknowledge that these projects, including the schools project, result from federal ALP initiatives. I acknowledge the minister as one of the few who has given credit where credit is due.

Turning to the content of the statement, the minister opened with some remarks about the Territory government's excellent record on environmental issues. While we are talking about trees, I would like to mention 2 fairly minor issues. The first is the large-scale clearing of trees on some pastoral properties in the Douglas Daly area and the number of trees that we have to plant to compensate for the numbers removed there. The second is one to which the Minister for Transport and Works might like to respond. A very large banyan was located just north of the Supreme Court. It seems to have disappeared in the last couple of days. It was part of the original flora of the Darwin peninsula prior to white settlement. It was a very substantial tree and my understanding is that it was listed number 5 on the Greening Australia register of significant trees in the Northern Territory. My understanding is that the government was aware of the importance of that tree. Where did it go? It was there a few days ago and now it seems to have gone.

The minister said that the school-based program is the major program of Greening Australia. It is my understanding that there are a number of projects in which Greening Australia is involved and that the school program is only one of them, not necessarily the major one. There are major rural

plantings. There are community tree projects. There are voucher schemes and so on. All of those need to be mentioned in terms of the good work being done by Greening Australia, not only the schools projects. We need to ensure that we do not see the Greening Australia program as part of the NT government's greening Darwin plan. It seems to tie in very nicely with the ribbon of green into Darwin and I think we need to make it quite clear that this is a separate project initiated by Greening Australia and is not part of any initiative by the NT government, which seems to be trying to take some credit for it.

I would like also to pick up the minister's comment on environmental groups taking sides in politics. He said that, for the common good, he hoped that this practice would be short-lived. Unfortunately, the practice of political groups attacking environmental groups has a history dating back a long way. A few minutes ago, the Minister for Conservation attacked environmental groups on the basis that they take self-interested positions. Such attacks will maintain the political differentiation between groups for a long time to come. Environmental groups feel that there is only one side of politics which is prepared to deal genuinely with their concerns rather than on a superficial level as this government is trying to do at the moment.

I conclude by again congratulating the honourable minister for making the statement for the purpose of providing the public with information. I also congratulate the federal government for funding the program.

Mr FIRMIN (Ludmilla): Mr Speaker, I applaud the excellent statement by the minister and the fact that he is continuing the initiative of planting trees. I am not really trying to be cynical, but I would like to make an analogy with the Commonwealth initiatives in the Darwin region some years ago with respect to trees. I refer to the period immediately following Cyclone Tracy. Whilst it was devastating to come to grips with all the stark reminders of a cyclone in the form of dead branches and leafless trees, what was more startling some time later was the way in which southerners, who came to Darwin to run our affairs, blamed trees as the major cause of damage. I remember sitting with some friends and becoming outraged at people telling us that, in future, the planting of trees would be prohibited in Darwin.

A member interjecting.

Mr FIRMIN: This was after the cyclone. We were not allowed to plant trees. We were to be stopped from planting trees because it was argued that the houses had been destroyed because of trees being blown around in the cyclone. We have moved from that position to our present situation. We are planting trees. They look nice. They provide shade and shelter and they certainly create a nice environment. But I often wonder whether we are planting them with the right ideas in mind.

There are many aspects of the Greening Australia proposals and the planting of trees. I have certainly been involved in tree planting in the Territory and in other parts of Australia since I was a school child. In the country areas where I was brought up, we planted trees every year on Arbor Day. We planted them in school yards, in the towns and on the farms where we worked and lived. When I came to Darwin, I became involved in large-scale tree plantings, particularly along the Stuart Highway. Some honourable members may remember the railway reserve which adjoined the highway in a strip which ran from Snell Street to the Salonika Crossing. It was a particularly unattractive area, all gravel and rock with an occasional stunted bush.

I note today that the government is working very hard to re-create a tree-lined environment along that stretch of the highway but, in the early days, it was not a government initiative. It was a private enterprise initiative and the community organisation I belonged to took it on as a community project. We had to do it tough. We were actually drilling holes in the rock and using gelignite to create planting areas, bringing in soil from other places. We had a pretty tough and torrid time trying to plant trees there for about 5 or 6 years. We would plant large numbers of trees and they would all look pretty good after the wet. The following year, we would come back to find that Australian National Railways had been in and moved the line, taking out all the trees in the process. We would plant more trees only to find ANR shifting the line again or realigning the cutting, destroying all the trees. However, we eventually succeeded in establishing a few trees and some of them are still there today. We were also involved in a project to renew the rainforest at East Point which, I am pleased to announce, is starting to look very nice again.

The planting of trees attracts a great deal of kudos these days. For some reason, when a tree is planted and becomes established, everybody seems to think that it is a major link in our response to the Greenhouse Effect. A tree has almost the status of a cathedral. Whilst everybody should plant trees and whilst that may be part of the answer to the problems facing civilisation as a result of the Greenhouse Effect, trees play only a small part in combating the problem. The most important area for response is the oceans. However, trees are part of the causal chain and I applaud the process of tree planting.

However, we should not allow ourselves to be so carried away that we create a cathedral every time we plant a tree. We should not stop pruning, lopping, removing or replacing trees, activities which seem to be generating a very emotive response at the moment. We have people suggesting that legislation be brought in to protect trees or that councils should bring in regulations denying the rights of householders to prune, lop, remove or otherwise deal with a tree until an independent authority comes in to advise whether or not that is appropriate. That is nonsense.

The tree planting program, as I said, is a good one. I applaud the minister for initiating it. I also ask him to consider the expansion of the program beyond the Darwin region. As it is proposed at present, the program seems to focus exclusively on the tropical Top End. I would like to see an expansion of the program into the outlying areas, particularly to rural schools in Aboriginal communities and, under the auspices of the School of the Air, into the areas where the Isolated Children's Parents Association is active. This would not necessarily entail freighting seedlings to these areas so that people can plant them. All it requires is an education program or a project initiated through the Education Department. Children could collect the seed pods of trees which grow in the area, nurture the seedlings, and plant them in strategic areas around their communities and properties. Such areas would probably derive much greater benefits from the program than urban areas in the Top End.

Mr COULTER (Mines and Energy): Mr Speaker, like previous speakers, I congratulate the Minister for Education on his statement. The link between tree planting and education has existed for a very long time. In fact, the Leader of the Opposition, with his background in education, may be able to offer a great deal of information regarding the history of Arbor Day, when people planted trees. I know that, when Mr Clerk went to state school back in the 1940s, there was a tree plantation next door where the children used to plant trees on Arbor Day. The link is not new. The member for Sadadeen

would probably also have had similar experiences of being in the forest from time to time.

I see trees as a renewable resource. There is no reason why great forests of trees cannot be planted all over Australia. Indeed, Senator Cook suggested that in November last year in the context of debate on the environment. He put forward the concept that trees are a renewable resource and that, if sufficient resources and motivation existed, massive numbers of trees could be planted throughout the country.

Recently, I was in Nanjing, the southern capital of China. It is a city of 4.4 million people and the planting of millions of trees has reduced its temperature by 4° in summer. I heard the member for Wanguri talk about supplying school buses. In China, schoolchildren go out into the fields on at least 1 day a week to plant seedlings. It is a sight to behold - an army of children with hoes and plants in their hands, reafforesting areas. It can be done, but it requires 2 things. The first requirement is a great deal of money. I will speak about that in a moment, particularly in relation to the amount spent on the forestry program in the Northern Territory between the 1950s and 1978 when it was shut down. The second requirement is help from the petrochemical industry. Recently, I have planted about 1000 trees at my place. In fact, I planted 300 just before Christmas. Without the petrochemical industry, it would have been almost impossible to do that. That industry produces the plastics used in drip systems and some of the other technology which is available today.

It is very expensive to plant a billion trees these days. The history of forestry in the Territory is revealing in terms of cost. I have a copy of a 1978 report of the House of Representatives Standing Committee on Expenditure. It is interesting to look at the membership of that committee, which included Mr Dawkins, Mr Morris, Mr Lloyd, Dr Klugman and Mr Edwards. In 1978, they heard evidence on expenditure on planting trees in the Northern Territory. The amount exceeded $30m, but I will quote some expenditure items so that we know what we are up for in terms of planting a billion trees. Paragraph 17 on expenditure reads:

> Although it had been stated by the Department of the Northern Territory that the total costs of the forestry program since 1959 were in the order of $10m, with revenue to date of $150 000, it was revealed in questioning that this excluded the clerical and administrative costs of the Forestry Section and its predecessors. Also ignored were costs incurred by other government agencies, particularly the Department of Construction which was responsible for capital works, and some repair and maintenance to the Department of Aboriginal Affairs. Other agencies which incurred substantial expenditure in the interests of Northern Territory forestry were the Forestry Research Institute and its successor, the Division of Forestry Research of the CSIRO. They spent over $1m between 1 July 1975 and 30 April 1978.

Paragraph 19 reads:

> Although no evidence was taken from the Department of Construction, the Department of Aboriginal Affairs was able to provide the committee with figures on grants for Aboriginal timber enterprises and forestry operations, which were entirely related to the exploitation of native forests, totalling $870 000 since 1971, compared with the revenue of $33 000.

Paragraph 20 reads:

> Further questioning of the department at the second public hearing in Canberra on 12 May 1978 on the documents supplied to the committee in answer to its preliminary questionnaire revealed that the Forestry Branch's expenditure, without taking into account any of the remissions referred to above, was closer to $14m since 1959.

Paragraph 21 reads:

> Given its own priorities in wishing to report on the inquiry before the transfer of powers to the Northern Territory Executive on 1 July 1978, the committee was unable to obtain full true costs, but estimates that the total expenditure of public funds on or generated by the forestry program would be in excess of $30m.

I remember being in the Territory when this committee visited Darwin. One of its recommendations was that the industry should be shut down immediately. In fact, a representative from Victoria said that he had spent almost 3 weeks in the Northern Territory without seeing a single tree that he would bother to cut down. The committee recommended that the program be abandoned but that did not happen until much later. Indeed, remnants of the forestry program continue, such as the enterprise on Melville Island which is going very well. However, honourable members will be aware of the recent ruckus about funding for that particular forestry program, and of the joint venture which the local people have entered into to develop their forestry resources.

In fact, recommendation 6 of the committee report was that existing softwood plantations on Melville Island be maintained subject to the desirability of achieving total self-sufficiency in timber products in the Territory and the desirability of at least 10 years of research into all factors. The Howard Springs and Gunn Point plantations were to be written off as production areas. There was another plantation at Murgenella, which was the last to be shut down. There were also large plantations of teak near Humpty Doo and, in fact, there were 8 sawmills in the Northern Territory.

Recently, a neighbour of mine has planted a trial plot of 5 acres of teak trees with a drip system. These trees are from China and they are doing particularly well. In fact, they would be at least 15 feet tall and they have only been in the ground for 24 months. He now intends to plant 2000 or 3000 teak trees on another experimental block of 320 acres, again using a drip system. The indications are that, in 30 years time, we will have some great teak forests in the Northern Territory. I have been an advocate for shutting down the forestry industry in the Northern Territory for a number of years, as my honourable colleagues would know. I can tell you, Mr Speaker, that the experiments at Vic Carusi's place have changed my mind. I am to some extent 'born again' as Senator Richardson was 'born again'. In fact, somebody told me the other day that the Senator was not 'a born again greenie'. He was never born; he had simply got the numbers right.

In respect of the 'no growth' approach advocated by people like Dr Suzuki, it was interesting to read the 28 November 1988 issue of Time magazine. An article quoted Senator Richardson, who was in Shark Bay feeding dolphins at the time. He said that he did not agree with 'no growth' arguments, that they were ridiculous and that we were going to have to continue to live on this planet. He said: 'We are going to have to continue to feed people and I don't believe you have to keep all the world

in poverty to protect the environment'. It is interesting that that comment came from no lesser person than Senator Richardson himself.

It was interesting also to note in relation to decisions on forestry that the longest federal Cabinet debate ever - 14 hours over 3 meetings - was about trees. In a sense, it was not really about trees; it was about taking a decision. That was why the federal Cabinet met for 14 hours over 3 sitting periods. You have to decide whether or not you are going to have trees, how many, where they are to be and what you are going to do with them.

This program is nothing new. As Mr Clerk said, the Arbor Day programs in the 1940s were wonderful for the schoolchildren to become involved in. The Minister for Lands and Housing might seriously consider setting plots aside. I know that many ornamental trees are grown in school grounds now. The Marrara Christian School has quite a large nursery. Taminmin High School has a substantial greenhouse and has been developing a pine forest. Bernie Havlick at Batchelor has been growing pine trees around the Northern Territory for a number of years. The member for Victoria River says that there is a forest at Batchelor. I would be surprised if Bernie Havlick did not supply those trees.

In 1982, the United Nations Association of Australia sponsored an Australian Year of the Tree to draw attention to major environmental problems. The school programs that people became involved in are well-documented in this article which is called 'The National Tree Program 1982-87'. A number of schools planted trees. Kids love to see trees growing. I am sure that Mr Clerk would like to return to the grounds of his old school to see the trees that he planted there as a young fellow. The National Tree Program also stimulated many schools and colleges to establish courses in arboriculture and conservation.

I found an article relating to the Wodonga Development Corporation and costs of planting. You cannot plant a billion trees if you cannot afford the seedlings. Whether or not the federal government is prepared to put this effort into growing trees throughout Australia for future generations of Australians remains to be seen. The Wodonga Development Corporation, which has planted 1.4 million trees in the past 14 years, estimates that the total cost of planting a tube-sized tree is about $4.50. This covers fencing, rabbit control, seedlings, mulching fertiliser, 1 watering and 3 months maintenance.

Last November, Senator Cook approved $6.5m for a national afforestation program. There are some interesting statistics in the information provided by Senator Cook regarding that program. You do not get much for $6.5m. There were 50 projects established for $6.5m. If I were the federal Treasurer, I would set aside within the federal budget at least $500m to reafforest Australia. When European settlers arrived here, open eucalyptus woodland dominated much of the southern two-thirds of Australia. Most of this occurs now only in small patches on pastoral land and many such remnants are dying. The problem does not have a single cause and hence we are not likely to find a single cure. Much more effort needs to be put into growing trees if we are to survive.

Much of the timber in the Broken Hill area was cut down for the mine. It was used for shafts. Recently, a reafforestation program has been implemented within that region and it is starting to alter the weather pattern. There is a great deal of improvement in the environment in that particular region as a result of ploughing money back into trees.

Another example is at Ranger. As you enter the mine area, you can see a rock dump on the right hand side. The Environment Unit at Ranger has planted trees all over the rock heap and they are growing very well indeed. Native trees are flourishing on it and it would not surprise me if we have a Jabiru forest there in a very short time. It really is a credit to the mining company.

It is now time to start getting behind a total reafforestation program in Australia - the billion tree project which has been launched by the Prime Minister. It will require a lot of money. I am sure that this statement today by the Minister for Education will be followed up. I am sure that, in next year's budget, he will give consideration to the allocation of a large part of his budget for schools to become involved. Maybe we can get back to the Arbor Day that our fathers and mothers and Mr Clerk were involved in. However, it requires money. It will have to go hand in hand with modern industries such as the petrochemical industry. Without the drip systems, the technology and the fertiliser that is available today, we will not be able to kick start our forestry program. This is a step in the right direction. I hope we can see some real programs developed as a result of the minister's statement and that he will give serious consideration to schools being able to become more involved in tree planting programs. There are some 177 schools and, if they plant about 1000 trees each, we will be in business.

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

Mr POOLE (Araluen): Mr Speaker, I rise to make some comments in relation to the Minister for Education's statement. At the outset, I must say that I found some of the comments made by the opposition speaker on the environment to be quite incredible. It was really quite amazing to hear him denigrating the efforts of the Territory schoolchildren and teachers who have an interest in this project. I would have thought that the honourable member would have had a great affinity with Greening Australia. I think that he has proved today that he is as thick as a plank.

His point about who has put support behind this project is irrelevant. The fact is that all members here have had a great interest in trees and children traditionally have had a great interest in trees. As a child, I can remember having great fun climbing trees and taking the dog for a walk among the trees. When I first arrived in Alice Springs, one of the things that struck me was the oasis of green trees in the countryside. Schools in the Northern Territory can usually be identified by the expanse of greenery around their buildings. From my children's first days of kindergarten and school in Alice Springs, I can remember them coming home and telling me that they had planted trees. To this day, all of the schools in Alice Springs are involved in tree planting exercises in some form or another.

I read with interest that a current program at Bradshaw Primary School has resulted in the planting of 160 trees by parents and students. I understand that the school is planning to develop a new project to develop another 2 stands of trees as learning centres. Obviously, the trees will be used to educate the kids about life cycles and all kinds of things. Braitling Primary School has maintained a tree planting program for many years with the active encouragement of the local member.

In the electorate of the member for Sadadeen, the school has developed a large landscaped area. The area is in front of the school and I understand that it is now being developed at the western and eastern ends of the school. Anzac Hill High School very proudly states that the only timber

stocks used in its technical studies area come from recycled sources, including damaged trees, packing cases and cable drums. The school even recycles waste paper as notepads. Its scrap paper goes to local recyclers. A number of trees have been planted around the school by schoolchildren.

In 1989, a teacher and her class at Ross Park Primary School developed a commercial for the local television station to increase awareness of conservation in the minds of the public. This year, one of the classes at Ross Park is coordinating the development of a park. It is surveying the residents and plans to organise working bees to implement the park design. Of course, a park design involves the planting of numerous trees.

Whilst it has become fashionable in the last couple of years to talk about trees, they have always been with us and tree-planting exercises have always been undertaken. When I became a member of this House 3 or 4 years ago, I can recall that I spoke about planting trees. I put forward the idea of establishing a tree park in Darwin as a centre for Japanese visitors. I still believe that exercises of that kind are very valid. I understand that it has become something of a custom among the Japanese that, when they get married, they plant a tree. They return to visit that tree occasionally and watch it grow. As the tree grows, their marriage bonds grow stronger and so on. I think that is a great idea and, if every Japanese tourist who came to Australia could be encouraged to plant a tree, perhaps the community would be rather more tolerant towards the woodchipping in which Japanese companies are involved in places such as Tasmania.

The refusal to consider this particular tree program to be part of the 'Greening of Darwin' is really quite ridiculous. I would hate to think that, when today's Territory schoolchildren plant their trees in the Darwin area, they would not think that they were participating in the 'Greening of Darwin'. I do not believe that the Northern Territory government would be at all anxious to become involved in an argument as to who can claim the political kudos for instituting the programs, whether they be national programs, Northern Territory programs or education programs. I think that people in the community welcome the results of tree planting programs, as long as the right varieties are planted and they are planted with a degree of common sense. In the arid areas of Australia, such as Alice Springs and central Australia generally, I have been amazed to see how quickly local native species grow.

A few months ago, I changed my place of residence and moved from quite a large block onto a smaller block which virtually had been completely cleared. One regret I have over the move is the loss of a magnificent stand of gum trees which grew in our previous back garden. At great expense, because of the water my wife used to supply to them, I estimate that those gum trees grew to some 40' in height over the last 10 years, which is quite remarkable. We have been in our new home now for about 4 months, and already the young trees are some 4' or 5' in height. It is remarkable how well trees grow in central Australia, with the constant sunshine, if they have access to a little water.

I commend this scheme. It is an excellent scheme and it will help to develop the youth of today. I must say that I become a little annoyed with the environmental movement when people start talking about 'future generations'. I am selfish enough to hold the view that anything that is done in today's time will benefit me and people of my age as well. I do not think anybody in the community would be against the planting of trees and the replacement of trees which die for one reason or another or, for that matter, the planting of almost any kind of vegetation. No matter what part

of Australia you live in, whether it be the deep south of Tasmania in areas where snow falls or in the tropical north, trees of whatever type are always welcome. They provide shade and shelter and some people in Tasmania would suggest that they provide a great fuel source to provide heat. When I lived in Tasmania, I was one of those people who used wood stoves. As long as the natural resource is renewed, certain people in the community will use it. As long as it is done sensibly, I certainly do not have any argument with it.

As far as Darwin is concerned, I cannot imagine anything nicer than to be able to walk out and enjoy the sight and shade of palms and other trees planted throughout the city and suburbs. I also welcome the initiative of the Department of Education as outlined in the minister's statement. I commend the schoolchildren, parents and teachers who are about to take part.

Mr SETTER (Jingili): Mr Speaker, I rise to support the minister's statement. I am delighted to see this new program being implemented, but I hasten to point out that the schools in my electorate, at Jingili, Moil and Wagaman, have conducted tree planting programs on their own premises for some years. Over the years, some tremendous work has been done at those schools, involving not only students and teachers but school councils and many parents as well. I am pleased to see that this program is an extension of that. In fact, talking about Arbor Day, last year I made a point of purchasing some trees and donating one to each of those schools. I arranged to plant the trees myself ...

Mr Firmin: You got your photo in the newspaper doing it.

Mr SETTER: No, that was on another occasion. That was at Lake Perron in Fannie Bay. On the occasion that I am talking about, I arranged for a class from each school to come along and I gave a little talk on the tree planting at each school.

The minister said today that the Northern Territory government has an excellent record on environmental issues, and indeed it does. Let us look, for example, at the wonderful work that the Conservation Commission has been undertaking since self-government. It has done some tremendous work. We have seen the development of Northern Territory parks following the days of Commonwealth neglect. Regrettably, a couple of those parks have been stolen from us by the Commonwealth, and I am talking about what is now known as Kakadu and, of course, Uluru. At the time of self-government they were transferred under the control of the Northern Territory but, as I said, the Commonwealth pinched them back and will not let go now. A great deal of work was done, not only in those parks in the earlier days but, more recently, in Litchfield Park and a whole range of other parks which have been developed by the Conservation Commission.

We have a proud record of research with regard to Northern Territory flora and fauna. Of course, we have seen the research done by Dr Webb on crocodiles and the work done - and I know the Minister for Conservation will like this - on the bilby. Valuable work has been done on regenerating and rehabilitating the bilby and a whole range of preservation and redevelopment projects in our parks has been undertaken over the last 10 years or so.

More recently, we have seen the program that the Chief Minister announced last year called 'Greening Darwin', or should I say 'Regreening Darwin' because, as we all know, after Cyclone Tracy, the Everingham government introduced a program of tree planting. That continued for a number of years but, regrettably - and I make this point quite

firmly - there has been no follow-up on that program. There is something which we really need to understand these days, as I am quite sure the honourable minister, the schools, and Greening Australia are aware. It is that tree planting programs need to be more than a matter of planting trees, feeling all warm about it, and walking away saying: 'We have planted all these trees. It was a great project. See you later'. It does not work like that.

Whilst it is fine to plant trees in November or December and hope that a good wet season will follow, that does not always happen. The last wet season was not very wet at all. Along with my colleagues, I planted trees at the beach at Casuarina. Several weeks after that, of course, everybody was involved in watering them, which is a long and difficult process. Darwin has a harsh climate and it is necessary to follow up with watering and fertilising. In later years, if those trees are attacked by white ants or ravaged by strong winds, they will need to be pruned or cut down and replaced. In other words, trees need care and attention. What we need to do, particularly in the urban areas where water is readily accessible, is to install dripper systems so that young trees get a really good start in life.

One of the problems that the Northern Territory government has had in the past - and I am pleased to see that it is addressing the issue now - is that, whilst it has been undertaking all of these excellent projects, it has not been advising the community at large of what it has been doing. Of course, the idea is circulated in the community by some of the conservation people and indeed the opposition, that the Northern Territory government's conservation strategy is virtually non-existent. Of course, that is nonsense.

One other matter concerned me. I was interested to hear the member for Ludmilla refer to some people regarding a tree as they would a cathedral, particularly in the northern suburbs of Darwin. I know that the honourable member was referring to a letter to the editor of the NT News, which was published several weeks ago. I am not sure of the exact date on which it appeared. The letter was from Ms Lea Rosenwax who, of course, is the Northern Territory Nationals candidate for Casuarina. She wrote a letter, and I will quote quickly from part of it. She said: 'I am extremely concerned at the appalling lack of any controlling guidelines from the Darwin City Council governing the destruction of trees in residential gardens. Too often, new tenants or owners of suburban properties, indiscriminately fell and lop with little or no thought to the stature or age of the tree'. The letter continued in similar vein.

I think the good lady is off the track. The reality is that the northern suburbs have been greened amazingly since Cyclone Tracy. I remember the days when, pardon the pun , the whole place looked as though a cyclone had gone through. Everything was stripped, blown down or destroyed. Today, it is like a jungle. There are so many trees that it is almost like a rainforest. The majority of the trees which have been planted are African mahoganies, black wattles and eucalypts. I have a number of them growing in my yard and there is nothing wrong with them. What Ms Rosenwax needs to understand, however, is that some of those trees, particularly the African mahogany, grow very large and can be a danger to life and property, including powerlines. The time comes when it is necessary to lop or even remove those trees. Trees such as black wattles and melaleucas, which are very popular in the northern suburbs, really only have a life span of some 12 to 15 years. After that, they tend to fall apart. They lose their limbs and die off or are eaten out by white ants. Such matters need to be

put into perspective, and that is what the member for Ludmilla was referring to.

It is very important that school communities, including children, teachers and parents are made aware of the Northern Territory government's role in this program. Having attended many school council meetings and having spoken to children in the schools, I know that, unless the government is very careful, it will end up getting no credit at all for this program, and the credit will be given to other organisations. Of course, Greening Australia deserves a considerable amount of credit. However, we need to make those schoolchildren and school communities aware of the role that is played by the Northern Territory government.

In his statement, the honourable minister referred to stepping back in time. I thought that I would try to remember my school days. In those times - and regrettably the whole program has subsequently been dropped - almost every primary school in Queensland, even the small ones, had its own forestry plot. At a certain stage of schooling, every student planted a seedling in the forestry plot, and the tree belonged to the student for as long as he or she attended the school. The kids were very proud of their trees and they tended them with great care to ensure that they were nurtured for the whole period that they were at school. I know that I did it myself and I can go back there today and see the forestry plot. It is still there today.

Mr Vale: Your tree?

Mr SETTER: I could not identify my tree now because the whole place has changed. The trees were planted at 2-year intervals and, as they grew, the less vigorous ones were culled. My recognition of the importance of trees goes right back to that time.

I am pleased to see that this project will be developed over 3 years and is directed at students in Years 5 to 10. I understand that they will be taught propagation. They are to collect seedlings and propagate the trees. My only concern is that undue haste may lead to seedlings being planted too soon in the harsh environment. If that happens, a seedling's chance of survival is very limited. Small trees need to be fairly well established, with, say, 3 years growth before being planted out, if they are to have better than about a 60% or 70% chance of survival. I have been involved in a number of Territory Tidy Towns tree planting projects. I have been through the exercise of planting hundreds of trees only to be frustrated and disappointed when, after 2 years, the survival rate was only about 30%, in spite of hand watering throughout the first dry season.

The minister said that '1990 marks the start of a 3-year project in which Territory students in Years 5 to 10 will be given opportunities to learn about trees, their requirements and how they are propagated'. I want to stress that the trees need to be more than seedlings when they are planted. I also want to mention the fact that many programs taught in our schools focus on matters environmental. The Minister for Conservation has spoken today about recycling, and that is fine. We are also aware of another aspect of recycling - its viability. Whilst it is fine to teach children about the importance of growing trees, looking after our environment, preserving our rainforest and a whole range of environmental issues, there needs to be a balance.

Children need to understand that, as well as preserving rainforest, we also need in our ever-developing society to preserve and improve lifestyle.

That means that we also need to cut down trees, mill timber and manufacture plywood. Those resources are, of course, necessary to preserve the lifestyle that we all enjoy today. Whilst I support recycling and environmental education, I believe that children need to learn about economic viability. We cannot recycle every piece of waste in the community unless there is someone to purchase the waste, recycle it, process it into a usable product and sell it. That is the reality of the situation. It concerns me that some children are becoming very emotional about the need to recycle. I know that there are recycling programs at various schools. That is fine, but the children need to know more than that. They need to know that part of the exercise involves the economic viability of the total process. If that viability does not exist, the children are supporting a fine program but with very limited success. I am concerned that some children are not getting the full message.

The honourable minister indicated that about 15 schools will participate in the first stage of the tree planting exercise. He also indicated that he had approached 54 schools. I assume that the schools will probably submit proposals of what they intend to do, and that he will choose 15 of the proposals. Perhaps the minister will advise whether that is correct.

I am pleased to note that other organisations will be involved. For example, the Darwin Rotary Sunrise Club will donate shade houses. The minister also mentioned the Australian Trust for Conservation. I must say that I have never heard of that organisation. I have heard of the Australian Conservation Foundation but not the Australian Trust for Conservation. The Territory Conservation Commission and the Department of Transport and Works will also be involved. I am very pleased to support this program and I wish the minister, the participating schools and Greening Australia every success.

Mr SMITH (Opposition Leader): Mr Speaker, obviously I support the project outlined by the minister. It is a very clear example of the community leading government, both the federal government and the Territory government. Schools have an outstanding record in tree planting projects on their own premises or in nearby locations. We have heard of examples already today, ranging right back to the long-distant youth of the Clerk. Today, I would like to pay particular tribute to a couple of schools in Darwin.

Over a long period, I believe that the school which set the standard for landscaping and the greening of school facilities in Darwin was Jingili Primary School in the member for Jingili's electorate. In the very early days of that school, I recall the outstanding effort put in by the janitor at the time, Joe Wirkner, and the then principal, Warwick Ottley. Those people played a very important role in developing that garden. It was a real showplace and it still is. Of course, it doesn't stand out as much now because other schools have increased their standards and reached the standard of Jingili. However, for a number of years in the early to mid-1970s, Jingili Primary School was a real showpiece and something that the local school community could be very proud of indeed.

I have always been impressed by the attitude of the 3 schools in my electorate in terms of tree planting programs. Each of the schools - Rapid Creek, Millner and St Pauls - has had very active tree planting programs during the last 8 to 9 years. That indicates that the education system has been doing its part and showing the way. It is good to see that the government is stepping in behind the schools and giving both moral and financial support. However, it goes beyond that. I think that we are

seeing a whole attitudinal shift in the younger generation. We are seeing the younger generation taking up the environment as a major issue. To the younger generation of today, the environment has almost become what Vietnam was to many people in the late 1960s and early 1970s. It is something that occupies the minds of young people. It is something that they are concerned about and, when they grow up, that concern will make them better citizens of the world than many of us have been in the past.

I raise that point because, as well as being involved in tree planting over the last 8 or 9 years, Millner School has been one of the leaders in Darwin in recycling. In fact, the Millner School Council allocated a considerable sum of money - $8000 or $9000 from memory - to put in place a proper recycling centre so that people throughout Darwin would be able to take their recycled material to the school. Unfortunately, because of the problems with Vitals Recycling which are, in fact, symptomatic of Australia-wide problems, that facility is a wasted asset at this stage. I hope that, through the bipartisan efforts of the minister and the member for Wanguri, we can come to some arrangements that will enable schools to play their part in the recycling effort that many people in Darwin would like to see. As well as Millner School, I am aware that Leanyer School was very actively involved.

It is not only school councils which are environmentally conscious. The kids themselves are also very concerned. Just 3 or 4 weeks ago, I was actively and vigorously lobbied by a 7-year-old student from Millner. He caught me at the end of my doorknocking one night. I was on my way home and he walked with me along the street for almost a kilometre, putting very cogent and intelligent arguments about the value of the recycling centre at Millner, the problems that it was experiencing, and the need for somebody to help the school with those problems. I must say that I was extremely impressed at his understanding of recycling and its importance to the community in general. Subsequently, I have received letters from Year 7 students at Millner School as, I believe, has the Minister for Conservation.

As I said earlier, I believe that we are seeing a dramatic shift in attitudes among school-aged children today, a phenomenon which will lead to a much better world. I think that we are very lucky indeed that our kids are taking such a responsible attitude and, in many ways, they are giving us a lead on these important issues.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, perhaps one of the things that this government does not do well is to blow its own trumpet. That is certainly obvious to people who come to the Territory from elsewhere. An enormous effort has been put into greening the Territory over many years. From the early 1980s, I can recall meeting people coming to the Territory and saying that they were pleased to see that it was obvious that the Territory and local governments were putting a real effort into planting trees. They commended that effort. Darwin is a good example. When you drive into Darwin from the south, you see the extent of tree planting along the streets. The gardens of Darwin are a real sign that there has been a commitment for a long time to tree planting in the Northern Territory. As I said, this government is not good at blowing its trumpet and taking its share of the kudos. The Leader of the Opposition has taken advantage of that in previous debates and in his media ramblings. He has tried to imply that, because we do not say much, we are not doing anything. It is obvious today that actions speak louder than words. The actions have brought about the greening of the Northern Territory.

The Northern Territory government and its agencies have an enviable record in rehabilitation and general tree planting. For many years, the Conservation Commission provided trees to the general public, to community bodies and to communities in the bush areas to ensure that the Territory was well endowed with trees. One only has to look at the new suburbs that have developed in Darwin over the last few years to see how many trees have been planted. We have gone basically from bare earth to jungle, as was mentioned by the member for Jingili.

That is a clear sign that the Northern Territory government has done what other states are now only just talking about. As I say, we have never blown our trumpet enough. That is unfortunate. Perhaps newcomers to the Territory these days do not recognise that the Territory Country Liberal Party has brought about the achievements in this area. Of course, that is not to detract from the achievements of other bodies. As was mentioned by the Leader of the Opposition, schools have put in an enormous effort over the years. Basically, part of the education system has involved improving our environment. My children have been going to Northern Territory schools over the last 7 or 8 years. During all of that time, they have been coming home to me and saying: 'Dad, we have to plant more trees. We have to care for the environment'. Obviously, that is coming out of our education system, the education system put in place by this government and endorsed by this government.

The program announced by the Minister for Education today is a Greening Australia initiative. It has the full endorsement of the Northern Territory government and the federal government. That endorsement is a clear demonstration of this government's commitment. This is not only a government effort and a school effort. There are many community groups which have been active. I could refer to the bicentennial committees in Elliot, Batchelor and Adelaide River. On its own initiative, the Tennant Creek Greening Australia group has planted thousands of trees in the last few years. This points to the fact that Territorians are proud of the Territory and are determined to see that it is not devastated in the ways that some other parts of this country have been devastated.

The Deputy Chief Minister mentioned the rehabilitation works carried out at places like Ranger. I have taken the opportunity to have a look at that rehabilitation work. The rehabilitation of the mining areas is absolutely magnificent. It is a sign that not only is the government committed to this endeavour but private enterprise, in this case a mining company, is also committed to ensuring that the environment is protected and that trees are replanted.

I do not think one can ignore a comment made by the opposition during the course of this debate. An attack was made in relation to clearing for development. There is and there will continue to be a need to clear trees from some parts of the Northern Territory. However, those trees are replaced many times over by other groups and, in some cases, by the groups who are doing the clearing. I refer to clearing for agricultural, pastoral and a range of other uses. It is absolutely essential that we strike a balance to ensure that such clearing is able to be done.

Fairly large areas of land have been cleared at Tipperary. Instead of listening to the hype in relation to this clearing, if one takes the time and the effort to look at what has happened there, one would recognise that the work has been carried out with the environment in mind. The clearing has been done on a very sound basis. It has been done in strip form. Each area has been rehabilitated with pasture very quickly so that the soil is

not lost. The trees are not removed from the waterways and adequate tree growth is left. In fact, the tree growth that is left tends to improve because of the clearing which has taken place around it.

It is often said that, when trees are cut down, they can never really be replaced. That, of course, is ridiculous. Trees live and die like every other living thing. The environment is best served while trees are in their growing stage. Once they have reached the final stages of growth and are basically static, they are really doing very little for the environment in terms of air cleansing, protection of the ozone layer and so on. It is during the growing stage that trees provide the most beneficial effect for the environment. Provided that you are replanting trees, you can clear trees and not damage the environment. Obviously, it needs to be done with a great deal of consideration for all of the factors that need to be taken into account. Provided that is done, there is no reason why sustainable development and maintenance of trees cannot go side by side.

I strongly endorse the initiative described in the minister's statement because it is a clear indication that the policies of this government are sound. From this day on, I expect that the Northern Territory government will not be as reluctant as in the past to blow its own trumpet. We will not stand back like wallflowers without telling the public what we have been doing in this regard. We will ensure that newcomers to the Territory will be made aware of the proud record of this government.

Mr FINCH (Transport and Works): Mr Speaker, let me say that I too like trees. I had not intended to speak in this debate but there are a couple of issues that I thought that I should pursue. The member for Wanguri, the opposition spokesman on the environment, decided to add to his abysmal display this morning in an environmental debate. He has demonstrated clearly to this Chamber that he has lost direction, not only on the environment but also geographically. He referred to a banyan tree that had been demolished on the north side of the Supreme Court. Of course, all honourable members will be well aware that there is nothing but bitumen on the north side of the Supreme Court.

Not letting facts get in his way, the honourable member pursued a number of other issues. Let me just say that the member for Wanguri has a lot of catching up to do. I have probably planted more trees in his electorate than he is likely to plant for the next 4 or 5 years. Of course, I did not do it on my own. As the Leader of the Opposition quite correctly pointed out, communities themselves have been the great motivators in tree planting. I think that is the way it should be. Of course, they cannot do it alone. Historically, in the Northern Territory, they have always had the appropriate support and encouragement, whether it be by way of plants or equipment from the local government - and the Darwin City Council has been excellent in this regard - and the Territory government.

In the days after the cyclone, thousands of trees were supplied by the Conservation Commission. Lions clubs and various other service organisations were involved in planting of trees in school playgrounds with the assistance of the parents and the children. That is nothing new. I think the Minister for Education has grasped hold of this opportunity to encourage an even greater participation by schoolchildren. The member for Wanguri would do well to visit some of the parks in Wagaman which were planted by residents in the early 1980s. There are hundreds of them. He certainly cannot accuse of us being latter-day greenies or tree planters, as he would have the public believe. Those trees would be 6 or 7 years old. They certainly are an attribute to the neighbourhood in his electorate.

I have sung the praises of the Department of Transport and Works already today. The member for Wanguri made a fuss in the early days about our knocking over a few white-anted trees on McMillans Road. Some 1200 trees are being planted by the department in the landscaping project there. Along the highway, many thousands of trees have been planted. The expensive program includes towns such as Katherine, Tennant Creek and Alice Springs. With those few words, let me add my compliments to the Minister for Education. I congratulate him on a great initiative. He certainly has my support and encouragement in proceeding with further plantings throughout the Northern Territory.

Mr HATTON (Health and Community Services): Mr Speaker, the debate has ranged far and wide. However, one point seems to have been missed in the debate. This commendable project, which is being undertaken by Greening Australia, the Education Department and the schoolchildren, is part of the billion trees project. The aim of that program is not to plant a billion trees. It is a campaign over 10 years to increase the number of trees in Australia by a billion. That means that every tree that comes down has to be replaced as well as a billion trees planted.

This campaign is linked to the general strategies adopted to address what is known as the Greenhouse Effect. It is important to recognise that, whilst trees have aesthetic values, they also perform other functions. They have significant and fundamental environmental roles. Particularly while they are growing, trees act as what is known as a carbon sink. They actually collect carbon dioxide in the atmosphere and exhale oxygen into the atmosphere. Whilst the trees are growing, they accumulate carbon in their trunks, creating a carbon sink. That is why an additional billion trees in Australia will act significantly to increase the overall carbon sink in Australia as part of a total world strategy.

Mr Ede: When they die, they put it all back.

Mr HATTON: Mr Speaker, the member for Stuart makes the point that the carbon is released when the trees die. That is true if they decompose or if they are burnt. The honourable member may be interested to know that, as part of the Greenhouse strategy discussions internationally, consideration is being given to harvesting forests of mature trees, burying those trees, and then reafforesting those areas. That is part of attracting carbon back from the atmosphere and counteracting the forces which are being created by the mining of coal. Every time we dig up coal, we are digging up the world's greatest carbon sink and pumping it into the atmosphere. That proposition is being debated seriously around the world as among possible strategies to redress the carbon sink issues. The removal of the mature trees would leave space for actively growing trees. That is an interesting aside which the honourable member might like to follow through.

Mr Ede: No thanks. It is mind boggling.

Mr HATTON: The honourable member is correct in saying that, when trees die, the carbon they contain is returned to the atmosphere and that is seen as a redressing of the imbalance in the carbon cycle. Provided that the national program results in a billion additional trees, and not just the replacement of a billion trees, it will result in a net enlargement of the carbon sink in this country. I make that point so that people will recognise that this is not merely an aesthetic or fun thing to do. It is a way in which individuals can be actively involved in doing something positive about matters which they are concerned about, such as the

Greenhouse Effect. That is the driving force behind these tree planting projects.

I will not use the word 'hypocritical' because I understand that it has been ruled to be unparliamentary language, but I find it rather surprising that the member for Wanguri should regard the planting of trees by politicians as something of a political gesture which is somehow lacking in genuineness. Every time that I have attended an official function involving tree planting or community consultation, he has been there doing his bit and trying to get his photograph taken. I do not object to his being there. It is all part of the community's involvement. However, I do not think that he can run around and muscle in on every official function to do with conservation and then accuse other politicians of being hypocritical or cynically political. I find that rather difficult to accept. On the other hand, I hope that he will continue to be involved in community projects because, as a latter-day participant in relation to many environmental issues in Darwin, he is adding a little more to the excellent work being done by a wide number of people in the community.

At this point, I must add my praises to the Greening Australia team for the work that they have done over the years. I am sure that they will do an excellent job throughout the Northern Territory in relation to the billion trees project. I have been very pleased to be able to provide some assistance in the form of additional office space so that the funding which Greening Australia has received from the federal government can be channelled more directly into achieving its targeted objectives.

Mr HARRIS (Education): Mr Deputy Speaker, I thank honourable members for their contributions. The length of the debate has demonstrated the interest which members have in their role in school communities and in the schools themselves. We all acknowledge the work of teachers, parents and students in looking after school environments. Most schools are very proud of their surrounds, and they do a wonderful job. One has only to fly over the Territory's towns and look down from the aeroplane to see that the schools really stand out. They do a wonderful job in making our environment a pleasant place in which to live.

The whole aim of this statement was to draw attention to this particular project and to encourage members of the community to become involved. The size of the project will depend largely on the schools themselves, and their councils, and how they want to develop the programs. I wish them well, and encourage them to get together to make decisions about how far they want to go. I agree with the comments of the Leader of the Opposition. He acknowledged the work done by the Department of Education and the parents and teachers of the various schools throughout the Territory. They have done a wonderful job over the years. Achievements in this area are not a matter of saying that this government or that government, Territory or Commonwealth, is responsible for this or that. We all need to work together. I believe that most of the comments made this afternoon indicate very clearly that we have a bipartisan approach which will ensure that we work on this project together and develop it further.

Many schools have put a great deal of their own money into this kind of work. The school councils have raised funds to build little greenhouses, and many schools will continue to do that. However, it is not just a matter of money. It is a matter of getting people involved. It is the bodies on the ground, the parents and the student power that is required to make this project work. I thank honourable members, and I will finish with the closing paragraph of my statement. In closing, I want to call on all

Territorians and all our community groups to play a part in this program. In itself, I believe it will be of tremendous value to the Territory, but I think its success will pave the way for similar projects throughout the 1990s and beyond.

Motion agreed to.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL (Serial 268)

Continued from 27 February 1990.

Mr BAILEY (Wanguri): Mr Deputy Speaker, supported.

Mr SETTER (Jingili): Mr Deputy Speaker, the amendment to section 12 of the principal act results, as I understand it, from recent approaches to the government made by combined Aboriginal land councils requesting such a move. I understand, Mr Deputy Speaker, that they have asked the government to legislate to allow Aboriginal land to come under the national parks management strategy via the Northern Territory Conservation Commission. This amendment addresses their request and, as well, includes other leased government land within Conservation Commission management control.

I understand also that, previously, the Northern Territory government has not been able to declare a national park or reserve on land leased by the Conservation Commission and on Aboriginal land, and this anomaly is being addressed by this amendment. Mr Deputy Speaker, with those few words, I support the bill.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in rising to support this bill, I think it should be noted by all that the Northern Territory government is actively pursuing a course of action in which it is doing more than planning and acting. It is actually working with Aboriginal interests and Aboriginal communities on maintaining national parks. This gives the lie to all of those people who spoke against the Northern Territory government and its treatment of Aboriginals in relation to national park issues, particularly before the national park at Katherine Gorge was declared.

I have always said that the Northern Territory government has demonstrated, for some years now, that it can work with Aboriginal groups very successfully in the running of national parks. I do not believe that the honourable minister or the Conservation Commission sufficiently publicises the amicable working relationship which exists at Cobourg National Park. That relationship is out on its own. We hear, on many occasions, of the fine working relationship between ANPWS and Aboriginal interests, not only in terms of liaison with senior Aboriginal people in tribal situations, but also in connection with training programs to put Aboriginal men and women in the field working for ANPWS. We are led to believe that the ANPWS is the only organisation to enjoy such a relationship. However, ANPWS is not Robinson Crusoe. A long time before it gave consideration to such an approach, the Northern Territory Conservation Commission was actively pursuing such a course of action, although it was not shouting it from the hilltops. It was just getting on with the job. I know this personally, having known many of the rangers over the years. I still know many of them, and I know what they have been doing, and it has been a sterling job.

This legislation is intended to correct an anomaly in the Territory Parks and Wildlife Conservation Act and the correction will allow the Administrator to declare parks, not only on land held by the Territory Land Corporation but also on those areas of land leased. I am in favour of the legislation.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I rise to support this bill for similar reasons to those expressed by the member for Koolpinyah, but also from another point of view inasmuch as I see potential for these amendments to allow arrangements to be put in place whereby areas within pastoral leases or other private land might be jointly managed by the landholder in association with the Conservation Commission. Such joint management arrangements would not necessarily exclude activities undertaken by the landholder, such as grazing and so forth, but perhaps could occur conjointly.

The type of arrangement that I am thinking of could apply to a number of small seasonal waterholes. These waterholes, which are dotted around the country, are used by a large number of native birds. A particularly topical species which comes to mind is the Gouldian finch. I have been something of an amateur ornithologist for many years and, in my travels through the bush, I have come to know of many waterholes where large numbers of native birds drink. The waterholes are also used by animals. It has often occurred to me that these areas could well do with some site management, and not necessarily because of any degradation as a result of activities undertaken by the landholder.

One such waterhole is just to the west of Katherine, adjacent to the Victoria Highway. It provides the only groundwater for some distance and quite large numbers of Gouldian finches and another rare and endangered species in the Top End, including the hooded parrot, go there to drink during the dry season. Normally, that waterhole dries up during August or September, depending on the seasonal conditions. It is typical of the emotive arguments put forward to protect species such as the Gouldian finch, that breeding areas are seen as requiring absolute protection and prohibitions on activities such as mining whilst people overlook the fact that the birds fly to other areas at times of the year when they are not breeding. Hooded parrots and Gouldian finches, which have extensive breeding areas in the vicinity of Mount Todd, disperse at other times of the year. They feed and congregate in quite large numbers and, of course, they seek water.

There are natural waterholes, often just deep holes on creeks, which hold water well into the dry season. Frequently, because of inaccessibility or other factors, they are not significant stock watering places. Further, protection measures do not necessarily mean having to close water sources to stock, making the lot of the pastoralist more difficult. However, there may be a need to protect such water sources from the activities of contractors. During the course of roadworks, I have seen contractors use suction pumps to drain waterholes simply in order to damp down the road surface. Activities of that nature can impact fairly significantly on the bird population, which is dependent on such water supplies well into the dry season. Management of such areas might involve no more than 0.5 km^2 of land.

Whilst this legislation may appear to be fairly simple, the amendments are potentially quite significant from the point of view of wildlife and habitat management. In that context, the comments of the opposition spokesman for conservation epitomise the fact that the opposition has just grasped green and environmental issues as a matter of convenience and

absolute political expediency. That much was clear when the opposition spokesman rose to his feet and said 1 word: 'supported'. I doubt very much that the opposition conservation spokesman has any clue whatsoever about the management practices that might flow from these fairly simple amendments to benefit the environment, to benefit conservation generally throughout the Northern Territory and, of course, in the long term, to benefit all of us, particularly from the point of view of Aboriginal lands, as suggested by the member for Koolpinyah. Perhaps the legislation will improve the ability of people in the Northern Territory to access lands which they presently cannot access. Certainly, it might prove to be an advantage from the point of view of land management and the conservation of those areas.

The member for Wanguri's comment was the second example he has given today of his ignorance of matters relating to the environment. Earlier, he contributed a throwaway comment that Gouldian finches might soon be available in pet shops. What a marvellous illustration of the ignorance of the opposition spokesman on the environment. He won the seat of Wanguri on the coat-tails of the Green vote and he has clasped Green issues very closely to his chest ever since. However, he is totally devoid of any knowledge of the real issues covered by his shadow portfolio. The Gouldian finch has been available in pet shops for well over 40 years. In fact, the theory has been put forward on a number of occasions that the pressure of trapping may well be the reason the Gouldian finch is in such a precarious position at present. I do not happen to hold that view but it is common knowledge that Gouldian finches are very much part of the avicultural trade and have been for many years. The birds were initially supplied from the Katherine area and the Wyndham area.

I am aware of a fellow called Bob Lee who used to live at Pine Creek. He used to catch Gouldian finches for the avicultural trade in the south and they abounded in such numbers in those days that he would never accept an order for less than a gross, because about 144 is what he could catch in one pull of the fly net. He would run over, grab the birds from under the net, whack them in a box and off they would go to Sydney. Bob died about 8 years ago and, even in the period of 30 years during which he was trapping, the number of Gouldian finches had declined to such an extent that one now considers oneself extremely fortunate to see 144 birds in a flock. Whether trapping of the birds has led to this situation is a matter that will be argued for some time.

I raise that point to illustrate the lack of background knowledge which the member for Wanguri has in relation to so many of these issues. He goes on radio and espouses all sorts of Green causes. It is very superficial, Mr Speaker. He does not understand the underlying issues at all and, sadly, he has not taken the trouble to find out. His comments today in relation to this bill, which will benefit conservation, clearly illustrate his lack of dedication and real interest in conservation and the environment. I support the bill.

Mr HATTON (Conservation): Mr Speaker, I thank honourable members for their contributions. In particular, I thank the Minister for Primary Industry and Fisheries. The honourable minister has an extensive background in conservation, having worked for many years in the Conservation Commission prior to going into politics. He is one person in this Assembly who can speak with real authority on many of the conservation and environmental issues which come before us. I think all members would benefit from the contribution that he has just made in respect of the potential consequences of this bill on habitat protection and some of the dynamics of the issues involved in conservation. His contribution illustrated the type of detailed

understanding which officers of the Conservation Commission apply to the real work on conservation, in contrast to the headline-grabbing approaches which inevitably surround many so-called Green issues. The officers of the Conservation Commission are professionals who are doing an excellent job and the honourable minister has given us a glimpse into the depth of their understanding. Every Territorian should feel exceptionally proud of the work which goes on within the Conservation Commission.

Turning specifically to the bill, I would like to reiterate that its implications go well beyond the simple clauses it contains. I remind honourable members that to create the Gurig National Park on Cobourg Peninsula it was necessary to bring in a separate act of parliament. To establish the Nitmiluk National Park, it was necessary to introduce a separate act of parliament. Until this legislation comes into place, it is impossible for us to negotiate a national park on Aboriginal land because Aboriginal land, by definition, is inalienable freehold title to the traditional owners. Title to any park on Aboriginal land can only be some form of leasehold. Only through this amendment do we have the capacity to negotiate to set up appropriate conservation and national park zones on Aboriginal land and to maintain the general Territory infrastructure of regulations, procedures and standards which are so important for effective management of parks.

It is not logical to create a new act of parliament every time you open up a national park, and to have to debate each and every aspect of its management. We have been working now for 5 years in the development of joint management arrangements with Aboriginal people right throughout the Northern Territory. Negotiations started at Cobourg Peninsula and led to an act of parliament. We then advanced that cause at Watarrka National Park at Kings Canyon. There have been negotiations since then in relation to every piece of land in which the Northern Territory government has an interest - every park and reserve right throughout the Northern Territory - in setting up joint management arrangements. It has nothing to do with the Land Rights Act. It relates purely to the policy direction of the Conservation Commission in effectively and positively bringing together Aboriginal needs and responsibilities with the conservation and environmental responsibilities of the Conservation Commission.

This bill will enable us to advance that cause in 2 areas which have been the subject of particular contention for a number of years. One is Gosse Bluff in central Australia and the other is North Island in the Vanderlins. Both have been areas of contention for years. We have had agreement on title and lease-back with the Aboriginal traditional owners, but we have been bogged down in our efforts to effectively bring the arrangements into operation. This bill frees up our capacity to resolve the North Island lease-back arrangements and frees up our ability to set up the national park and a lease-back arrangement at Gosse Bluff. The government agreed to do both of these things years ago. That is the significance of this bill.

In addition, negotiations have been proceeding in other areas of Aboriginal land. For example, there have been preliminary discussions about the possibility of setting up a national park in the Cape Arnhem area on the Gulf of Carpentaria, near Nhulunbuy. Other discussions have focused on the English Company Islands, just off Cape Wilberforce north-east of Nhulunbuy and Gove Harbour. There have been discussions about areas such as Arafura Swamp and so on. These are important areas with the potential for recreational use but which need the type of management and environmental

protection which flows from park status. They are currently on Aboriginal land and they are currently free of the pressure of tourism and visitation.

There is a real potential to take an area of significance, before the tourists get there, and set management regimes and structures in place to maintain pristine natural values. This bill gives us the opportunity to advance those sorts of arguments. I think that this is a very significant bill. It is a milestone in the development of conservation in the Northern Territory and in the developing relationship between the Aboriginal people and the Northern Territory government. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

Mr HATTON (Conservation) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

OZONE PROTECTION BILL
(Serial 264)

Continued from 27 February 1990.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I intended to support this bill and I still believe that the spirit of the legislation is worthy of support. However, unless the honourable minister can convince me otherwise, I believe that, if the legislation proceeds in its present form, it will make a mockery of justice as we know it. I am specifically concerned about clause 23 which relates to offences by employers and employees. Clause 23(1) states: 'Where an employee commits an offence against this act or regulations, the employer is to be taken to have committed the same offence (whether or not the employee committed the offence without the employer's authority or contrary to the employer's orders or instructions)'. In other words, an employer can specifically direct an employee to take one course of action only to find that the employee does exactly the opposite as soon as the employer's back is turned.

Clause 23(2) states: 'It is a defence in proceedings against an employer for such an offence if it is established - (a) that the employer had no knowledge of the act or omission that constitutes the offence'. The employer could say: 'I told him to do A, but he went ahead and he did B'. Clause 23(2)(b) provides the defence that 'the employer could not, by the exercise of due diligence, have prevented the commission of the offence'. That is good. However, clause 23(3) states: 'An employer may be proceeded against and convicted under a provision pursuant to subsection (1) whether or not the employee has been proceeded against or convicted under that provision'. Subclause (3) completely negates subclause (2) and subclause (1)(a) because they both state that the employer can use as his defence the fact that he did not know the offence or the omission was being done. Subclause (3) states that he still can be convicted. The employee can get off scot-free and the employer can be convicted. To my mind, that clause spoils the rest of the legislation. We cannot have injustices like that in any legislation.

I do not have any argument with the rest of the legislation. The minister is on the right track. Some people would call it a knee-jerk reaction to the publicity that has been surrounding the matter of the hole in the ozone layer. That may be so, but the legislation was produced very

quickly and it is a pity that other necessary legislation is not produced as quickly. I believe that we have to consider the situation of the ozone layer which surrounds the earth. We have to look at the effects of the hole in the ozone layer becoming bigger. In addition, we need to consider the Greenhouse Effect and other things. The Ozone Protection Bill also takes in other matters. It refers to recycling and what I would consider to be deposit legislation. The Minister for Tourism would be very pleased with that.

Mr Hatton: Deposit legislation?

Mrs PADGHAM-PURICH: Deposit legislation could even be included in recycling because you can make regulations. I have not seen the regulations. I do not know if they have been written yet. However, I believe this legislation could encompass that.

Unless the honourable minister can explain clause 23 to my satisfaction - and I believe that it is a mockery of justice - I will not be supporting this legislation even though I would like to.

Mr PALMER (Karama): Mr Speaker, I rise to support this bill. It appears to me that its main purpose is to provide a life support system for the regulations. At this stage, I must express my confidence in the chairmanship of the Subordinate Legislation and Tabled Papers Committee. I am sure that committee will diligently go about its work of ensuring that the regulations, when and where proclaimed, will be in accordance with this legislation.

There is still much confusion in the community about the relationship between ozone depletion and the Greenhouse Effect. One of the causes of that confusion is the fact that ozone, in itself, is a greenhouse gas. One of the major environmental problems facing legislators in the United States and northern Europe today is dealing with ozone, which is derived from complex hydrocarbons emitted by automobiles and broken down under ultra-violet radiation in the lower levels of the atmosphere. Because ozone is an atom heavier than oxygen, when people take it into their lungs, especially people with respiratory ailments, their lungs actually fill up with ozone. In some industrial and marine situations where persons are affected by ozone, the treatment is to stand them on their heads and let it all dribble out.

In Germany, it has been found that there is a positive side to ozone emissions from automobiles, albeit in the lower levels of the atmosphere. The breaking down of the complex hydrocarbons into ozone helps to dissipate the incoming ultra-violet radiation. There is, of course, another positive side. With the predicted results of the Greenhouse Effect, there will be an increased amount of precipitation over the Arctic region where the phenomena known as ozone holes are appearing. With an increased amount of precipitation, we will have an increased cloud cover over the Arctic region. Thus, the Greenhouse Effect will in one way counter the hole in the ozone layer because the top of the clouds, to some degree, will reflect the ultra-violet rays straight back out into space.

Thus, there are places where ozone is bad and other places where it is good. Although the Greenhouse Effect is considered to be bad, at least in relation to the depletion of the ozone layer, one of the few hopes the world has is the Greenhouse Effect. I support the legislation.

Mr BAILEY: (Wanguri): Mr Speaker, I am not sure how I can follow a speech like that.

Mrs Padgham-Purich: You can't. But try, my little man.

Mr BAILEY: Mr Speaker, I guess I will pick up initially on the member for Koolpinyah's comments. I had not intended to comment on clause 23, but I should place on record the fact that the opposition has no problem with it. There are circumstances in which an employer could be seen as negligent in relation to the acts of an employee. If an untrained person was not carefully instructed as to what he should be doing, the employer could be seen as negligent. The employee could not have foreseen that what he was doing could be dangerous to the ozone layer. For example, it would be inappropriate to prosecute an apprentice for unscrewing the wrong nut or bolt and allowing refrigerant gas to escape to the atmosphere. In such circumstances, it is the duty of the manager to advise the apprentice not to carry out such actions. Clause 23 is appropriate.

However, we do have some major concerns with one aspect of the bill. I refer to the composition of the consultative committee. According to the bill, the members shall come from the retail industry, the wholesale industry, the manufacturing industry, the recycling industry - and this is industrial recycling rather than what we would see as the more environmentally identified recycling - and the service industry as far as they relate to the use of controlled articles and substances. There is also reference to educational or government interests, or municipal or community government interests.

In light of the environmental debate occurring around Australia at the moment, those categories are significantly deficient in 2 major areas. There is a lack of any scientific expertise in relation to ozone layer protection. There is no mention of scientists, from a university or elsewhere, who can provide up-to-date information on ozone depletion. There is also no reference to environmentalists. Perhaps this is an accidental omission. Ozone protection is one of the major environmental issues and there seems to be no representative on the consultative committee who would be recognised by the environmental movement. If the committee is to be seen as not being biased towards an industry viewpoint, scientific and environmental experts need to be included.

Some states have taken urgent action because of the urgent need to protect the ozone layer and the need to be seen to be doing something. For example, in Victoria, the minister recognised the urgent need to introduce a comprehensive set of controls. There seem to be enough guidelines from Australia and around the world. Victoria chose to use the power of the minister to introduce regulations to control ozone depleting substances rather than going through the longer process reflected in this legislation. Apart from that, the opposition supports the bill.

Mr PERRON (Chief Minister): Mr Speaker, I would like to say a few words on the action proposed. What we have is the implementation of a rescue plan. It is almost like baling out the ship because our planet earth is increasingly coming under threat as a place to live. Disturbingly, the world has only recently woken up to those people who have been expressing concern. I am not sure how long the concerns have been flagged. The first theory of a hole in the ozone layer is quite some years old. No honourable member mentioned it when it was first mooted by someone who was probably called a crank at the time. Fortunately, more and more people have been convinced by scientific research wherein theories are demonstrated rather

than claimed as some sort of a hunch. The advanced world has now recognised that there is such a thing as a hole in the ozone layer which seems to fluctuate during the course of the year, relative to weather conditions etc.

I liken this action that we are taking, this small contribution to the overall effect, to baling out the boat. Of course, every little helps and the action we are taking is similar to action which will be taken, if it has not been taken already, by the Australian states. One of the sad aspects of our moving in this direction is that we are moving in the opposite direction to the way we would like to move in so far as regulations, cost to industry and cost to the consumer are concerned. We must bear in mind, as we proceed down this track, that what we are doing has that distinct down side.

As honourable members have mentioned during this debate, this bill is merely a vehicle for some very extensive regulations. That is necessarily so because we have not entirely worked out what exactly we should do to control this problem. At least, we are putting in place the vehicle for those controls. This Assembly can scrutinise those regulations as they come before the House.

We have to draw up the regulations. We have to bring in work practices. We have to train people in how to handle equipment in a new way. We have to develop new equipment for extracting some of these gases and other nasties out of equipment in which they are used today. There is a consultative committee to be established and an action plan to be developed. Inspectors will have to police the provisions of the regulations once they all are brought into practice and, of course, there is the possibility of legal action from time to time, involving those who are found to be breaching those regulations.

The requirements will involve extra space at some facilities, space that is not now required, to store waste gases. The waste gases will have to be put in containers of course. That is not required at present and will involve considerable inconvenience. In future, in relation to activities such as re-gassing, some equipment, such as air-conditioning equipment, which can presently be serviced on site, will have to be serviced in a factory. That will involve inconvenience to consumers. Extra cost to the consumer will be involved for the removal of installations, transporting them and returning them for reinstallation. Of course, the person who will bear the cost of all this will be the consumer. I suppose one could say that the consumer is responsible for purchasing the goods containing these nasty gases which are no longer allowed to escape into the atmosphere.

I foresee a time, perhaps not too far in the future when, as these regulations are developed, air-conditioners and refrigerators which traditionally have always been thrown on the dump, will be required to have the gases extracted from them before they are dumped. As a consequence, it will probably be necessary for the government to establish a facility where such equipment can be held until such time as the gases can be extracted. In all probability, it will be necessary for someone to issue certificates stating that air-conditioners have had their gases extracted and are ready to be crushed or dumped. That will involve more people who will have to be paid. It will involve more land, more keeping of records and more rules.

What we are setting up, sadly but necessarily, is another set of regulations and expensive procedures for society. In order to pay for these additional financial burdens on society, we have to ensure that there are industries in our country which churn out wealth for the nation so that we can afford to take these courses of action. Some people say that we

probably cannot afford not to take them and, indeed, if we want future generations to survive on the planet, that is correct. However, we must be mindful that some of the steps we want to take to conserve and protect our environment, necessitate that we have an affluent society which generates the wealth to pay for them whilst maintaining the lifestyle which we would all wish for.

I commend the honourable minister for introducing this legislation. We have not been pushed into it nor are we trailing the field in any way. We are keeping right up there with our responsibilities as a Northern Territory government, and we will continue to do so.

Mr COLLINS (Sadadeen): Mr Speaker, I will be brief. I would like to bring to people's attention the fact that those I know of in the refrigeration industry have already been acting pretty sensibly in the matter of refrigerant gases. Once upon a time, before the Greenhouse Effect was recognised and the suspicion formed that the CFCs in the refrigerant gases were a danger to the ozone layer, the gases would have been allowed to escape and the unit would simply have been regassed. Now, particularly on the larger units, the manufacturers themselves have provided chambers. By opening up the appropriate valve and using the machine itself, you can pump down the gas, take it out of the system and put it into the chamber. The machinery can then be worked on while the gas is held in that special chamber on the larger units, being returned to the unit when the repairs have been completed. It would appear from this that the industry is pretty well aware of what is needed. People servicing refrigerators, cold rooms and the like, and those training others in that kind of work, are and have been aware of the difficulties for a long time. They train people to remove the gas from the system prior to working on the unit, how to store it securely and then replace it.

I think much of what is proposed here in that regard is happening already and it is good to see. I hope it will not be necessary to introduce too much draconian legislation to enforce the requirements. I think it will come from the will of the people. If they understand the situation and do their bit, that is definitely the best way to go. I also think that, if people decided to be lazy, it would be very hard to catch many of them at it. If a person is of a mind to do so, he can release the gas very easily. We must hope that there are not too many people around who would do that. It would be very difficult to police. I do not think that we should kid ourselves that legislation will be the total answer and that everything will be perfect because we legislate. Hopefully, the legislation will deter people from behaving stupidly.

Mr HATTON (Conservation): Mr Speaker, I appreciate the support that this legislation is receiving generally from honourable members. I will respond to the concerns and questions that have been raised during the course of this debate. I think the nature of the debate in respect of this law is symptomatic of the direction that the community is taking as there is increasing awareness of issues such as the Greenhouse Effect and ozone-depleting substances, together with many other conservation and environmental concerns. Generally, today's debates in the Assembly have revealed the increasing awareness and involvement of members here, which is a reflection of the general community's involvement in these matters throughout the Northern Territory. The reactions to this bill have been consistent with that.

As with all laws, issues have been raised and I would like to try to deal with them. I do not want to go back through the history of Greenhouse

gases, ozone-depleting substances and the whole carbon cycle argument, the subject of ozone depletion in the stratosphere and its consequences in terms of ultra-violet radiation and the multiplier effects. I have dealt with that in previous sittings of the Assembly, as have other members.

In response to the member for Karama, it is true that tropospheric ozone is a Greenhouse gas whereas stratospheric ozone acts as a barrier to much of the ultra-violet penetrating through to the earth's surface, and they do perform importantly different functions in their concentrations. However, the ozone-depleting substances which this legislation deals with, particularly the chlorofluorocarbons, bromofluorocarbons and related substances, are in themselves not only ozone-depleting substances in the stratosphere but quite significant Greenhouses gases.

I understand that, in the troposhere, the Greenhouse Effect of CFCs is some 10 000 times that of carbon dioxide, and that the effect of 1 CFC spray can is equivalent to that of the burning of 10 t of coal. Obviously, in terms of both the Greenhouse Effect and the ozone depletion problem, this bill takes necessary steps to remove damaging substances from the atmosphere. That is not to say that it would not be appropriate to use substances such as CFCs in suitable circumstances, such as in refrigeration and air-conditioning. The important thing, as the member for Sadadeen pointed out, is that they not be released.

Questions of recycling, scrubbing and reuse of CFCs and BCFs will be important considerations in the whole process of managing this difficult environmental issue because it will not be logically appropriate to tell everybody to turn off their refrigerators. Even if we did that, what would we do with all the CFCs that are in refrigerators around the world? What would we do about all those people who do not want to die of diarrhoea and other stomach problems from bad food? We have to maintain refrigerants, and reality says that we will need to have cooling systems such as air-conditioners. In the tropics, we all know how significantly important that is to the general health, welfare and comfort of the community in this day and age. There is no doubt that community productivity has improved dramatically with the introduction of air-conditioning. What we need to do is to ensure that the gases used do not escape into the atmosphere. This legislation, through the regulations, can provide the capacity for the rational and realistic control of these substances so that they do not have the effect of acting either as Greenhouse gases or as ozone-depleting substances in the stratosphere.

Turning now to specific points raised by honourable members, I will first address the concerns expressed by the member for Koolpinyah in respect of clause 23(1). I thank the member for Wanguri for his expression of support in relation to this clause and, if honourable members will bear with me, I will take a few moments to put the clause in context. Under common law, there is a well-accepted principle, known as the principle of vicarious liability, whereby an employer is held to be liable for the actions of an employee, because the employer has the right of control and direction over the employee. Whilst I am not a lawyer and I do not want to go into too many fine technicalities, that is a simple description of vicarious liability in layman's language. In this circumstance, it means that, if an employee commits a breach under the act, the employer is also liable. Clause 23(2) provides a defence, which is a reasonable defence in this day and age. There is a defence if it can be established that the employer had no knowledge of the act or omission which constituted the offence and that the employer, by the exercise of due diligence, could not have prevented the

commission of the offence. In my opinion, that offers employers a reasonable defence against the vicarious liability principle.

Subclause 23(3), the subclause which the member for Koolpinyah found particularly disturbing merely states that, if the employee is guilty of an offence and the employer does not have a defence under subclause (2), it may be possible to proceed only against the employer and not against the employee. It does not in any way remove the employer's defence under subclause (2). As the member for Wanguri said, that could involve a situation in which an apprentice had not been supervised properly, or it might involve an employee who is what is often referred to in law as a person of straw - in other words, someone whom it is useless to proceed against. Such a prosecution would result in the expenditure of considerable amounts of community money merely to secure a tick on somebody's record. It has been held for decades that, in such circumstances, it is appropriate to proceed only against the employer.

The honourable member appears to be indicating that I have convinced her of the appropriateness of that clause, or at least removed her abhorrence for the clause to the extent that she would be prepared to support the bill.

The member for Wanguri referred to clause 7 which relates to the Ozone Protection Consultative Committee. He referred particularly to the absence of people of a scientific background or representatives of the environmental lobby. He also gave me what could be described as a beating with a feather in relation to the fact that he feels we are not being tough enough in respect of immediately imposing regulations, as in the Victorian model. He hinted that we could have been a little tougher in that regard. I am not trying to have a go at the member for Wanguri. I am really trying to explain why we have taken a particular approach to the issues. We have adopted a policy of consulting with the community, particularly with the industries which will have to operate under this law. As the member for Sadadeen said, writing a law in itself does not guarantee community compliance.

Consultation on the provisions of this law and the setting up of regulations is a way of getting the community's commitment and involvement in implementing those provisions. That will be critical in obtaining compliance and in building on the voluntary steps which have been taken during the last decade or so by industries generally. For example, CFCs have virtually been eliminated as propellants in spray cans, with hydrocarbon propellants replacing them. There have also been changes in relation to BCF fire extinguishers and so on. We want to build on those voluntary steps and to provide encouragement but we also need to provide the stick for those who are going to be irresponsible. One could argue that the carrot-and-stick approach is appropriate in addressing this problem and that this is an appropriate form of legislation.

I might say that the legislation has the support of the Commonwealth. At a recent meeting of the Ozone Protection Consultative Committee in Canberra on 26 April, the chairman, Bob Dunn, and Dr Harry Glunston, the founder of the Ozone Protection Strategy of Australia, commented specifically that the Northern Territory was on top of things in terms of ozone protection, was up with the states in respect of the implementation timetable for the recommendations of the strategy and was ahead in terms of its emphasis on consulting with those directly affected. We not only have the imprimatur but the commendations of those who have been instrumental in setting up the national strategy. I trust that that will be recognised by members of this House.

I am not going to avoid responding to the member for Wanguri's comments about the lack of representation of scientists and the environmental lobby on the consultative committee. I might point out to honourable members that the Northern Territory legislation is the only state legislation which sets up a consultative council. No other state legislation does that. The states have ministerial advisory groups principally composed of public servants. Through our agreements with the Australia New Zealand Environment Council in respect of ozone protection, we have undertaken to comply totally with the National Ozone Strategy. We will apply the regulations as it applies them. We will work on its strategy and timetables, which are set through the Ozone Protection Consultative Committee at the national level. The best scientific brains in the country are on that committee, together with representatives of all the peak environmental organisations: the Australian Conservation Foundation, the Wilderness Society and so on. That is the level at which scientists and the environment lobby are represented.

The policies and strategies flow down to us from the national body and we implement them through this legislation and our consultative mechanisms, which are a step ahead of those elsewhere in the country. The industry groups will work on the practical implementation. There is no intention to exclude scientists or environmentalists. It is a procedural matter. They are well represented at the appropriate level, where the policies and directions are being set. I hope that the honourable members opposite will recognise and accept that the composition of the consultative committee should not be seen in any way as a slight on either of those groups, which already have effective representation in terms of developing the strategies to be implemented in the Northern Territory.

Mr Speaker, I can advise that the first stage of regulation is being proceeded with. We have been proceeding informally with the consultative processes and we anticipate that the first regulations will come into force on 1 July, with the more comprehensive regulations flowing from the national regulation development process coming into force on 1 January. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

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

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, my remarks in this third-reading debate will be brief, and they are not spoken facetiously. Today, we are surrounded by pieces of legislation which deal with the environment. The Notice Paper lists the Territory Parks and Wildlife Conservation Amendment Bill, the Ozone Protection Bill, the Litter Amendment Bill, followed by ministerial statements on the Greenhouse Effect and the Territory Wildlife Park. However, in all of our comments on conservation and all our thoughts about the situation of future generations, we forget about one very important fact: there are too many people in the world. It would take a very brave government to legislate to reduce population, although Singapore and China have done it. I can hardly talk, because I have had 6 children. However, we have to raise the subject and it has to be talked about. We have all these problems because we have too many people.

Mr BAILEY (Wanguri): Mr Speaker, in his summing-up in the second-reading debate, the minister argued that this legislation is controlled by the standards set within the national strategy. At least, he implied something of that nature. However, I am not aware of anything in the bill which refers to the national strategy. There is, therefore, no

legal commitment requiring the Territory to comply with the national strategy. I again suggest to the minister that we have representation from scientific and environmental groups on the consultative committee, in case we find that its membership, which comes largely from the industry side, tries to argue that the national strategy cannot be implemented in the Northern Territory within the time frame specified in the strategy. I would feel more comfortable about supporting the bill if there was representation from scientific and environmental groups on the consultative committee.

Mr HATTON (Conservation): Mr Speaker, I understand the concerns of the honourable member. I stated in my summing-up of the second-reading debate that commitment has been made between the governments and the Australia New Zealand Environment Council to follow a consistent strategy throughout Australia. We are committed to that. This bill, in fact, is living evidence of our commitment to the implementation of the strategy.

I remind honourable members that, under clause 6(2)(b), before recommending that regulations be made, the minister may consult 'any other minister or person that the minister thinks may have an interest in the content of the proposed regulations'. I would be happy to use that provision to consult with persons representing environmental or scientific groups in respect of making regulations.

Motion agreed to; bill read a third time.

DISTINGUISHED VISITOR

Mr SPEAKER: I draw the attention of honourable members to the presence in the gallery of a former government member of the Legislative Council, Dr Barry Hart, who is also a former Director of the Animal Industry and Agriculture Branch in the Northern Territory. I am sure that honourable members will join me in extending to him a warm welcome.

Members: Hear, hear!

LITTER AMENDMENT BILL
(Serial 255)

Continued from 27 February 1990.

Mr TIPILOURA (Arafura): Mr Speaker, the opposition supports the bill, which prohibits the dumping of refuse and rubbish on vacant Crown land and increases maximum penalties from $200 and $300 to $2000 and $3000. I do not intend to say much about the bill. I believe that it is necessary because there is a lot of dumping of refuse on vacant Crown land. A particular area which comes to mind is at the back of Ludmilla in the Richardson Park area. A considerable amount of rubbish is dumped there and the same applies near Dick Ward Drive in the Kulaluk area. Similar problems exist in the Frances Bay area and behind the police complex near Holmes Jungle.

I believe that this bill is supported by a number of organisations, including the Keep Australia Beautiful Council, which has been pushing for legislative change, particularly in relation to indiscriminate dumping on Crown land by building contractors. Increasing and unchecked dumping of this type of litter attracts other garbage, resulting in some quite large unofficial dumps scattered along the suburban edge of Darwin. Obviously, this is undesirable. The opposition supports the bill.

Mr POOLE (Araluen): Mr Speaker, I think everybody in the community recognises the problem of illegal dumping in various areas in the Northern Territory. During the past 12 months or so, there have been numerous press reports concerning illegal dumping in Alice Springs. The Territory community has been galvanised into action to clean up particular areas such as the Todd River and the Darwin foreshore. I believe that Katherine and Tennant Creek have also had clean-up days on which the community gets together and tidies up various areas.

Litter is obviously a major problem, particularly in an area like Alice Springs. I rue the day that the plastic bag was invented. It is a great shame that the plastic bag, which is used so widely by major supermarket chains and even small businesses, is allowed to pollute our environment so badly. It is not until one travels in the rural areas of what we politely term third-world countries, places like Thailand and the Philippines, that one really appreciates the extent of the pollution caused by plastic bags.

Several months ago, I had the pleasure of being taken around Alice Springs by a tourist operator who runs town tours. We visited a number of sites which are physically very beautiful places but are marred by huge piles of green garbage bags, empty cans and bottles which completely ruin their picturesque quality, not only for tourists but for locals. I am sure that members on both sides of this House will have noted on many occasions how unsightly the entrance to Alice Springs can become, with abandoned wine cask liners, plastic bags, beer cans etc littering the Todd River. I am not sure that this bill will actually fix the Todd River problem although I hope that it will go some way towards fixing it. Some honourable members would be aware of the fact that, in recent times, council workers refused to clean up the Todd River bed because it was in such a bad state, with garbage littering it from one end of the town to the other, an area about 3 miles long covering 8 km^2 to 10 km^2.

If the community could adopt the same approach to litter and people who dump garbage in the bush as it has adopted to Neighbourhood Watch, it would go a long way towards solving the problem. The reporting of people who pull up in vehicles and dump garbage out in the bush, on vacant Crown land or within municipalities, would help to make the Northern Territory a much tidier place. I commend this bill. I think it is sadly overdue, and the quicker we can clean up our community, the better off we will all be.

Mr SETTER (Jingili): Mr Speaker, in supporting this bill tonight, I must say that I was surprised when it was first presented. I did not realise that Crown land was not covered by legislation preventing littering. There is an area close to my electorate - actually it is in the electorate of the Attorney-General - where dumping takes place. It is just across the road from the Marrara Hotel near the Marrara Sporting Complex. It has been used as a dumping ground for not only litter but industrial rubble from building sites, which has been dumped there over the last few years. I know that the Attorney-General and I have complained on several occasions and we managed to have a temporary fence erected, consisting of a few star pickets with a strand of wire across the top. It does not seem to stop anybody. The wire is cut and trucks go through and dump the rubbish. I suppose one could say that at least the area is being filled. However, it looks terribly unsightly.

I am delighted that, with the support of the House, this bill will probably be passed today. It is certainly long overdue. I do not think that we should resile in any way from enforcing very stiff penalties for littering. I notice that penalties are being increased from a minimum of

about $200 up to a maximum of $3000 for a very serious offence. I hope that the magistrates will not hesitate to view such matters in a very serious light. As the honourable minister pointed out, in a recent case, albeit an extreme case, the cost to the taxpayer of cleaning up a particular site was $18 000.

Mrs Padgham-Purich: Where was this?

Mr SETTER: I am not sure where it was. The minister mentioned it in his second-reading speech. That is a horrendous cost to the taxpayer. Of course, most clean-ups would cost much less than that. Nevertheless, the cumulative cost is considerable and the taxpayer should not have to bear it.

We know that, in countries such as Singapore, you cannot even find a cigarette butt on the pavement or in the gutter because, for many years, very severe fines have been in place for littering. In Singapore, the laws are severely imposed. There is no pussyfooting around. If you throw down a cigarette butt, you have big problems. I would not have any difficulty if we enforced severe penalties, perhaps including on-the-spot fines. Let us get serious about littering. The community has to pay the cost for cleaning up and it is very frustrating, as the member for Araluen said. Our Lord Mayor has said the same thing. The community gets behind an effort to clean up an area like the Darwin foreshore or the Todd River and a few weeks later, or even a few days later in the case of the Todd, it is back to what it was before. That is terribly frustrating and disappointing to the people who make the effort to clean up the mess created by a very small group of people - the unthinking few.

I am very pleased to see this bill introduced. I understand that most Crown land will be covered by the amended act, with the exceptions noted in the bill. The amended act will cover not only the municipalities and freehold land but also community government areas and, of course, the town of Jabiru, which has now been brought into that spectrum. With those few words, I support the bill.

Mr COLLINS (Sadadeen): Mr Speaker, my first involvement with the Territory Tidy Towns effort in Alice Springs was in about 1979. It involved going out to the east of the town along Undoolya Road. I recall that Mr Len Kittle was present, along with the Hayes family from Undoolya Station, Ashley and Jan Meaney, and a number of others. With the aid of the KAB truck, we removed 11½ truckloads of rubbish from one area alone and took it to the dump. That was possibly one of the biggest efforts made in the Territory Tidy Towns program, and we did not get any recognition for it although, in later years, the Sadadeen electorate, which took over from the Alice Springs electorate, did pretty well. It is just one of those things. One of our biggest efforts was made and it received the least recognition. The amount of rubbish which had been dumped in the bush was astounding. We did not manage to totally clean up the area because broken glass is very difficult to collect. It was also very annoying to note that, not long afterwards, we found that people were dumping out there. That time, some action was taken.

It is good to see that a loophole has been blocked and that it will be an offence to litter on Crown land. I do not know why it was not covered before. Hopefully, it will bring undone a few of the people who are too lazy to dump their rubbish in the right spot, and take the shortcut and dump it out bush. I certainly will refer to it in my electorate newsletter. It is one thing for us to pass laws here but information about them often takes a long time to filter down to the people. I certainly intend to warn

people. Obviously, there are some people in the electorate who do the wrong thing on occasion and dump rubbish in the bush instead of going to the local dump.

In his second-reading speech, the minister spoke about dumping rubbish. There is more than one way of dumping rubbish. Most of us seem to think that dumping only occurs when people fill up their car or trailer with rubbish and then tip it somewhere. But what about the dumping of rubbish by people who camp illegally? I would like to think that the legislation will apply to anybody who camps illegally and does not make an effort to dispose of rubbish properly. I am sure that that approach would be welcomed around the Territory. It would apply to the Todd River. We could start to do something about people who camp and make a heck of a mess.

Mr Perron: Ban camping.

Mr COLLINS: You do not necessarily have to ban camping, but people must be responsible for their own rubbish. It is not acceptable to toss it all out and leave it for someone else to pick up. I would like to hear whether the minister believes that the authorities will be able to use this legislation to enforce the cleaning up of litter by people who camp on Crown land.

Mr FIRMIN (Ludmilla): Mr Speaker, I would like to make a couple of brief points tonight. I did not originally intend to speak on the bill but the member for Arafura made a couple of references to my electorate and I would like to touch on the points which he made because they are very valid. They relate to issues which I have been addressing for some time with a great deal of frustration. I am hoping that this will help somewhat. The member for Arafura referred to several areas in my electorate, particularly an area behind the rugby ground, the site of the illegal dumping recently highlighted in a news interview with the convenor of the Territory Green Independents, Bob Ellis.

Mrs Padgham-Purich: He wrote a letter.

Mr FIRMIN: He is also circulating information about it in a small part of the electorate.

There are 2 aspects to this matter. The first is the way in which it is being promoted as a problem for government and the second is the actual events which have occurred. I will speak briefly about both. Firstly, Bob Ellis is trying to make out that the area is a dump and ought to be rezoned accordingly. In fact, it is an area of illegal dumping. The Rugby League club has been trying to stop illegal dumping there for quite some time without success. It attempts to remedy the unsightliness at regular intervals. It has been attempting to track down the perpetrators of the illegal dumping. At present, rostered surveillance teams are looking after the area. If you are dumping rubbish in my electorate, you will need to be careful because they are taking vehicle numbers. When this legislation is assented to, we intend to proceed with prosecution and many people might have a bit of a shock.

The Kulaluk dump is slightly different. Unfortunately, it was initially allowed to develop into an illegal dump with the acquiescence of the Gwalwa Daraniki Association, which was looking for some landfill material for part of the area at the end of Totem Road. There was an arrangement whereby it contracted to allow that. The gates were unlocked and, unfortunately, other people decided to take advantage of it. Consequently, abuse of the area

began, and it has become difficult to stop. The gates have been broken and I understand that they are about to be repaired again. There is a continuous problem with those sorts of things. People perceive that there is an accessible site which is supposedly out of the public eye and saves them driving to the rubbish dump.

There is another problem in the electorate which was not mentioned. I refer to the service road through the Ludmilla Creek area which goes to the sewerage outfall pumping system. Unfortunately, that is a dreadful area. It is a dumping ground not only for domestic garbage and garden refuse but also for dead animals. There is someone in the electorate who is illegally shooting animals. We find there carcasses of pigs and other animals that have been shot. We have occasionally found pieces of buffalo carcasses there. This legislation will allow us to prosecute those people whom we can track down. I am also attempting to have the road closed off to vehicular traffic whilst allowing pedestrian and cycle traffic. Apart from the rubbish, it is quite an interesting area. We also intend to put log fencing at other access points to the swamp area.

There are other things we will do to make the area more attractive and allow people to see how a mangrove creek system works close to the city. We will attempt to install some board walks. The areas that are cleared of rubbish and litter are being used by schoolchildren for excursions. They are taking a great deal of interest in the area. With those few comments, I support the bill. I look forward to prosecutions that will help tidy this area.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise to support this legislation. However, I would like to say that, in a way, I will be sorry to see penalties brought in for dumping rubbish on the sides of roads. I have been in the recycling game for years. By driving along the back roads in my area, I have often found litter dumped by building contractors. I have done this for a number of years and still do it now on occasion. In fact, I could probably be called a scrounger.

Mr Perron: You are a bit of a bower bird.

Mrs PADGHAM-PURICH: Yes, that is the word.

I have found any amount of good material in discarded waste which other people have considered rubbish. Recently, I picked up a frame for a fish tank. I do not quite know what to do with it because I am not into fish or fish tanks. I have picked up pieces of timber, shiny bits of metal, star pickets, bits of fencing wire and all sorts of things.

Mr Perron: You could always dump it on the side of the road and let someone else pick it up.

Mrs PADGHAM-PURICH: We have our own dump.

Mr Perron: Have a garage sale.

Mrs PADGHAM-PURICH: That is a point. Talking of garage sales, a service club in the rural area organised a monster auction last year. To many townies, it would have been considered an auction of mostly junk. However, it was one of the most successful auctions that I have ever been to. No doubt the member for Palmerston attended. There was a lot of good stuff there which town people would consider to be rubbish but which could be reused. That was one of the best recycling exercises that I have ever

seen. I hope that the service club will have another auction like that this year.

I believe that the Northern Territory government, through its efforts to clean up the approaches to Darwin and other places, is contributing more to the littering of the Northern Territory than any other body. If dirty people, who continually throw rubbish out of cars, see somebody picking that rubbish up, I believe they will continue to throw the rubbish there. When driving up and down the Stuart Highway, I frequently see people employed to walk a set length with a garbag, picking up rubbish. The full garbags are left for collection by a truck at a later hour. If I were a person who continually threw my cans, stubbies and other rubbish from my vehicle, I would be encouraged to continue throwing that rubbish out if I knew somebody would pick it up. One of the basic rules that we must instil in the minds of the public is that, if you muck up, you clean up.

I am very pleased that this bill has been introduced. It came to my attention recently that a great deal of rubbish was being dumped by illegal campers in areas in Palmerston. I notified the member for Palmerston of my intruding into his bailiwick. The illegal campers were Aboriginal people. I do not know from which area they came. Whether they were white or black was immaterial to this exercise. It could have been any group of people camping illegally on Crown land and dumping rubbish. I do not really care where the people came from or what their ethnic origin was. Nobody should be allowed to camp illegally on Crown land or to deposit rubbish illegally on Crown land. Somebody had to clean up that rubbish afterwards.

If illegal campers are found on Crown land, it is a fair assumption that the rubbish around their illegal camp was deposited by them. I believe that there should be a penalty, not in the form of a monetary fine but in the form of a community service order. The offenders should be required to pick up rubbish so that they gain an appreciation of the effort that is necessary to clean up rubbish after it has been dumped.

Recently, we heard that many abnoxious actions have been carried out by certain people in the Darwin Mall. I have seen some of those actions. Some 'caring' people say that the people who dump this rubbish have nowhere else to live, nowhere else to drink, nowhere else to socialise and nowhere else to talk to other people. That does not hold water with me at all. The Northern Territory government is very generous in its housing of people who are without accommodation. It is no excuse to say that these people cannot find accommodation in the Northern Territory. They can obtain accommodation under the good auspices of the Northern Territory Housing Commission.

If it is good enough for one group of people in the community to pick up rubbish in the community, it is good enough for the other sort of people who chuck their rubbish around. To my way of thinking, it is not an extenuating circumstance to say that the people were drunk at the time. That does not cut any ice with me at all. The rubbish should not have been dumped whether they were drunk or sober. In addition to that, there is the question of the money that has to be spent on picking up rubbish that is dumped by people who camp either permanently or temporarily in public places. The money that is spent on that cleaning up could be spent more advantageously on other community activities. I do not really have much truck with people who dump rubbish. On several occasions, I have received complaints from adjoining landholders who desired official action to be taken to have illegal campers moved on. It is a fact of life that, apart from the dumping of rubbish, other undesirable actions follow as a result of illegal camping.

I hope that this legislation will not merely be trotted out now and then to illustrate that the Northern Territory government does have legislation dealing with litter. I hope that this legislation is used and has some teeth so that it can rectify the problems. I believe that people who litter should not be fined but, by means of a community service order, be made to pick up the rubbish which they and other people have dumped.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I would like to thank honourable members for supporting these very necessary amendments to the Litter Act. In doing so, I would like to respond to some of the concerns expressed. The member for Arafura raised his concerns about a number of areas around town that are being littered. Some of his questions were picked up later by the member for Ludmilla. I thank the member for Ludmilla for providing me with some insight into the problems in the area near the Rugby League club and the area at Kulaluk. I am of the view that neither of those areas is vacant Crown land. One of the areas is land owned by Aboriginal people and the other is land under the control of the Rugby League club. In both cases, they are already covered under by-laws of the Darwin City Council. The council has the capacity to clean up those areas or demand that the occupier clean up the areas. Alternatively, the council can clean the areas and charge the occupier for that work. The land is already covered by current by-laws of the council.

Certainly, littering takes place on building sites around town. I know of a block on Trower Road, in Brinkin, where there is a considerable amount of litter on the site. I was rather surprised that the council has not ordered the cleaning up of that site or perhaps made an effort to clean it up itself and charge the occupier or owner of that land. The council has the ability to do that and, in order to ensure that Darwin and other towns in the Territory are generally tidy, I encourage councils to use the by-laws and the capacity they have to clean up those areas.

The member for Araluen spoke about the Todd River area and the Darwin foreshore. Those are public places which are already covered under the Litter Act. If a person is caught dumping material in those places, he or she can be fined and made to clean up the area. Sometimes it is difficult to catch the culprit. I know that litter inspectors sift through rubbish to see whether it contains anything which would identify the source of the rubbish, so that the matter can be taken up by means of a charge and a general clean-up.

The areas to which I have been referring are covered by the legislation as it stands. The amendment bill will extend the legislation to cover vacant Crown land areas or blocks of land perhaps around the urban area or land outside urban areas. It also extends it to community government areas if that is the wish of the councils and, if the Jabiru Town Council wishes, to areas under its control. I might add that general litter along highways is also covered under existing legislation under the auspices of 'a public place'. A highway is a public place and, if a person is caught littering or if the source of litter can be identified, the culprit can be charged.

The member for Jingili referred to the high cost of clean-ups and, of course, that is one reason why we need to extend this legislation to enable people to be charged for dumping on vacant Crown land and why we need to extend the amount that a person or body can be fined for littering. Illegal camping on Crown land does occur. I am not sure that I would be keen to see people prevented from camping on Crown land in all cases ...

Mrs Padgham-Purich: You would if you had been to Palmerston.

Mr McCARTHY: I would certainly be concerned about Crown land in urban areas. If you are talking about small blocks of land, I would be concerned about that but I can see no real problem with people camping overnight on substantial areas of Crown land outside urban areas. I certainly would not condone camping full-time or virtually setting up a home on vacant Crown land. There is a capacity, of course, to make people clean up unsightly structures on such land or within 500 m of highways.

As far as camping in the Todd River bed is concerned, that is a public place and is therefore covered by existing legislation. I think the only reason for the continuing littering of that area is that council inspectors are afraid to clean up because their life and limb is threatened. Perhaps there is a need for protection, in some instances, to ensure that the job is done. I certainly would object to rubbish being found in the river, whether it be clothing, bedding or whatever. If such rubbish is in the control of a person who is in the vicinity, that person should be ordered to remove it. In my view, it should be burnt if that is not done.

I think the member for Ludmilla's comments have been picked up. The member for Koolpinyah rather amazed me. She appeared to condone littering in the rural area. She said that it was good gear. It must be much better than the material that is dumped around towns. But she said it is good gear and that she picks up a lot of it.

Mrs Padgham-Purich: I recycle it.

Mr McCARTHY: Mr Speaker, I thought that she lent some credibility to the comments the member for Karama made a few years ago, when he said in this House that half the accommodation in the rural area was built from the outpourings of dumps ...

Mrs PADGHAM-PURICH: You had better be careful what you say.

Mr McCARTHY: It would indicate to me that there might have been some relevance in that remark. It appeared that she was condoning littering.

The honourable member spoke also about camping and dumping on vacant Crown Land. I agree that, if people dump on Crown Land and are apprehended, they should suffer the full penalty. I could not quite figure out what the member for Koolpinyah was talking about when she indicated that the government was encouraging littering by allowing people to pick up litter along the roads.

Mrs Padgham-Purich: You do not allow them to; you pay them to.

Mr McCARTHY: Most of the litter that is picked up along the Stuart Highway is picked up by people who are out to make a quid, and I certainly would not like to discourage that. They mainly collect aluminium cans. If we did not clean up the remainder of the rubbish, the plastic bags and all the rest, I do not know who would do it. We would be a metre deep in it.

Mrs Padgham-Purich: I have a valid point.

Mr McCARTHY: Come on, that is not encouraging people to dump more. We pick it up and at least people say that it is a lovely clean area and decide not to litter it. If it was already a metre deep in litter, they would not worry about adding to it.

Legislation, of course, will not necessarily overcome the problem and expanding legislation to pick up other areas will not overcome the problem. There is a community responsibility and community education is required. I think that anybody who has been around the Territory for any length of time would recognise that education has done an enormous service to the Territory in convincing people not to rubbish the place. We have only to look back 10 or 15 years to recall how filthy our highways and towns were. That is no longer the case.

Recently, I had a guest in the Territory. I suppose he could be termed a very wealthy businessman. He is from Sydney who travels to all capital cities in this country and to many overseas cities. His major comment on Darwin was that it was very tidy. I feel really proud when people say how tidy this place is, and it is tidy compared to so many other cities. There are still some little trouble spots but, generally speaking, it is tidy. That has been brought about through the TALC programs and Territory Tidy Towns.

Legislation will not necessarily fix the remaining problems of littering, but this legislation will go some way towards providing some extra teeth to ensure that areas of Crown land not previously covered by legislation, together with community government areas and the Jabiru Town Council area, if desired, can be covered. It also provides for heavier penalties. Obviously, the penalties were quite outmoded. The new penalties more clearly reflect current monetary values. I thank honourable members for their comments, and I commend the bill.

Motion agreed to; bill read a second time.

Mr McCARTHY (Labour, Administrative Services and Local Government) (by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MOTION
Noting Ministerial Statement on Greenhouse Effect

Continued from 29 August 1989.

Mr BAILEY (Wanguri): Mr Speaker, I rise to speak to the Chief Minister's statement on the Greenhouse Effect. As honourable members would be aware, the statement was delivered during my first week in the Assembly and, at that stage, I did not address it. I commence by congratulating the government on its change in policy, on its concern about environmental policy and on the general direction of the Chief Minister's speech, which I support. Since the statement was delivered to the House, we have seen a number of events, including Environment 90 which was seen as a further manifestation of the government's need to state publicly its environmental position.

The Greenhouse Effect is a very interesting subject. Probably, the first real concerns about ozone and the Greenhouse phenomenon were raised about 20 years ago. That was when it first became recognised as an issue. The people who raised it as a public concern at that time were often referred to as ratbags and radicals and it was considered that they did not know what they were talking about. It is interesting that 20 years down the line, all forms of government, including conservative governments, are finally recognising that the issues which were raised many years ago are now quite serious.

I would like the honourable members opposite, who continue to direct humour at groups which seek to raise community concern about environmental issues, to reconsider their attitude. A number of government members still make the same sorts of derisory comments which were made 20 years ago by politicians of similar ilk about people who suggested that depletion of the ozone layer or a Greenhouse Effect might be possibilities which the world would have to face. Government members are eager now to speak in support of what has been shown to be a major concern whilst continuing to make negative remarks about environmental groups. Honourable members need to be quite careful about how quickly they put the boot into people who genuinely raise concerns about environmental matters. These people are expressing genuine beliefs and they gain no intrinsic benefit from pursuing their concerns. When they raise matters, some of the members opposite who are still inclined to put the boot in should pause to give the matters some sensible consideration.

There are a couple of points in the statement which I would like to pick up and discuss further. At the Environment 90 conference, a speaker made the point that government can often influence environmental effects and people's attitudes. The speaker was actually referring to some legislation in Queensland. Unfortunately, he was not aware of similar legislation in the Northern Territory. We changed our legislation so that, instead of encouraging people to use solar hot water, it encouraged them to use air-conditioners. A legislative change which discourages people from using low-energy devices and actually encourages them to use excessive energy cannot be considered environmentally responsible.

Mr Firmin: I don't understand what you are referring to.

Mr BAILEY: Government support for people installing solar hot water services was removed whilst a $50 subsidy was provided for installing air-conditioning. The support for solar hot water services was environmentally sound, but that support was stopped. At the same time, the subsidy encouraged people to use extra electricity to run air-conditioners. The speaker at the Environment 90 conference spoke about a similar situation in which the Queensland government was encouraging people to use electric hot water systems. My point is that we have to assess whether government approaches are environmentally responsible.

I should also correct the Chief Minister's claim that we reduced the emission of greenhouse gases in the Territory by 70% by converting the power station to run on natural gas. I gather that he meant we reduced the emission of greenhouse gases by 70% in power generation, not in total emissions from all sources.

Another comment which the minister made took me by surprise, although I have not had a chance to confirm it. I had not previously been aware of the extent to which CFCs or ozone-depleting gases actually contribute to the Greenhouse Effect or, in other words, cause the temperature of the earth's surface to rise. My understanding was that their only effect was to increase ultra-violet radiation penetration through the outer layers of the atmosphere, therefore increasing things like skin cancer. I stand to be corrected on that, and I would like the minister to give me some more information. He specifically mentioned a 15% to 25% effect.

I would also like to comment on the Chief Minister's remarks about our coastal areas. He stated that, in the case of our coastal resources, it makes sense to restrict development to uses which require coastal locations. He referred to the Mangrove Zone Management Plan. We are still

waiting to see the recommendations in relation to mangroves, but we have now seen the CLP's plan for the development of Darwin during the next 100 years. In that plan, the major developments are on the coast. These include the blocking up of tidal creeks and encroachment on mangrove areas. I wonder how that plan is consistent with the Chief Minister's statement delivered in the House in August last year. I believe that there are serious contradictions between that plan's depiction of the future and all the information which the Chief Minister gave about changes in tidal levels and so forth.

Mr Reed: We are familiar with your ineptitude to assess the situation.

Mr BAILEY: The Chief Minister can respond.

The Chief Minister spoke about the use of environmentally-sound practices within government departments - for example, double-sided photocopying. With the exception of the Hansard, I have seen no examples of that since becoming a member of this House. We still seem to receive large quantities of paper printed on one side only. Perhaps we could look into that.

The Chief Minister praised the Northern Territory Chamber of Mines for being conscious of the environmental responsibilities of its members. The Chamber of Mines actually approached the government for assistance in developing appropriate codes of practice and safeguards for mining operations in environmentally-sensitive areas. I would have thought that the government would have had some sort of code of practice for mining in environmentally-sensitive areas and would not have to wait until the Chamber of Mines came to it requesting assistance to develop guidelines.

Overall, however, I would like to congratulate the Chief Minister on his statement on the Greenhouse Effect and its general approach on environmental issues. I hope that the government can continue to take steps to improve the environment within the Northern Territory.

Mr FIRMIN (Ludmilla): Mr Speaker, I will pick up a couple of points made by the opposition spokesman before I talk about the issue generally. It may well surprise him that I agree entirely with one of his points, which was that one should be careful about leaping in on an environmental issue unless one really understands what it is all about. Whilst he applied that to the government jumping in to criticise an environmental group - and I agree that that should not happen and I do not do it - it applies equally in reverse. The Greenhouse Effect is an issue of such complexity that a considerable amount of caution is required before leaping in to speak on its relationship with the environment.

The honourable member opposite quite rightly pointed out that the issue was raised quite some time ago by what he implied were pressure groups whose members were not necessarily scientists. In fact, for a number of years, scientists have been looking at the effects of what may euphemistically be called a Greenhouse Effect, which is really an issue of climatic change. There is a whole range of scientific views about what the effect of this climatic alteration may be. That was made clear not only at the Environment 90 conference but at the large Australia-wide environmental conference held in 1988 which, in my view, had the effect of producing a scenario which the honourable member suggests should not occur, a scenario in which, for a particular reason or simply because they are uninformed, people use particular parts of scientific research as a weapon in the political arsenal.

It is sad that that has to happen. It not only raises fears in the community but among scientists themselves, who see their research being used as a battle weapon. Predominantly, they require funds to continue their research from the very organisations which are using it as a battle weapon. That makes it extremely difficult for them to be balanced in their views. They have a responsibility to be balanced and to advise the public of exactly what is coming out of their research. Otherwise, we will get the knee-jerk reactions which will start to appear in relation to specific issues.

One such specific issue is the member for Wanguri's reaction to our supposed lack of a Mangrove Zone Management Plan. He portrayed that as a shortcoming in terms of our responses to the Greenhouse Effect.

Mr Bailey interjecting.

Mr FIRMIN: That is not what you were saying. Like others, you seem to argue in all your contributions about the environment that trees have to be planted, protected and nurtured because they play a significant part in climatic change through the release of oxygen into the atmosphere.

Mr Bailey: No. I did not mention that at all. I was responding to the remarks about mangroves in the Chief Minister's statement.

Mr FIRMIN: You implied it. If you are withdrawing it, I am quite happy with that. I still make the point that, in the model of the Greenhouse Effect, the effect of tree growth is only relatively small. The major effect comes from the surface water on the planet, the oceans. It is not the trees at all.

Mr Speaker, I extracted several quotes which I would like to contribute to the discussion this evening in order to give members some idea of the problems faced by scientists and some of the things they feel. I would recommend that all honourable members look at 'The Climate Issue' if they have the opportunity to borrow it from the parliamentary library. It was issued by the Bureau of Meteorology in 1989 and it provides a total review for Australia of all the international and national background to the current concern about the greenhouse-induced climate change and considerations for the planning of coordinated research in Australia.

On page 52, the document discusses the Commission for the Future's awareness campaign which followed the national conference. The campaign was not very satisfactory. It used stick-figure stylised cartoons which depicted scenes based on extrapolations from scientific data for the most extreme scenario. The cartoons showed trams being flooded in Victoria, Parliament House in Canberra being sunk, Darwin blowing away and Ayers Rock boiling from the heat. It was so successful in raising the fears of the community that the program had to be stopped. It was becoming an emotive issue.

The document refers to some of the scientific responses in the last few years. In 1972, the National Science Board of the United States stated: 'Judging from the record of the past interglacial ages, the present time of high temperatures should be drawing to an end, leading into the next glacial age'. There are 3 major quotes made by major scientific organisations in 1975. The Academy of Science said: 'The climates of the earth have always been changing and they will doubtless continue to do so in the future. How large these future changes will be, and where and how rapidly they will occur, we do not know'. The Science Foundation said: 'Were the cooling

trend to reverse, the Earth could warm relatively rapidly and with a potentially catastrophic effect'. The National Academy of Sciences said: 'We live in an unusual epoch. Today, the polar regions have large icecaps whereas, during most of the Earth's history, the poles have been ice free'.

The final quote to bear out the problems that the poor scientists have rests with Dr Oldheim, the head of the Antarctic Studies Unit of the Norwegian Polar Research Institute. In a recent discussion with a reporter, he was quoted as saying: 'As far as Antarctica is concerned, we have no real confidence in today's computer-generated climate models because none of them can explain how the previous ice age came to an end. Why was the Earth 2° warmer between 5000 and 8000 years ago? There is no answer. If you cannot model the past, you cannot model the future'.

Motion agreed to.

MOTION
Noting Ministerial Statement on Territory Wildlife Park

Mr HATTON (Conservation): Mr Speaker, since its opening last October, the Territory Wildlife Park has been a major success story. Visitor reaction to the park has been favourable. Visitation figures are beginning to climb with the onset of the dry season and park management is expecting a very busy time as we move into the peak tourist phase. However, visitation is only part of the story. The park has been planned to meet important economic and social needs, to generate tourist dollars, to be a resource for environmental education and conservation science, and to engender community pride. The objectives of the park are: to develop a unique and authentic wildlife experience of the highest quality; to successfully market this experience to tourists and residents; to provide a dynamic and vital resource for community education and for environmental education; to provide a centre for the captive breeding and study of rare and endangered wildlife; and to coordinate these objectives in a planned, cost-effective and intelligent manner.

With the completion of stage 1 of construction, the park comprises a series of exhibits connected by a 4 km link road. The first exhibit is a series of dry moats enclosing areas occupied by some of the larger feral and native animals, including kangaroos, wallabies, buffalo and banteng. I am sure that the member for Stuart will appreciate the fact that we have some buffalo in captivity.

The next exhibit is the bird hide on the goose lagoon, a natural lagoon where native birds can be viewed with minimal disturbance. Next are 2 more moated areas for bustards and dingoes and then the aquarium, which I will have more to say about later. Several 100 m further along the road, a pathway leads into the bush where a series of 13 aviaries, representing a wide range of Territory habitats, displays birds by habitat type. The aviary display culminates in a large walk-through forest aviary featuring a wide variety of birds, with an elevated pathway winding through natural rainforest vegetation. The rainforest aviary is about 6 storeys high and is stocked with about 400 birds of about 50 species.

On leaving that large aviary, the visitor has an opportunity to travel along a walkway of almost 1 km in length through a monsoonal forest and past the actual Berry Springs, to experience some of the unique beauty and attraction of a tropical monsoonal forest, and to see the crystalline waters through those lagoons, including the opportunity to witness some very interesting and rare species of plant life. The aviary and the monsoonal

forest walk strike me as among the most important experiences in the park. Many people to whom I have spoken equally feel that to be one of the most interesting attractions of the park.

Next is an artificial lagoon developed to display water fowl and waders, including brolgas, jabirus and magpie geese. The final exhibit is the nocturnal village, with artificial moonlight, where visitors can see about 50 species of mammals, birds and reptiles whose nocturnal activities make them difficult to observe in the wild. These exhibits provide for present and future activities, including self-guided tours, guided tours, feature tours, performance displays of animals and animal handling, adventure walking on park trails, guided natural history walks on park trails, and lectures, demonstrations and exhibitions on conservation or wildlife-related subjects. In addition, the park is a place for general relaxation and family fun, with a souvenir shop and snack bar in place and the need for a bistro presently being examined.

The park also has serious educational and study purposes and research programs are already under way. This research can involve captive breeding of rare species, general physiology and husbandry of wild fauna, veterinary pathology and treatment, and plant and animal correlationships. In some cases, data collection for the purposes of research can be established as part of the routine of sound animal keeping. Corroboration with other institutions for other research purposes is being fostered. The park will have a special role in representing the Territory in the national and international network of wildlife parks, zoological gardens and aquariums.

Current research programs include the Gouldian finch. This is a collaborative project with Dr Bill Freeland's team from the Conservation Commission to investigate the role of the airsac mite in the decline of the wild population and basic physiology and general husbandry of native species of special interest, including the brush-tailed rabbit rat, the black-footed tree rat, the golden-backed tree rat and the common rock rat. This program is intended to collect baseline data on little known and unstudied native animals of special interest.

A breeding program of the bilby and the mala is run in collaboration with Dr Ken Johnson's team in the Arid Zone Research Centre in Alice Springs, which is breeding these rare and endangered species for re-establishment in the wild. The last reports I had indicated that the breeding rates in the nocturnal house, particularly of the bilby, were such that we were experiencing serious problems with overpopulation. In fact, a number of the bilby were being examined with a view to possible relocation to the research project in Alice Springs and eventual re-establishment in the wild.

Other conservation research projects have been identified as having potential high value and may be undertaken partially or as collaborative projects as resources become available. These include the study of hair lice on captive bilbies, the social behaviour and digestive physiology of the mala, the nutrition and growth of magpie geese and captive breeding and release into the wild of the following endangered species: the nabarlek, the golden bandicoot, the western quoll, the brush-tailed bettong, the common possum of the desert race and the mallee fowl. There is also improvement of the bloodlines in the Alexandrine parrot or princess parrot in aviculture.

As with any major project, particularly one which includes so many unique items for which no precedent or experience exists, there have been a

few teething problems. According to the original construction timetable, the aquarium should have been completed by now. Members may have noticed an advertisement in yesterday's NT News announcing the temporary closure of the aquarium to the public for safety reasons. The main walk-through tank will be re-opened to the public next week while work continues on the tanks for supporting exhibits. Hopefully, work will be completed within a few months.

The aquarium is a unique facility. It is important that it be properly developed with adequate safety measures. Engineers and consultants have been baffled in trying to achieve the final construction solutions. As of yesterday, solutions have been found for construction problems, particularly in respect of the pressure rates appropriate for the aquarium walls. We have closed the aquarium for safety reasons while new, stronger glass is fitted to ensure that there is sufficient safety margin. We anticipate that this will be the only time that the aquarium will need to be closed. However, it is possible that there may be a need for periodic closure of the exhibit for safety reasons. This is regretted. The public will be notified in advance if this is required. I am sure that the final result will make the effort worth while because this is the potential jewel in the crown of the park. The spectacular nature of the final product will make every Territorian exceptionally proud of the park. This delay has been due largely to difficulties in construction and in obtaining suitable materials, because of the one-off nature of the project. However, as I said, I understand that the contractor, consultants and materials supplier have now agreed on what needs to be done to ensure a sound, safe and attractive exhibit.

Following the completion of the major construction phase, the emphasis is now on marketing and promoting the park. Since its opening, the park has been promoted through advertisements, news items, media features, displays and briefings and this will continue in a program designed to take advantage of both the tourist and resident markets. Probably, the best publicity is by word of mouth from satisfied visitors. Therefore, park staff pay particular attention to their contact with visitors.

A program of monthly client contact with travel wholesalers, retailers and agents will be developed. Displays and briefings will continue on a regular basis. The line of promotional resources will be renewed as required and possibly extended to videos and posters. Surveys to check market penetration will be commissioned at strategic intervals and the park will obtain membership of tourism and travel related organisations such as the Darwin Regional Tourist Promotion Association. Marketing opportunities associated with conventions, social clubs, the school system and private corporations will be investigated and the potential for cooperative arrangements with the other major tourist attractions will be considered. The establishment of an effective public transport system between the park and Darwin Central Business District has been given a high priority and discussions have commenced with interested parties.

One of the major factors in the success of the park to date has been the enormous enthusiasm of the staff involved. It is not easy getting a project of this complexity and sophistication up and running and the fact that it has happened so smoothly is a credit to the staff's dedication and faith in the project.

The next stage of the park's development has been approved for design and this includes a bird of prey exhibit, more moated enclosures, a diurnal exhibit, a visitor education centre and a bistro. Final decisions regarding priorities and a construction timetable will be made within normal budgetary

discussions. The Territory Wildlife Park is on its way to becoming one of the Top End's premier tourist attractions and a significant centre for scientific research.

There has been considerable discussion concerning some of the administrative arrangements and difficulties that were associated with the transition from construction to operation. It is true that there have been some difficulties. I reiterate my thanks and support for the enthusiasm and cooperation of the staff through that difficult transitional period. We were very well served during the construction phase by the construction manager, Barry Rowe.

In the last few months, in the transitional phase, we have been exceptionally well served by Dr Ian Eberhard, who was the Regional Director South of the Conservation Commission and who, prior to his decision to relocate to Tasmania, agreed to come to Darwin and work in the wildlife park to set up the operational, administrative and personnel arrangements, and to set the momentum in place in the operational phase of the park. He has done an exceptional job and, at the end of this week, he will be leaving the Northern Territory to return to his home state of Tasmania. I would like to pay tribute to him for the work that he has done in the wildlife park and, in doing so, equally pay tribute to the excellent work he has done in his period of service with the Conservation Commission.

Having said that, we are moving immediately to put into place administrative arrangements to build on the momentum created by Dr Eberhard, and these will be announced within the next few days. We will ensure the continuity of the administrative and managerial arrangements to work towards the successful administration and promotion of this park as a principal tourist attraction and a park which will be the pride of the Northern Territory. The government's faith in this project has been fully justified.

Mr BAILEY (Wanguri): Mr Deputy Speaker, I wish to respond to the statement on the Territory Wildlife Park. In doing so, I would like to reiterate what the current Minister for Conservation has just said about the importance of the Territory Wildlife Park in the overall scheme of environmental endeavour in the Top End. I will not go through a full inventory of all the facilities and programs at the park. I took advantage of the invitation extended when the park was officially opened and it is clear that it is a very good initiative. I congratulate the people within the Conservation Commission who were responsible for bringing the park on line. I look forward to seeing the second stage developments when they are ready, and I believe I will be as impressed by the new developments as I am by the original concept.

When summing up, the honourable minister spoke about some of the difficulties which occurred a number of months ago in the management and administration of the park. Some of those difficulties were brought to my attention by a number of employees at the park. At that time, it was my decision and my party's decision that no effort would be made to gain political mileage from those problems because of the significance of the Territory Wildlife Park in the overall scheme of tourism development within the Darwin area. I feel that it is important to make that clear in this House. Too often, we are accused of making political mileage out of problems that this government experiences and I want to make it very clear that, at that time, the opposition made a deliberate decision to allow the government, the minister and officers of the Conservation Commission to try to resolve the problems. It would appear that the problems have now been resolved, and hopefully that is the case. I would like to place on record

my support for the ongoing successful operation of the Territory Wildlife Park.

Mr FINCH (Transport and Works): Mr Deputy Speaker, I would like to take a very brief moment of this Chamber's time, having had a very genuine and long-term interest in the Territory Wildlife Park since the very early days when it was called the Berry Springs Zoo. I wish to place on the record my great admiration for all of those involved in the early works at Berry Springs. Alwyn Nicholson, as an ex-contractor and bush builder, was responsible for most of the construction work and did an extraordinarily good job with limited resources. Certainly, when one looks at the construction work associated with all of the exhibits, it is clear that Alwyn and his crew have done a tremendous job.

Of course, in more recent times, Barry Rowe, a very innovative man who understands park planning, has also done a tremendous job.

Members: Hear, hear!

Mr FINCH: Recognition has already been given in this debate to the foresight and early conceptual work of the Chief Minister. The conversion of that conceptual work into reality was done mainly by Dr David Butcher from Dubbo Open Plains Zoo. Of course, the Deputy Chief Minister would be most interested to know that most of the design and planning of the almost non-existent barriers was largely David's work.

As a consulting engineer, I had the great pleasure of being involved in the early stages of the project. The member for Wanguri would be delighted to know that I was in fact the collator of all of the various sections and put together the final conceptual plan for what was then known as the Berry Springs Zoo. I am sure the honourable member would be most impressed that this born-long-ago greenie was involved with such a project.

Mr Coulter: I thought you were one of the early exhibits.

Mr FINCH: You are talking about Gouldian finches, of course! That brings me to the point that I wished to make. By way of interjection earlier today, the member for Wanguri said that Gouldian finches will be available in pet shops soon. For the information of the honourable member, they have been there for a long time. They breed prolifically. Finches are very good breeders.

I did not have the opportunity to attend the official opening of the park, but I visited it about 6 weeks ago. The way the place is developing is tremendous. The innovative transportation system is a credit to the Department of Transport and Works, if I may say so. I was pleased to see that, in providing a walking trail and access to all exhibits, it allows people in wheelchairs to move through the park freely.

Some changes have been made to the concept as depicted in the original drawings, probably for good reasons. I was a little disappointed with the hide at the goose lagoon. I had anticipated that it would be rather more camouflaged. Nonetheless, it is all very well done. I believe that the walk-through aviary would be one of the most attractive and meaningful bird display areas in the world. The person who looks after the birds is an expert in his own right and he is doing a tremendous job. The park is indeed a credit to all those people who work there. I support the statement.

Mr POOLE (Araluen): Mr Deputy Speaker, I want to make a few brief comments. I would like to remind honourable members that items such as the Territory Wildlife Park, man-made attractions, rate very highly with visitors to the Northern Territory and compare very favourably with natural attractions in terms of visitor numbers. I believe that the Northern Territory Museum of Arts and Sciences at Bullocky Point is still the most widely visited attraction in the Northern Territory. In total numbers, including residents, it attracts more visitors than does Ayers Rock. I believe that the Territory Wildlife Park will render an enormous service to the environment in that it will allow visitors, both national and domestic, to see examples of many types of unique Territory fauna whose habitats could be destroyed if tourists were allowed to tramp over them in an effort to see those delights.

I congratulate all people connected with the wildlife park. I have been there a couple of times. It is an excellent facility, and I am sure it will go from strength to strength during the coming years. I look forward to any expansion of the facilities and I am sure that any such expansion would be well received generally. I know that international travel agents who have visited the Northern Territory have been highly impressed by the facilities and the way the fauna is displayed in the park. It will inevitably become a bigger and bigger attraction. I support the statement.

Motion agreed to.

TABLED PAPER
Publications Committee - Fourteenth Report

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

Motion agreed to.

ADJOURNMENT

Mr VALE (Tourism): Mr Speaker, I move that the Assembly do now adjourn.

I would like to pay tribute to a former teacher with the Department of Education whom I first met in Alice Springs quite some years ago and who has recently left the Territory for South Australia. Of course, I refer to John Wauchope and his wife Verona. I think most Territorians, particularly those in central Australia, are fully aware of the amount of time and effort which John Wauchope put into education in central Australia. I first came to know him when he arrived in the Territory in 1969. If I recall correctly, he taught first at Parap. He went to central Australia in 1971 and became principal of Braitling Primary School in 1975. There was some contention surrounding the school at that time because the department had proposed that it be an open-plan school. This aroused considerable concern among parents in the Braitling area. John Wauchope was brought in by the department and was able to answer all questions put to him by the anxious parents.

Over a period of time, John established his own credibility over a wide area of the education field in central Australia. Indeed, it was a serious loss to central Australia when, some years later, he was transferred to Darwin to become the Deputy Secretary of the Department of Education. All too often, the good teachers move out of the teaching system and become administrators. I am certain that I speak on behalf of all Territorians who

know John when I extend very best wishes to him and his wife Verona for their life in South Australia.

John and Verona's daughter won a Miss Northern Territory competition some years ago, and she went on to the national judging stage. She was married some 12 to 18 months later and, 2 years afterwards, presented John with his first grandchild. John was a fairly young looking bloke and, unlike the member for Jingili, was terribly embarrassed to find himself a grandfather while he still looked so young.

Many honourable members would like to relive their 21st birthdays but some members may not realise that, yesterday, one of Darwin's top footballers, who also happens to be an attendant in this Legislative Assembly, turned 21 years of age, with the occasion going almost unrecognised by ourselves. I am talking about Steve Stokes and, tonight, my staff have organised a cake with 21 candles on it for him. I am sure that I speak on behalf of all honourable members in wishing Steve a great party next Saturday night.

Members: Hear, hear!

Mr EDE (Stuart): Mr Deputy Speaker, tonight I will start with a few words about the water supply at Tara, which is a community on Neutral Junction Station in my electorate. I advised the Minister for Mines and Energy that I intended to raise the issue of water supplies in my electorate during these sittings. Tara, a community of over 100 people, is one of the old Gibbs communities. It has been in existence for a long time. It is not a new community, but it has always had problems with its water supply. It had a water supply which was always inadequate both in quality and quantity. After any period of dry weather, the community would virtually be scraping the bottom of the well and the water was absolutely unsatisfactory.

We have been talking for quite some time about the need for more water at Tara, to bring it up to the World Health Organisation standard, or at least something approaching that standard. The government spoke about carrying out drilling programs. It was told by myself and the pastoralists in the area that it would be pushing the proverbial because in the vicinity of 100 bores had already been drilled in the area by both the government and the pastoralists. The Power and Water Authority has records of about 60 of these and none has proved adequate in quality and quantity.

Nevertheless, undeterred, the government found some water at a place called Donkey Creek which is quite handy to Tara. In spite of advice from pastoralists and others that the water source had been tested previously and found to last for a very short period before running dry, the government proceeded at considerable expense to reticulate that water to Tara. Lo and behold, only 18 months later, as predicted, the water supply has now dropped to a very low quantity. Consequently, the community is again dependent on a water supply which is way below WHO standards. The community has been asked to mix and match and to reconnect into the old water supply which, as I have said, is also well below standard.

When speaking about water supply issues on previous occasions, I have not made a fuss about situations where the quality of water has not met WHO standards provided that the water has come from the only available source, and provided that alternative approaches are in place either to upgrade the water supply or to match the water supply with tanks, and provided that there are adequate levels of visitation by health staff to watch for problems associated with the drinking of water with high nitrate

levels and so on. However, I become extremely irate when the government expends money on installations to relieve a situation in which supplies are substandard and then returns the community to substandard water when the remedial solution has failed. If such a situation were to arise in a town, such as Alice Springs, Katherine, Darwin or Tennant Creek, the uproar in this House would probably raise the roof by 4 m or 5 m.

The inadequate water supply at Tara is not the only water in the area. Adequate supplies of good quality water are available at New Barrow. The New Barrow supply is known to the government, the pastoralists and the community. The government's argument is that it is 20 km from Tara. However, the proprietors of Neutral Junction Station pipe water 20 km to provide for their cattle in a dry area. Whilst the proprietors of a cattle station pipe water 20 km to provide for their cattle, this government cannot pump water 20 km to provide adequate quantities of good quality water for the people living at Tara.

Mr Collins: It could be something to do with economics - cattle pay.

Mr EDE: I will take that comment from the member for Sadadeen on board because it illustrates his cynicism rather well. While he sits on his farm at Ti Tree, enjoying the benefits of reticulated power, it is quite easy for him to cast aspersions on people who are further up the line and who do not have the benefits that he enjoys on his little farm.

Mr Speaker, let me come back to the problem. It would be possible to install a quality water supply to Tara. It could supply not only Tara and the homestead but also the roadhouse and the developing tourist venture by the Kaitej Resource Organisation in Barrow Creek. The pastoralist, Wal Klein, has said that he would be happy to offer his heavy machinery for use in the project. I have been told that an application to the federal government for some of the necessary funding would be treated kindly. I have been told that the owner of the roadhouse would certainly be willing to consider providing assistance. It would stop much of the friction that is occurring at Barrow Creek between the roadhouse proprietors and the new resource organisation which is taking over the old repeater station. The focus of that friction boils down to the use of water, which is a rare commodity there. A decent water supply would alleviate health problems at the Tara community and assist the economic development of the Barrow Creek complex.

I hope that the government will not continue to put this matter on the back burner. I have been told that the problem is that the government does not use polythene pipe to carry water and that other forms of pipe are much more expensive. The fact is that the current water supply utilises polythene pipe. I am disgusted and I will not let the matter rest. I will continue to raise a ruckus. Hopefully, the minister will not continue to ignore my requests, as he has done over the last couple of weeks, but will give us some answers and, hopefully, a commitment to have this project included in the capital works program for the coming financial year.

Mr Speaker, that was not the only matter that I wished to raise tonight. I would like to refer briefly to some letters which were provided to me by the Tangentyere Council. One letter, addressed to the Chief Minister, is dated 30 April. The letter refers to certain matters which the Chief Minister would probably be aware of. One of the matters concerns people living in the river bed. I do not intend to discuss that aspect. At this stage, I will not make any threats or promises in relation to the offer

of bipartisanship in solving the problem. I hope that the Chief Minister is still considering the matter and will give a positive response.

One particular point should be clarified. It is often said that the people who live in the river bed should simply go back to the camps. The letter from the Tangentyere Council to the Chief Minister says:

> You seem to be oblivious to several matters which underlie a strategy for dealing with the problems. For example, you don't seem to realise that the river beds are just the visible tip of the problems. In our camps, we already accommodate thousands of visitors from the bush communities each year. They are our relations and friends whom we have to look after. Our camps are already saturated with the problems that result from these visitors.

I know that to be a fact. The people in the town camps are trying to live their own lives and relatives come in from the bush. People are happy to see their relatives and they welcome them. However, they are a bit like the proverbial mother-in-law in that they tend to stay too long. Eventually, this causes friction as a result of both economic pressures and physical pressure in the sense that, quite often, there are too many people in the house, leading to problems which can become quite serious.

The other letter was addressed to the Attorney-General and concerned the social behaviour project. This project was primarily developed by Geoffrey Shaw, the coordinator of Tangentyere Council, and has received incredible backing from him. Unfortunately, he had an accident on his way to Darwin to look at some alcohol rehabilitation facilities and is now lying in the Royal Darwin Hospital with a broken back. In the meantime, Barbara Shaw is filling in. Certainly, the commitment that everybody has to this project will continue.

Quite often, people from the bush behave in ways which are quite acceptable in their own communities but which are socially unacceptable in an urban centre. Part of the project involves teaching people that, because they can behave in a certain way in the bush, that does not mean that they can behave in the same way in town. Phase 1 will involve consulting with leaders and members of bush communities about the problems and letting them know about the concerns felt by Alice Springs people. The Tangentyere Council feels that it has to tell the bush people what the reaction is to that sort of behaviour in Alice Springs.

Phase 2 will involve obtaining consensus among Aboriginal elders and leaders in central Australia about rules of social behaviour which should be observed by outsiders who come into Alice Springs. Many of these rules would be related to traditional Aboriginal laws and customs. Where those laws no longer apply exactly, those concerned are working out ways in which they can be modified to fit the social circumstances of Alice Springs.

Phase 3 will be the process of publicising the rules and processes to all residents and working out methods of enforcement in Alice Springs and other open communities. This is not only for Alice Springs. If it works in Alice Springs, hopefully it may work in places such as Tennant Creek and Katherine, which also have quite major problems in this regard.

Phase 4 will involve trying to get the backing of the federal and Territory governments and bush communities for implementing support services out bush. This would help to prevent the current urban drift which is a major underlying factor behind all the problems. The support services would

include provision of intensive and ongoing alcohol education services in Alice Springs and out bush, provision of services and employment-generating enterprises in the bush, the replacement of some of the non-Aboriginal people by Aboriginals, community centres in bush communities, affordable transport systems for unemployed people so that people could return to their communities and the provision of more police aides.

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

Mr TUXWORTH (Barkly): Mr Speaker, I rise tonight to address the matter of the fly population in the Northern Territory and its major increase since the cessation of the dung beetle program that was conducted by CSIRO in remote areas over a period of about 10 years. In the late 1970s, CSIRO was charged with the task of introducing the dung beetle into Australia from South Africa, Spain, South America and other countries, with a view to finding a species that was suitable for the Territory's climate and terrain and one that would ultimately destroy the dung and thereby reduce the fly population.

People who have lived in remote areas for some time would know that the success of the dung beetle has been remarkable at times and very poor at other times as a result of early or late wets, the amount of rain, cold snaps and a range of other climatic factors. The bottom line is that, over a long period, the CSIRO program had begun to have an impact and the fly population was on the wane in remote areas. The good work that was put in over many years was starting to bear fruit. CSIRO people tell me that the program still had a long way to go in the sense that there are still many species to be identified and trialed in the Top End that could even be more successful than the ones we have had in the past. Two years ago, as a result of the new financial structure of CSIRO, it pulled out of the dung beetle program in Australia. All the work that has been done has been set aside. Except in Western Australia, there is no continuing program whatsoever to counter the fly menace.

The CSIRO scientists told me quite blandly that well in excess of $20m or $30m had been spent over a period of 10 years and they were not able to demonstrate in scientific terms that the fly population had diminished or could even be controlled in the days ahead with continuing programs. That is why they had to cut and run. The demise of the CSIRO program has had very serious consequences for the Territory. In fact, the fly population in the southern Barkly and the Petermann area would be the worst it has been for many years. Furthermore, the problem has taken on a new dimension because we now have evidence of the presence of the biting fly in the Northern Territory. There have been at least 2 cases of people being bitten by the biting fly and the effects are quite traumatic. In the lower Barkly area, the biting fly bit a station manager on the face. He was totally disfigured from the swelling and his breathing was threatened because the swelling threatened to cut off his windpipe.

Mrs Padgham-Purich: A march fly?

Mr TUXWORTH: The member for Koolpinyah asks whether it is the march fly. There is some debate about whether it is a biting fly or a march fly.

In the second case, the cook at Avon Downs was also bitten on the leg. His leg became the shape of a rugby football. The CSIRO people are particularly interested in this matter because there are about 6 species of the biting fly in Australia. They are generally confined to other areas of Australia and not the Northern Territory. If the biting fly is moving into

the Northern Territory, it could be quite a problem for Territorians. As I have pointed out, the effects of the biting fly can be very traumatic for those people who are bitten. People who are bitten develop a sensitivity to it. Each time they are bitten, their reaction becomes worse and sometimes the consequences can be fatal.

I am on my feet to indicate to the Minister for Primary Industry and Fisheries and the Minister for Conservation and Health and Community Services that there is a need for us to reintroduce the dung beetle program and to pay special attention to the possible entry into the Territory of the biting fly. Some work needs to be done in this area. I do not think it would be drawing too long a bow to suggest that, if the biting fly became prevalent in the Barkly area, it could affect the capacity of stations to maintain their manpower levels. People do not find it attractive to work in such areas and that pattern has occurred in other parts of the world.

As a result of the CSIRO's cessation of the program Australia-wide, the Western Australian government decided that it was not prepared to abandon the program in Western Australia. It has entered into a joint venture with CSIRO. It is paying in the order of $300 000 to $400 00 a year to have CSIRO continue to import - I believe from Spain - a species of dung beetle which can continue to be let loose in Western Australia to help control the fly population.

We have spent considerable time in the past few days talking about the environment, having a suitable environment for tourists to visit, greening programs and rubbish removal programs. I think that the depopulation of the Territory's flies will be a very important part of the maintenance of our tourist industry and our general environmental programs if we are serious about having people live here in the long term. I urge the minister to give consideration to this in his coming budget. Perhaps some programs can be lined up with CSIRO to reintroduce the dung beetle program throughout the Territory and work to a time frame that will ultimately eliminate flies from the Territory scene. That has been achieved in other parts of the world and is something that we ought to be aiming at.

I must say that, even if $1 or $10m was to be spent, the Territory fly population would not be wiped out overnight. However, given that we have spent 10 years on research and $20m or more of Australian taxpayer's money on this program, it seems to be a crying shame to simply let it go. We should continue with the program that may give us a big breakthrough in the days ahead. In fact, it may be that we gain the opportunity to wipe out the fly population simply by importing a species of dung beetle from some remote part of the world. We have a serious problem. If a cold snap does not come and wipe out a few of the flies that we have now, the tourists will remember the Northern Territory for bung eyes and constant annoyance from flies. We are promoting the Northern Territory as a congenial environment where people can live the outdoor life with barbecues, bush walking and so on. I think we have a responsibility to ourselves as well as to our visitors to do whatever we can to try to minimise the fly population.

I ask the Minister for Primary Industry and Fisheries and the Minister for Conservation and Health and Community Services to jointly consider the possibility of entering into programs with CSIRO to continue the trial work and the other programs aimed at eradicating the ordinary bush fly and to give special attention to what appears to be the emergence of the biting fly in the Territory. The biting fly occurs in other parts of the world and is a very serious problem for some communities. If it has arrived here, it needs to be monitored. We need to take some pretty tough action to try to

ensure that it does not spread and become a threat to our community generally.

Mr POOLE (Araluen): Mr Deputy Speaker, I received a letter when I came into the Assembly today and I thought it might be of interest to members. I will quote a few brief paragraphs from it. It is written to me by somebody whom I have known for many years:

> Dear Eric,
>
> My son Michael informed me that he met you last fall when he arrived on a flight. You handed him your card, I understand, introducing yourself as an MLA for the Territory and a friend of his father. I am not sure if you hold a portfolio but, if you do and my memory serves me correctly, Michael said it was tourism.
>
> If so or if not, you might be able to give me some support on some projects I have been attempting to launch jointly with the Territories, Ontario and Quebec. Actually, I have been promoting the projects since the 1960s. You will find correspondence on my projects in the Territories tourist development files. There is a little file, file No 61500016.
>
> Trying to convince civil servants that the Arctic is a marine environment is trying - Ontario in particular! Ontario, not fully comprehensive of their northern littoral regions and or the neighbouring sub-arctic attractions, find my referrals to their nether offshore somewhat embarrassing. Even when I point out benefits on joint tourist development projects to politicians and civil servants, when confronted with a subject they do not understand, they do what they have always done - contract a proposal over to the private sector for an assessment.
>
> The firm that assessed one of my proposals must have researched it through the Farmer's Almanac. So incensed was I on receiving the report, I sent an 18-page letter of refute to relevant ministers. The acid verbiage was effective because the government dispatched a senior civil servant to spend 3 days with me at Churchill where he listened to my proposals for tourist developments in the region.

The proposal relates to the establishment of a marine service around Hudson Bay and James Bay in northern Canada. The writer of the letter was seeking some support from the government for a joint feasibility study. The envelope containing the first letter also contained a second letter, dated 18 April 1990. It says:

> Dear Eric, you will get a kick out of the following. Last fall, my son Michael informed me he had met you in Great Whale River. You gave him a card. Apparently, he never looked at it very well and surmised that you were an MLA for the Northwest Territories. Installed away here in Goose Bay, with my summers in Hudson Bay out of Churchill, I am not too well up on recent changes in the North-west Territories although I have had recent correspondence with senior civil servants in the Territorial Disneyland. I thought you had been recently elected to the House in Yellowknife and sent you the enclosed letter. You will find it interesting.
>
> Just as a matter of interest, he went on to say:

I have been corresponding with a shipyard in Queensland that makes catamarans. The offer by that yard is a very good one and one that is sanctioned by the Aussie government to promote the nation's shipbuilding. It is 20% down, 8% per annum over a period of 8 years.

Read my letter and you will see that thick heads still prevail in Canada regarding the north. We now have foreign ships running around our north, charging premium rates with foreign crews. No effort was ever made to provide a service for our northern marine environment. Nor was an effort ever made to train the Inuit to cater to tourists in his peterhead or longliner, so foreigners are now doing it. The end result is that the Japanese are building a $34m ship on our say so to sail the Antarctic and Eastern Canadian Arctic with affluent Japanese tourists.

Despite the wide disparities of distance, we have many problems which are similar to those faced by people in the Arctic. I actually worked with this guy in 1959 in the Arctic. I thought that the contents of his letters would be of interest to honourable members.

Mr TIPILOURA (Arafura): Mr Deputy Speaker, I would like to speak about a comment made by the Minister for Labour, Administrative Services and Local Government in answer to a question on 2 Wednesday 1990. He said that I did not know what was happening in Elliott and that I did not know what I was talking about. I would like to remind the honourable minister that I was there last month. I had a look around and talked to various people in the community, both Aboriginal people and Europeans.

Last night, the member for Barkly spoke about the history of Elliott and Newcastle Waters and the housing that the Elliott community has had in the last 10 years or so. Over the last few months, there has been a great deal of discussion and debate about the housing program for the town camps of Elliott. No one says that the housing is not needed because obviously there is a desperate need. I have been told that a Department of Health report prepared a few years ago spoke of malnutrition, leprosy and social problems associated with alcohol. The problems are real, and both the Northern Territory government and the federal government should be aware of the urgency of the problem. Aboriginal people in Elliott, like many Aboriginals throughout the Northern Territory, are living in terrible conditions. To overcome these conditions, the federal government and the Northern Territory provide the funds for the TCHIP program which was introduced to build houses in town camps. This program started 18 months ago, and was to run for 3 years. We are now halfway through the program, and the people of Elliott have received nothing. Why is this the case?

Everyone seems to agree that there is a problem, and the federal government has made available $4m. The reason why nothing has been done is that, instead of solving the problem, the Northern Territory government and the federal government are playing politics. I know that this government is committed to the concept of community government as an option for Aboriginal people. Government members know that, as opposition spokesman on local government, I have publicly supported this concept many times. However, we must never forget that we are here to represent and help the people, not to prove how good our policies are. In the case of Elliott, I am afraid that the government has put policy before people. It is so committed to the policy of community government that it is allowing the people in town camps to continue to live in terrible conditions while the argument continues over who should build the houses and who is to control the funds.

I decided that I should go to Elliott and see the problem for myself. I went to talk to people and to see if there was a solution. My conclusion is that neither the Northern Territory government nor the federal government is helping the people of Elliott, certainly not those in need of housing, not even those in the community government council and certainly not those in town who hope to get jobs while the project is going. While I was at Elliott, I spoke to the chairperson of the community government council, Mr Jim Rennie. Before I go on, I want to make it clear that what I am saying represents my own conclusions and not what Mr Rennie told me. I would like to make that clear.

Mr Jim Rennie was very helpful. He has lived in that community for 20-odd years. As he sees it, the Europeans and the Aboriginal people have to get together and start working things out among themselves. They are not able to do that because the NT and federal governments are still playing around with funds. We are all aware of the tension between the white and black people on the council. The Aboriginal people told me that, while they have the majority on the council, they feel that they do not understand the meeting processes and are not used to the way in which decisions are reached, which results in them being pushed into decisions which they do not agree with. I think that, over time, this problem will be worked out between the Aboriginal and European people of Elliot as the Aboriginal councillors learn more meeting skills and as the white councillors become more accustomed to the Aboriginal way of making decisions. Jim Rennie said to me that he is prepared to talk to the Aboriginals there, especially the councillors, and to teach them about the meeting process, how to attend meetings, how decisions are arrived at and things like that. Having spoken to the chairperson, Jim Rennie, it seems to me that he is a very patient man, and he seems to know what he is talking about.

Those people need time. I do not think that anyone at Elliott has been helped by the council having been asked to take on such a large and potentially divisive project. This project overshadows completely any other work that the council undertakes. It has ...

Mr McCarthy: Did you ask the council where it stood on the program?

Mr TIPILOURA: Just let me finish, please.

Mr McCarthy: Well, you said that they ...

Mr DEPUTY SPEAKER: Order! This is an adjournment debate. You will get your opportunity later.

Mr TIPILOURA: It has dominated and will continue to dominate the council's decision-making process. Apart from other problems, there is a division. Let us face it, Mr Deputy Speaker, this would be a big contract for the Elliott Community Government Council.

Another concern is that the council has no plans for the local employment of Aboriginal people. It is quite possible that this project could go ahead with very little benefit to the town. It would mean no employment, no skills left behind. We have seen that projects such as this housing project have more to offer than just building the houses. That solves only part of the problem. The other problem is desperately high unemployment and a lack of skills which, in turn, leads to the social problems that I mentioned earlier. Here we have a great opportunity to go a little further along the way of providing jobs and skills. We must look at such projects in this broader context.

I am convinced that the proper way to achieve the goals of housing, employment and training is to have this project handled by an organisation which has those goals as its sole aim. This, of course, is the Gurungu Association. This should not be taken as an insult to the community government council or as a vote of no confidence in it. It is simply to recognise that the council has certain jobs and responsibilities and that being a building contractor is not one of them.

To come back to the question raised by the honourable minister, the council decision in respect of the funds, it will talk to the people and ask them what they want in terms of housing and jobs. That has come from the chairperson, Mr Rennie. The people have told me that they are concerned and that the council must handle the funds properly, in contrast with what happened when the first contractor had the job and received the first allocation of funds a couple of years ago. The people do not know what happened to that funding and, as a consequence, they were blamed for not handling the money properly. I believe that it was not their fault ...

Mr McCarthy: Your facts are wrong, my friend.

Mr TIPILOURA: It was not their fault. The member for Barkly can clarify that, because he was in touch with the people who live in that area. It is in his electorate, and that was what he told me. It was not their fault ...

Mr McCarthy: He does not live there.

Mr TIPILOURA: He does not live there? That is part of his electorate.

The member for Barkly told me that it was not their fault that the money went missing because they had no understanding of how to handle the money and purchase everything needed to build houses and so on. In this case, the housing funds went walkabout. Even today, nobody knows where that money went or who walked away with it. The people are concerned about that. This government has used it as its reason for blocking the funding. That is why it did not want to give the funds to the Gurungu Association. I believe that it is wrong to condemn the people, because it was not their fault from the start. I think that the member for Barkly made that pretty clear yesterday in what he said about the history of the funds.

I am hoping that these new arrangements with the community government council will go ahead without any problems because the people there, the Aboriginal people and the Europeans, are very concerned. They want to work together and to build the town of Elliott into a better community with better living conditions. Jim Rennie is a worker. He has been there a long time. He says that he is not going to stay there too long. He has been working on the council for a long time but he is now due to retire. As I understood him, he said that he has only 2 or 3 years left in which to offer his services to the people of Elliot through the council. I wish Jim and the council the best of luck because they will be needing it.

Hopefully, the federal and Territory governments will also put in their share of the work and ensure that everything is carried out properly and effectively, and ensure that the funds and everything associated with the project, including the jobs for the people there, go ahead as planned. That is what the people want. They do not want arguments between the Territory government and the federal government. They want to do their jobs and get going on this building project in their town.

In Elliott, there are 3 language groups living in the 1 area, and I know the problem of different skin groups living in 1 area. They are living in an area that is not their land. They are living on a special purpose lease, and that is another thing. They live on an area that is not even their own. It is a special purpose lease, and living in such an area also makes them feel uncomfortable.

I have also asked the people in Elliot about the assets. I said: 'You are going to build Elliott. What happens when you go to your outstations? What are you going to do then? You are wasting more funds there. You are getting more money here than when you go out bush'. That is another matter which the people have to consider. Many Aboriginal people are doing that now. In many communities, people leave the larger community to live on outstations because of problems like those which exist at Elliott. Aboriginal people feel more comfortable on their own land. In Elliott, they have always had that problem. That is why they would like to get this project going and build proper houses.

Another point concerns the houses which are there at present. I do not know who was responsible for them. I think it was the federal government. That housing is in a terrible condition. I have never seen anything like it. I do not know who the housing inspector was at the time or who approved the houses as being ready for people to live in. The houses are not fit to be lived in. There are gaps in the walls and gaps in the roofs. The people try to cover those gaps with cloth and so on, and it is hard work for them to clean their houses. In the dry season, the area is very dry and dusty. The wind blows the dirt in and makes a mess of the houses. The people themselves have spoken to me about that. They are really concerned about it but there is nothing they can do. I think it is about time that this government and the federal government got their acts together and went to Elliott to help those people.

Mr HATTON (Health and Community Services): Mr Speaker, I had not originally planned to speak in this adjournment debate, but I feel compelled to rise as a consequence of some of the comments made this evening by the member for Stuart. We all know that, particularly at the moment, there is a heightened awareness in Alice Springs of serious problems relating to alcohol and violence. Many people have been interposing their views and promoting solutions. It is true that we are all conscious of the need to try to address the issue and find realistic and practical solutions to the problems.

Honourable members may be aware that I have made a number of trips to Alice Springs in recent times and that my ministerial staff have held a number of discussions in central Australian areas focusing on various health and related issues. Honourable members will also be aware that this coming weekend there is to be a major gathering of traditional Aboriginal women in central Australia. I understand that these women are coming from as far away as Lajamanu and Lake Nash, including women from northern South Australia, Pitjantjatjara country, and from the Western Australian and Queensland borders. It is anticipated that there may be in the order of 500 rural Aboriginal women coming in to Alice Springs. They have strongly requested attendance by myself, the Chief Minister, the Attorney-General, the Minister for Tourism and all MLAs from central Australia. The federal Minister for Aboriginal Affairs and the shadow minister for Aboriginal affairs have also been invited to attend this meeting. We will travel to Alice Springs to attend. I have avoided engaging in any public debate and comment on the issues prior to that meeting and I know that a number of options and suggestions will be proposed at the meeting.

Like the member for Stuart and other members of this House, I have received correspondence this week from the Tangentyere Council outlining its proposals. I will say in all fairness that, for some time, Tangentyere has been developing and promoting proposals in respect of transient camp areas, living areas, social clubs and issues associated with social behaviour agreements between rural and urban areas. I am aware of a number of suggestions from other organisations which will probably be proposed at that meeting. I have avoided taking the opportunity to do any grandstanding in relation to this. I have sought not to prejudge solutions that may be proposed so that there is a genuine process of consultation. I feel very heartened at the strong determination expressed by these people to discuss and find practical solutions to real problems in central Australia.

I believe that this is an important opportunity for us all to get together with Aboriginal people. Quite a number of senior men will be coming in for the meetings this weekend. There are real opportunities for this occasion to be a significant catalyst for genuine consultation on alcohol problems with the rural and urban Aboriginal people. It will be an opportunity to discuss the issues raised by Tangentyere. It will also provide a basis to build solid and effective consultative mechanisms in relation to a whole range of other Aboriginal health matters which I am very keen to address with Aboriginal communities.

Last night in the adjournment debate, the member for Stuart began to lay his own groundwork in this exercise. I chose to ignore that. Tonight, he again proposed a particular line of action. We are all conscious of the issues which have been raised by organisations such as Tangentyere. I hope that the member for Stuart will participate with us, the Aboriginal communities and the Alice Springs Town Council in this Aboriginal-driven process to address the problems. We may not find the solutions this weekend but we might find the road down which we can travel to find solutions. I am urging all members to avoid the temptation to ...

Mr Bell: When did you first hear from these people, Steve?

Mr HATTON: Last week.

Mr Bell: You pointed them in the direction of the alcohol committee of the parliament, did you?

Mr HATTON: I raised the fact that it was there when they mentioned this.

Mr Bell: I am getting sick of the politics that is being played with this issue, that is all.

Mr HATTON: Quite frankly, so am I. We do not need prejudging in this House.

Mr Ede: I did not slag the Chief Minister. I did not slag you, right? Don't start slagging us!

Mr HATTON: I am making a simple point. You know as well as I do that we all have that document in front of us and we are all planning to talk about it this weekend. I know that you are going to be there ...

Mr Ede: That is not the only place where it will be discussed.

Mr HATTON: That is right, but it is a pretty significant place to discuss it.

Mr Bell: I think the committee ought to be going to central Australia as soon as possible. I think that is the most important venue.

Mr HATTON: I fully agree, Mr Speaker.

In all discussions, I have raised the fact that there is a parliamentary committee addressing this issue. We were in central Australia discussing the provision of Aboriginal women's centres in rural communities when my staff were told by Aboriginal people to get the minister and the Chief Minister down there because they wanted to talk about the grog problem. We have responded to that and we are going down there. I hope the alcohol committee can follow through. As a government, we are expected to react and we are going down to consult. I do not want this to become a partisan issue. I do not want any of us to try to claim credit for this, that or anything else. I am a little disappointed at the processes we heard discussed tonight. There are other discussions occurring about the Gordon Symons Centre and a whole range of other matters including rural education centres for alcohol counselling among Aboriginal people located outside Alice Springs ...

Mr Ede: That is right.

Mr HATTON: We have to discuss many proposals this weekend. I want to put on record the fact that all of us want to work through this. At the moment, I think that it would be better not to debate the matters in this House until after we hear the views from the communities.

Mr BELL (MacDonnell): Mr Speaker, I have always made it a rule of thumb that, when somebody writes me a letter, I try to reply to them within a month. Basically, I expect people to deal with me on the same basis. This does not particularly relate to being a member of the Legislative Assembly; it is simply a matter of personal courtesy. Occasionally, I might err and let the period run out to 5 weeks, but it is rarely longer than that.

I was particularly concerned when I received representations from the Harts Range community. I was informed that one of my constituents, Vanessa Petrick, a part-time employee, had been receiving payment for part-time work. Without putting too fine a point on it, the situation in relation to her payment for that work is a shambles. I trust that our worthy fourth estate will assist me to resolve this problem by at least publishing a paragraph or so somewhere so that the bureaucrats in the federal Department of Employment, Education and Training have this matter brought to their attention.

My attention was drawn in early March to Vanessa Petrick's problem. I was advised that her pay, which had been due on 22 November, was paid 1 month late. That was not too bad except that there are not too many of us here who would keep quiet if we were paid 1 month late. That problem was compounded when her pay, which was due on 22 December, did not arrive until 22 February - 2 months later. Ordinarily, with those problems, there is some type of administrative hitch. Normally, I would phone the department concerned. However, I was particularly busy and I sent a lettergram stating: 'I am deeply concerned about pay arrangements for Vanessa Petrick. I am advised that payment for her, due on 22 November 1989, was paid 1 month late. Please advise at your earliest convenience'. That was sent on 26 February and was duly received. I heard absolutely nothing!

When I receive a lettergram, I reply to it straight away. If somebody takes the trouble to send me a lettergram, I respond to it in some shape or form. I had not heard anything about this matter for 6 weeks. The problem is still unresolved. There are still problems with those payments, which are running into months. Six weeks later, I rang the department and spoke to officers. I was faxed back a letter from the director, dated 19 April. It said: 'Investigations show that Vanessa is not a recipient of Abstudy or a trainee under the Training for Aboriginals Program'. I was not completely sure which particular program she was being paid under. I understand that it was a tutor program for secondary students.

That problem is still unresolved. I had a subsequent communication on Monday saying that the department had finally worked out that Vanessa was entitled to be paid but could not be paid until 10 May because the computer system is not working. I cannot accept that. Firstly and foremost, I cannot accept that one of my constituents who lives in one of the least privileged parts of this country has to wait that long for what should be a standard payment. Secondly, I wonder what sort of administrative processes are going on in that department which mean that members of parliament do not receive answers to questions for months. I rarely use my status as a member of parliament to crack the whip in any regard. I very rarely find that it is necessary. I do not believe in doing it. But, by golly, if I have to wait that long, how are the people who are entitled to receive services from that particular department supposed to be getting on? Goodness me, I hope that my cries of concern ...

Mr McCarthy: We cannot do anything about it.

Mr BELL: No. I am using this as a grievance debate, which is its purpose. I am not levelling any charge at any Northern Territory government authority. I am levelling a charge at the administrative processes of a federal government department, at the hands of which one of my constituents is suffering quite unreasonably. As I say, I hope that my cries of concern will go beyond our Chamber this evening and that, courtesy of the fourth estate, the officers of that department will have coals of fire heaped on their heads.

While I am on this subject, I will refer to the Northern Territory Department of Education. The Minister for Education is as aware of this matter as I am, and I remind him of the situation of the principal at Areyonga school who faced a similar administrative problem. It did not relate to pay but to a considerable amount of correspondence which the newly appointed principal sent and which was never replied to. Representations were made to the minister on the same day that they were made to me in respect of that issue and I would like to hear an explanation.

I have had my own complaints in respect of the type of treatment teachers in the field receive at the hands of more senior administrators. I am more than happy to place on the Parliamentary Record the fact that my 9 years as a member of the Legislative Assembly have shown me that, if I had treated my constituents as this particular principal has been treated and as I was treated as a teacher in the bush, I would lose my seat at the next election and I would deserve to lose it. As far as I am concerned, that situation involving the Department of Education is as much in need of investigation as the situation to which I referred earlier. Replying to correspondence is a matter of common courtesy. It costs nothing, and it is tremendously important in terms of morale for people living and working in isolated places ...

Mr Harris: When did you last speak to him?

Mr BELL: In answer to the interjection from the minister, I received a letter from the principal concerned. I received representations towards the end of the last semester. I have not had the opportunity to communicate with him since, and circumstances may have changed. Even if that is the case, it does not matter. An explanation in respect of that situation is absolutely necessary.

If one message should go out of this Chamber tonight, it should be directed at anybody who is serving the public and that includes politicians as much as it includes people who are employed as A3 clerks. People who communicate with government departments, or are employed by them, should be able to receive exactly the same courtesies as I would expect or as any member of this Assembly would expect, in their dealings with those departments and in the quality of service which they receive.

I trust that the Minister for Education will address the latter example which I have raised and, in the case of the former example, I trust that our fourth estate will take it up.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I intend to respond only to the comments of the member for Arafura, the shadow spokesman on local government. It appears that the honourable member is still ...

Mr Padgham-Purich: Labouring under a misapprehension.

Mr McCARTHY: ... labouring under a misapprehension. Thank you, gentle lady from Koolpinyah.

The member for Arafura stated that the TCHIP program had been in place for 18 months. I guess it is about that long. I should state again that the TCHIP program is a responsibility of the Minister for Lands and Housing. However, the TCHIP program for Elliott has not been in place for 18 months, and I thought I had made that clear to the member for Arafura during the last couple of days of debate on this issue. It seems that he still has not understood the difference between the original program and the newly-approved program, which was brought about by approaches from the Territory minister to his federal counterpart last year and which was finally endorsed by the Commonwealth minister only in December last year. That new program incorporated the Elliott and Borroloola projects, which were not in the original proposal. As I have said before, the original proposal covered only the major urban communities.

The honourable member seems to have become enlightened about Elliott only in the last couple of weeks. He has been there to have a look. I have been, and continue to be, a regular visitor to Elliott. I was there on a number of occasions last year and, on one occasion, met with the Gurungu Association and the community government council in the town. I met again with the Gurungu Association when its representatives came to Darwin to see the Minister for Lands and Housing and myself.

It is not that I have experienced a mental block when it comes to Gurungu. The government made a decision that the funds from TCHIP, once approved by the Commonwealth, would go to the community government councils in Elliott and Borroloola. Before the funds were approved by the Commonwealth, it was decided that the community government councils were the appropriate bodies to handle the funds. We did not base that decision on

any ill-feeling towards other associations, but on past history. We based it on the fact that both communities had community government councils in place - and their charter includes the housing of their people - which have the capacity to handle tied funds and the requirement to report back to government and to acquit their funding and which are honest and have the capacity to work for all their citizen, not only for their members. A range of factors was taken into account when we decided to direct TCHIP funds to the community government councils. These are the existing bodies which have continuity under Territory legislation. They have the capacity to respond to the needs of every citizen, not simply the needs of a few. They have the capacity to do a whole range of things which associations simply do not have the capacity to do.

I am very much aware of the standards of housing in Elliott. I am very much aware of the people who worked in the original housing association and of the fact that it went broke. I am aware of the fact that some of the housing that it constructed was not up to scratch. However, I will say that, at the time that the housing was being constructed, the people of Elliott thought it was terrific. It was certainly better than what they had. They were getting 2- or 3-bedroom brick houses. I also have to say, and I am not knocking the people of Elliott when I do so, that they did not look after what they had. Much of the housing constructed at that time was quite adequate, and it was not really cared for. I agree that there was not enough of it, but no community has all of its needs met.

In providing for the needs of communities, we probably do better than anyone else. One has to look only at Western Australia or the top end of South Australia to see what I mean. We are way ahead of both in the provision of housing. Certainly we receive support from the Commonwealth, but we are the big players in housing on Aboriginal communities these days - not ATSIC, not the DAA or the ADC. We are the big players. We are the people who are putting the majority of housing on communities, and we are putting in what the people want because we do not say: 'This is it; take it or leave it'. We seek input from local people.

I had a commitment from the community government councils of Borroloola and Elliott that they would include the associations in any decision-making with regard to the distribution and use of any TCHIP funds which became available. As I have said before, the Minister for Lands and Housing has made money available in Elliott since the Commonwealth took its decision, only last December, to put money into Elliott. In that time, we have provided $30 000 for preliminary planning in Elliott. We have done the same in respect of Borroloola, prior to the Elliott advance.

Members can stand up in this Chamber and gripe forever, but it is the government's responsibility to ensure that the funds which it disburses are disbursed to the organisations which have the greatest capacity to handle them fairly and honestly. I believe that, in this case, we have done that. There has not been any bitchiness on my part or on the part of government in looking after the needs of Elliott. We recognise that a need exists, but we also recognise that a commitment is required from the people of Elliott and from people in all remote communities, to look after what is given to them. There is not enough commitment in that regard, and I am aware that the Chief Minister has been shocked to see the standard which very good housing has reached in some communities where it has been almost obliterated. That is not good enough.

We will do everything in our power to ensure that the people of Elliott are well catered for. I too have a great deal of faith in Jim Rennie. He

is a man of good standing in Elliott. He is married to an Aboriginal lady. He has the needs and the wishes of the Aboriginal people at heart, and he will not just go ahead and do his own thing in Elliot. He cannot use TCHIP funds for his own purpose or for other purposes of the council. Those funds will have to be used for the housing of people in the 2 camps at Elliott or for Aboriginal people in the town of Elliott itself. Not all Aboriginal people in Elliott live in the 2 camps. Some live in Housing Commission homes. In fact, the majority of people living in the township of Elliott are Aboriginal people living in good quality Housing Commission homes.

There is no intention in all this to put down the people of Elliott. We want the best for them. They will have to show a commitment as well, but it does the member for Arafura, the shadow spokesman on Aboriginal Affairs, no good at all to make the sorts of comments he made tonight because he really does not know what he is talking about. He does not know that TCHIP was not previously available to Elliott, that we made it available to Elliott as an extension and that the majority of funds are coming from the discretionary funds of this government. We have made those decisions because we are committed. As far as I am aware, we are far more committed than any other state government. At the recent Aboriginal Affairs Ministers meeting in Hobart, the only thing the Victorian government could boast about was that it was developing a 30-acre paddock for Aboriginals. We can provide pages on what we are doing for Aboriginal people in the Northern Territory. The Victorian government - in conjunction with the Catholic Church, I might add - was developing a 30-acre paddock for Aboriginals. If that was all we had to boast about in the Northern Territory, I would be ashamed. I certainly would not talk about it at an Aboriginal Affairs Ministers meeting.

This government has a very proud record in terms of what it does for Aboriginal people. One of the things that concerns me is the lack of commitment on the part of Aboriginal people themselves. It is not a lack of commitment on the part of this government. We are prepared to do all in our power to ensure that Aboriginal people are well serviced in this community. We are certainly putting in the dollars - 83% more per capita for Aboriginal people than for the rest of the Territory. Is that a lack of commitment? No other state could boast anything like that. No other state would be prepared to even say it, but that is what we are doing. Nevertheless, we have people carping that we do not do enough for Aboriginal people. It is simply not true.

I can guarantee that the community government council in Elliott will provide an effective service for the people of Elliott provided that the Gurungu Association gets behind it and is prepared to work with it, as the community government council has sought, and not simply stand aside and say: 'We will not let you on our communities'. That threat was relayed to me and I think that it is crazy. Talk about cutting off the nose to spite the face! The Gurungu Association must work with the community government council, as is happening in Borroloola and in all other parts of the Northern Territory. I trust that the honourable member will not get up again next week and try to take this issue any further. He simply cannot win it because he is wrong, wrong, wrong.

Mr COLLINS (Sadadeen): Mr Speaker, in today's paper, there is a letter to the editor with a title, 'Abstinence for Alcoholics - The Only Cure for a National Disease'. Perhaps we need a little lateral thinking. Alcohol is such a horrendous problem and such a costly problem for governments right across the world that it would not be such a bad idea to offer something like a $50m reward for a person or a company who can come up with an

injection which will enable alcoholics to keep off the stuff, whether it makes them violently ill or simply removes their desire. It is a little bit of lateral thinking. I believe that this country would easily save $50m in a matter of a month or 2, given the amount which alcoholics and alcoholism cost this country. It is not such a crazy idea. One does not know what it might produce. If something was produced, it would be very marketable, not only in Australia but across the world. You could encourage people further by letting them have the royalties.

Mrs Padgham-Purich: How would you get people to take the stuff?

Mr COLLINS: We would legislate. Seriously though, if something is invented and encouragement is given, we would find a way.

Mr Speaker, I am sure that you and every member of this Assembly received a letter from Dr John Hargrave of the Menzies School of Health Research in relation to the $15 000 being sought for the leprosy program. The same matter was raised on television. A couple of people in Alice Springs told me that they would like to be able to contribute. Because I am interested, I made an approach to Dr Hargrave on their behalf and on my own behalf. The Westpac Bank in Alice Springs has graciously offered to accept donations and write out receipts. No doubt that provides good publicity for Westpac Bank and some of the banks need a bit of good publicity. Many people do not feel too happy about banks in general, with high interest rates and the huge profits that banks are making.

I undertook to publicise this matter throughout my electorate and in Alice Springs. It is something that all of us could possibly do. We could easily say that the government will find another $15 000, but there are times when the community is willing to make donations. Even if it is only someone picking up a dollar or 2 from 20 people and trotting down to the Westpac Bank, every little helps. I invite all members of the Assembly from central Australia to help raise the money to keep that research going.

Mr Speaker, Neighbourhood Watch began in Alice Springs on 26 April with a well-attended meeting at the Ross Park School. It was great to see the number of people who attended. Almost 150 people came. There will be another meeting on 10 May which, unfortunately, I will be unable to attend. Given the indications of support, I believe that it will be a good program. It is the first Neighbourhood Watch program in the area and we must make it work well so that other areas of Alice Springs can also participate.

Mr SMITH (Opposition Leader): Mr Speaker, on my way to the Assembly this morning, I saw kids busily painting murals on the walls. I walked up to one of the kids. He recognised me and called me by the right name. He did not call me Barry Coulter, as sometimes happens. I understand that Barry Coulter was called Terry Smith, but that is beside the point. Then, the kid said: 'There is Dave Nason. I like him'. I thought that was probably the first time that Dave Nason has had somebody say nice things about him. I do not think many of us could actually say that we like him. We see him as an enterprising, thrusting and sometimes frustrating journalist to deal with.

Over the last couple of weeks, Dave Nason has been trying to get me to admit that I have a hit list of public servants. In Dave Nason's absence, I would like to put the record straight because I found it very difficult to get him to listen. We in the Labor Party have a commitment to a professional and apolitical public service. It is certainly one of our aims and ambitions to create an apolitical public service and to restore such a

body to the Northern Territory. Unfortunately, during the last few years, there has been some movement away from that. Certainly, we have a commitment to removing what political interference exists in the appointment of public service officers in the body of the public service. However, like all governments, we reserve for ourselves the right to select departmental heads and deputy departmental heads. I think that has become an accepted practice. I know that this government has gone even further than that, but is not a position that we are prepared to adopt at this stage.

Quite clearly, after the elections, we will be announcing decisions on those particular appointments. The point that I want to make to Mr Nason, and I cannot get it through his thick skull - I withdraw the word 'thick', Mr Speaker - is that we are concentrating on a careful assessment of the structures we want for our departments and our authorities and an assessment of how best we can fit them together. From that, we can come to a decision on how many ministers we need.

We are nowhere near assessing what people we want to head our authorities and our departments because we have not yet finalised what departments and authorities we want or, in other words, what sort of restructuring we intend to undertake. However, it is fair to say, as I have said on a number of occasions, that there will be some senior public servants who will not be comfortable with the style that we intend to bring to government and they will move on voluntarily. I think Wayne Goss put it fairly well on election night in Queensland. He said that there would be quite a few people who would be finding life in private enterprise more attractive. I think that that is inevitable and it will happen here. The point I want to make is that we have not yet reached a stage of assessing whom we want as heads of departments. That is a decision that we will make further down the track.

I will close by saying, once again, that we will not be interfering politically at levels below head of department and deputy head of department. We will be expecting the heads of departments and the deputy heads of departments to ensure that their departments operate professionally and we will be expecting them to demand that the public servants under their control act in a highly professional and apolitical manner, as befits the public service under the best Westminster traditions.

A member: If they don't follow your direction, you will sack them.

Mr SMITH: No. We do not operate like that. We know that you people do, but we do not do that.

Mr PERRON (Chief Minister): Mr Speaker, unfortunately I do not have before me a copy of the transition-to-government document of the ALP. However, in the remarks which he has just made, I do not think that the Leader of the Opposition has explained adequately to the House the attitude of a potential Labor government in the Territory to cleaning up the public service. I am sure that we all understand that, if and when there is a change of government, the incoming government has the right to have a good, hard look at the public service. I think that the public service has a reasonable right to be aware of the general principles that will be followed by a potential government.

Under the heading 'The Public Service Commissioner', the opposition document says that, immediately after an election, there would be a report on terms and conditions of employment of CEOs and the payout figures in each case. The item that I was looking for was the section which stated that all

positions at E4 level and above would be re-advertised nationally and that people who came in as replacements for those swept out of the system would be employed on contract, not as permanent public servants.

Mr Smith: That is the problem when you take a draft document, and you do not have the latest version.

Mr PERRON: Oh! It is a draft document, and not the latest version.

Mr Speaker, members on this side of the House will indeed look forward to the Leader of the Opposition providing us with a copy of the latest, updated version of this document if he has suddenly decided that this is not the final version. Perhaps members opposite have gone back to the corner to rewrite it in a hurry.

In all fairness, the Leader of the Opposition should bring forward a final document so that public servants in the Northern Territory will know exactly what he proposes to do in respect of their careers, as far as sweeping out the ranks and putting in the right sort of people are concerned because, clearly, he believes that the wrong type of people are in the service at present. Of course, the public service is a very significant part of the Northern Territory's voting population and has an important input in determining which party will have a majority of members in this Assembly after the next election. I am sure that public servants will keenly await the Leader of the Opposition's firm view on what Labor would do to clean out the ranks. They have a right to know those things, of course, and we look forward to hearing in due course the authoritative deliberations of the Labor Party in this regard.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, recently I have been approached by several dog owners who most strongly deprecate the decision of the Conservation Commission to disallow the presence of dogs on the beach from Rapid Creek to Sandfly Creek. That area of beach is under the control of the Conservation Commission.

I can see both sides of the question. On the one hand, I can see the point of view of the dog-owners who wish to exercise their dogs. They see the places where they can exercise their dogs becoming more and more restricted. When one keeps dogs in a suburban situation, it is very necessary to exercise them regularly. Without regular exercise, mild-mannered dogs will not be able to let off steam, run around and do what dogs normally do when they play. On the other hand, I can see the point of view of the people who use the beaches for recreation. They do not want to tread in dog excrement or have dogs relieve themselves on the clothes which they leave on the beach while they go swimming.

The people who approached me were people who keep pedigree dogs. Very generally, people who keep pedigree dogs handle them a great deal and show them. The dogs are under control both on the lead and off the lead. A person does not necessarily need to have a dog on a lead to have it under control. Many of these dogs, even if they have not been actually obedience trained, are much more obedient than dogs who are not handled very much or trained at all. At some time in the future the Conservation Commission or another agency will need to consider setting aside a beach, which is regularly cleaned by the tides but which is not frequented much by people, for the exercise of horses and dogs. That beach would be the only one where animals can be exercised.

That brings me to a related point. A women who wrote to me indicated that one of the reasons why she wanted to take her dogs to the beach was that she was a frequenter of the free beach and she felt that her dogs gave her some protection. I contacted this lady and we had quite a long talk about it. Ideally, if one wishes to go to the free beach, one should be able to do so at any time, accompanied or unaccompanied, and avail oneself of the freedom of lying around with no clothes on. Unfortunately, the reality is that a place like the free beach attracts many of what are called pervs who hang out in the sandhills. I have not been down to the free beach for some time but, when I did go down there at times, I caught sight of these people scurrying hither and yon. I do not know why they do it. If they are that interested in seeing a nude body, why don't they contribute something to the scenery themselves?

Mr Hatton: Embarrassment.

Mrs PADGHAM-PURICH: The honourable minister says it is because of embarrassment. If you go down to the free beach, you see people of all shapes and sizes. I does not really matter. In view of the complaint that I had received, I contacted the police. There were also complaints from other people. I was told that the police horse patrols were patrolling the sand dunes backing the free beach. This is very similar to an operation which is conducted regularly on the Swanbourne Beach in Western Australia where the police have flushed out any number of pervs and made it much safer for women. A woman must be realistic about the situation. I believe that a woman is very unwise to go to that beach unaccompanied by another companion of either sex.

As the free beach has been set aside by the government for use by nude bathers, the interests of nude people should be foremost. Therefore, I am very much in favour of flushing out these pervs from the sandhills. However, the opposite situation should prevail on Fannie Bay Beach or Mindil Beach or other beaches where people are supposed to wear bathers. The member for Port Darwin and I think alike on this, although the Darwin City Council does not. The member for Port Darwin has said previously that he was opposed to women removing the top part of their bathers on what I will term the clothed beaches, as opposed to the nude beach. It is a fact that people do go around with fewer clothes on these days than they did 20 years ago but, believe it or not, it is a fact that there are still people in the community who do not like to look at the nude body in public places. Their views are as valid as anybody else's views. I believe that, on beaches where one is supposed to wear bathers - what I call the clothed beaches - the views of those people who feel that way should be paramount. If one wants to disrobe, one should avail oneself of the free beach. If one does not want to strip off, one goes to the other beaches where one is supposed to wear bathers.

Mr Hatton: Where is the middle ground, where you go topless?

Mrs PADGHAM-PURICH: I am coming to that, Mr Speaker. The honourable minister asked where the middle ground is. I think he is talking about the upper ground.

Mr McCarthy: High ground.

Mrs PADGHAM-PURICH: I am not being facetious. This is a very important subject to many people.

The time is coming when consideration has to be given to the fact that people frequent nude beaches, and good luck to them. They have their reasons for doing so, and a good government tries to accommodate the views of different sorts of people in the community. However, we need to remember that, when the free beach was first declared, it was relatively removed from settlement. I have not been there recently but, if my previous forays to the beach were anything to go by, it seemed that every man and his dog was going to the Lions Park for recreation and a barbie. Thousands of people go there now, and the residential area is now much closer to the beach than was the case in former years. As a result, I believe that, in the near future, the minister will have to consider relocating the free beach to a more distant site. I do not know whether many more suitable stretches of beach are available. After Sandfly Creek, my geography is not the best. I am told, however, that the coast in that area deteriorates into mangrove areas and is therefore is not suitable.

Mr Speaker, I have expressed my views on bathers, beaches and nude beaches. It is probably rather like closing the door after the horse has bolted because the Darwin City Council has made a decision already to allow topless bathing on the beaches. I still maintain that there is a time and a place for everything. There is a place for nude bathing, and there is a place for bathered bathing.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

PETITIONS

United Nations Convention on the Rights of the Child

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I present a petition from 400 citizens of the Northern Territory requesting the Assembly to do all in its power to stop the Australian government from being a signatory to the United Nations Convention on the Rights of the Child. The petition bears the Clerk's certificate that if conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that, being caring parents, fully aware of the duties and responsibilities of our children and firmly believing in the inviolability of family life, and greatly fearing that the Australian government, by signing the United Nations Convention on the Rights of the Child, could erode our rights and responsibilities as parents and could do irreparable harm to the future of our children, your petitioners therefore humbly pray that the Legislative Assembly take note of our earnest and urgent request to require it to do all in its power to stop the Australian government from being a signatory to the United Nations Convention on the Rights of the Child.

Court Sentences

Mr PALMER (Karama): Mr Speaker, I present a petition from 771 citizens of the Northern Territory requesting that the Assembly ensure court sentences reflect the severity of the crime committed. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that they wish court sentences to more adequately reflect the severity of the crime committed. Your petitioners therefore humbly pray that the Legislative Assembly include a minimum sentence in the case of sentences relating to violence, and your petitioners as in duty bound will ever pray.

Allegations Relating to Education System on Groote Eylandt

Mr LANHUPUY (Arnhem): Mr Speaker, I present a petition from 203 citizens of the Northern Territory requesting the Minister for Education to conduct an investigation into allegations concerning teachers at Groote Eylandt. The petition does not conform with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

We the undersigned here call on the Northern Territory Minister for Education to conduct a full and open investigation into the allegations made on the ABC 7.30 Report by the Northern Territory Teachers Federation and by some Groote Eylandt residents, school council members and teachers past and present. Because of the serious and far-reaching nature of these continued allegations, we feel that this investigation must be held immediately. Further, we are concerned that, unless the matter is fully resolved, the quality of education will suffer along with the professional reputations of those people who will be vindicated by an investigation.

LEAVE OF ABSENCE

Mr LANHUPUY (Arnhem): Mr Speaker, I seek leave of absence of the member for Stuart for the day, due to family commitments.

Leave granted.

STATEMENT
Strategic Land Use Planning - Darwin Region

Mr MANZIE (Lands and Housing): Mr Speaker, I rise to inform honourable members of major land use planning initiatives undertaken recently by the government. These initiatives are of great importance, not only to government agencies and developers, but to all sectors of the community. For some years, this government has recognised the need for long-term strategic land use planning in the Northern Territory. Such planning is needed to establish a broad, regional land use structure to act as a basis for more detailed planning for specific areas as development proceeds. To undertake such planning on a regional basis is a major project requiring considerable resources and literally years of work.

I am sure that all honourable members could think of examples of a lack of foresight in planning the early development of Darwin, not to mention other towns in the Territory, prior to self-government. Examples which spring to mind include the location of fuel storage depots in Stuart Park, explosive storage magazines in Winnellie and a defence air base in the path of Darwin's residential growth. The legacies of such a lack of long-term planning are usually extremely costly and sometimes impossible to rectify.

I must also give credit where it is due, particularly to those individuals who made valuable contributions to land use planning in the Territory in past years. As far back as the 1940s, a planner from Brisbane, Mr R.A. McInnis, was probably the first person to undertake long-term strategic planning for Darwin. His work included a 30-year forward plan. However, priority was given to immediate post-war reconstruction and his work never received formal endorsement. The first resident town planner in Darwin, Mr Harcourt Long, undertook considerable forward planning work in the 1960s. Mr Long analysed regional land suitability, development constraints and future land needs. His statutory Darwin town plan was produced in conjunction with a non-statutory broad land use structure plan which indicated a long-term need for land on Cox Peninsula. This plan was made public in 1964 under the title 'Proposed Development - Darwin Metropolitan Region'. Although the plan was influential, it did not receive any statutory endorsement.

During the early 1970s, a range of forward planning activities was undertaken, mainly through the consultants, Pak Poy and Associates. Several interrelated reports were produced which contained what, in effect, were

land use structure plans for the future development of Darwin. Once again, although these documents were made public and influenced government decisions of the day, including the infamous 32-square-mile acquisition, again they received no statutory endorsement.

In 1974, an inquiry into the subdivision of freehold land near Darwin was initiated by the Northern Territory Legislative Council. The commissioner who conducted the inquiry, Justice Sir John Nimmo, recommended in his report the preparation and publication of a master plan for the whole Darwin area as a blueprint for orderly development. Unfortunately, the Nimmo Report was published immediately after Cyclone Tracy and did not receive the attention it deserved. As in the post-war period, during the years following Cyclone Tracy, all planning resources of the Darwin Reconstruction Commission were directed towards development control.

In 1978, the new Territory government inherited a very confused and inadequate planning system. Nevertheless, within the first year of self-government, some significant steps were taken in strategic planning. Notable among these were the establishment of regional planning boundaries for Darwin and other centres to include all land considered to be relevant to future urban growth and eventual statutory planning control. The amendment of the Planning Act in 1983 by the insertion of section 66A paved the way for publication by the government of planning and development objectives. Such policy statements must be taken into account by a consent authority in making decisions relating to development. The minister may also give evidence to the Planning Appeals Committee regarding published objectives during any appeal hearing.

A number of policy statements have been published under section 66A, including the Darwin Regional Structure Plan of 1984, the Alice Springs Structure Plan of 1985 and, subsequently, the Alice Springs Regional Land Use Structure Plan of 1989. The Darwin Regional Structure Plan of 1984, given the uncertainty created by the Kenbi Land Claim, provided a structure for medium-term growth to a population horizon of 200 000 into the area south of Palmerston. This area has since been named Weddell.

In 1986, the Department of Land collaborated with the Water Division of the Department of Transport and Works to consider future land use in the Darwin region and a strategy to identify, protect and develop regional water resources. This work culminated in the endorsement by the government of the Darwin Regional Water Supply and Land Management Strategy in 1988. Other regional planning work, related to roads and service networks and to establishing a regional sewerage treatment and disposal re-use strategy, is proceeding. Major infrastructural requirements of the Territory, such as ports or the railway, have also given impetus to regional planning activities. An essential component of these projects is the land use structure concept for long-term development in the Darwin region. In recognition of the need to give much greater priority to this aspect of planning, a new Strategic Land Use and Development Division was created in the Department of Lands and Housing in January 1989. Although this division is not large numerically, it has allocated for the first time a specialist planning and demographic team to concentrate solely on strategic land use planning.

As a result of the concentrated effort which my department has been able to direct into this area, I have now published the Darwin Regional Land Use Structure Plan 1990 which provides for the growth of Darwin to a regional population horizon of 1 million people. This plan extends, updates and supersedes the earlier regional structure plan published in 1984. The

Darwin region, as defined in the structure plan, is generally bounded by the Adelaide River system in the east and south-east, the Finniss River system in the south and south-west, and the coastline of Bynoe Harbour, Cox Peninsula, Darwin Harbour, Shoal Bay and Gunn Point Peninsula. Given the importance of water resources to land use planning and the potential for water to transport silt and pollutants, it is appropriate that the region be defined by reference to its rivers. Ideally, their entire catchments should be used as the planning base, but such an area would be too unwieldy. Therefore, only those parts which will contain development or catch run-off from development are included.

Concurrently with the publication of the Darwin Regional Land Use Structure Plan, I have published sub-regional land use structure plans covering Cox Peninsula, the Litchfield Shire, Gunn Point Peninsula and Finniss. I have also published detailed land use concept plans covering development at Mandorah and Murrumujuk, the latter being on the Gunn Point Peninsula fronting Shoal Bay. Sub-regional land use structure plans for Weddell, Coomalie, Warrai and Marrakai, also within the Darwin region, have not yet been prepared.

I should point out to honourable members that none of these plans attempts to predict the time for the achievement of a particular level of growth. Rather, they seek to establish, in broad terms, the types of land uses likely to be associated with the adopted population horizon, regardless of when it is achieved, and to designate areas suitable for such uses. The plans will provide the basis for further, more detailed planning and are intended to be reviewed periodically and modified where necessary. Obviously, the general public will have an integral role in this process.

It is considered necessary to plan now for the eventual growth of Darwin to a regional population of at least 1 million. This recognises the prospects for sustained economic expansion in the Territory and is based on the actual historical experiences of comparable capital cities in Australia. In particular, Perth is regarded as a valuable model for comparison, given its initial reliance on a hinterland economy based firstly on pastoralism and agriculture and, later, mining. Perth's population has grown from 70 000 to 1 million people in 85 years, and Adelaide and Brisbane have experienced similar rates of growth. Because of the Territory's natural resources and strategic location in relation to South-east Asia, Darwin has unique and exciting prospects for major, sustained economic growth over the coming decades.

While preparation of these plans has been proceeding naturally for some time, their publication has been expedited because it is vital that they be available for consideration as evidence by the Aboriginal Land Commissioner in relation to the Kenbi Land Claim. I wish to make it quite clear that the government is not attempting to hide the fact that the plans will be tendered as evidence in the claim hearing. However, I stress strongly that the plans have been researched and designed on planning grounds alone. I urge honourable members taking part in this debate to do so on the basis of the planning issues involved. In simple terms, the government sees Cox Peninsula as the natural and logical direction for the future growth in Darwin. Accordingly, it is vital that the commissioner have all the relevant information concerning the government's planning for the region when considering the detriment aspects of the claim.

I turn now to a brief outline of the key elements of the Darwin Regional Land Use Structure Plan and associated sub-regional plans. I will deal with the regional plan first. Four options for the direction of future urban

growth are examined and analysed in relation to geographic and other constraints, opportunities and land capabilities. Very briefly, these are: option 1 - Litchfield and Gunn Point Peninsula together; option 2 - Litchfield and Coomalie together; option 3 - Finniss; and option 4 - Cox Peninsula.

The undeniable conclusion is that Cox Peninsula is the best location for future major urban expansion. Urban development elsewhere would be far more constrained by various considerations. These include: the impracticality of relocating the large, established rural community to make way for urban development, particularly in terms of cost and unacceptable social disruption; the need to protect ground and surface water supplies from pollution; the need to retain areas of suitable soils for agriculture and horticulture; the need to avoid major insect breeding areas with their associated disease risks and discomfort; topographical considerations, particularly the scope for designing efficient transport routes for a metropolis of 1 million people; the natural desire of urban dwellers to live near the sea and the need also to locate industrial areas close to suitable port sites; and the relative proximity of the various areas to existing areas and infrastructure.

The plan identifies urban and rural residential land to accommodate 1 million people in the region with 570 000 on Cox Peninsula. Five new town sites are identified, including Weddell which was also identified in the 1984 structure plan. The choice of residential style will range from high density apartments through medium density attached and traditional detached urban dwellings to low density rural living. It is expected that 10% of the population will continue living in rural areas while urban density will increase only slowly. About 25% of the regional population will occupy attached dwellings.

The existing central business district will continue to grow and maintain its pre-eminence. However, significant decentralisation of commercial activities to regional centres, including Casuarina, Palmerston, Weddell and 4 new centres on Cox Peninsula, will occur. Provision is made for service commercial activities which require prominent exposure and convenient access, but which need not occupy central business district or other prime commercial locations. Major prospective industries include production or processing of minerals, energy such as oil or natural gas, and meat and vegetable products. Land is identified for a variety of industrial uses. The location of industries must take account of needs for transport, access to water for cooling or processing, separation from or proximity to other industries and many other factors. Major industrial areas have been identified around Darwin Harbour and on Cox Peninsula adjacent to a future deep water port site.

The shape of Darwin Harbour will allow for development of a metropolis around a central industrial core, offering efficiencies in providing a transport network and other services. Completion of a railway from Alice Springs to Darwin will greatly enhance Darwin's role as a trade bridge to Asia for the whole of Australia. Primary industry, including horticulture, agriculture and intensive animal production, has considerable potential and future land and water requirements for these activities are taken into account. Mining and extractive industries can continue in the regional metropolitan context subject to suitable controls. The number of various community facilities needed, such as schools and hospitals, has been broadly defined. However, identification of specific sites for such facilities will be undertaken as part of later and more detailed planning.

Planning so far in advance provides a unique opportunity for the government to achieve a fully coordinated system of conservation and recreation parks and reserves. Natural features will be utilised to the maximum extent possible. Of particular significance are the coastal wetlands and natural watercourses. A proposed coastal park, extending virtually the entire length of the regional coastline and including nearby islands, will provide for a variety of land uses in various parts of the coast. Existing and future water supply dams, except Darwin River and Warrai, will cater for recreational as well as water supply uses.

Estuarine dams are proposed to eliminate breeding areas for biting insects, subject to further studies into their environmental effects. These would also provide recreational opportunities and could be incorporated into transport networks. They would create extensive waterfront areas for residential and other uses and also give protection from storm surge and possible ocean level rises resulting from the Greenhouse Effect. Studies have been under way for some time in relation to such a dam which might be constructed on the Elizabeth River in Darwin Harbour. The needs of tourists, including accommodation, recreation and sightseeing, are fully recognised in planning for the region.

I turn to transport and essential services. A transport network for the region is defined including major bridges across several arms of Darwin Harbour. This will greatly reduce the land travel distance from the central business district to Cox Peninsula. An efficient public transport system will be essential, including effective, direct cross-harbour links between the CBD and Cox Peninsula - for example, ferries and possibly, at some stage, a tunnel for public transport.

The plan incorporates the government's regional water supply strategy, adopted in 1988. This is based on a series of dams, combined with ground water resources, to provide an adequate water supply to meet domestic, industrial and primary industry needs. Trunk routes for electricity and natural gas supplies have been identified. Sewerage and stormwater disposal has been planned for in broad terms, although more detailed investigations are still required and will be carried out as part of ongoing planning.

I will comment briefly now on each of the sub-regional plans. The Litchfield Land Use Structure Plan 1990 establishes broad principles for land use in the Shire of Litchfield and will serve as a basis for amendment of the Darwin Rural Area Plan of 1983. The plan focuses around maintaining the rural lifestyle in the area, and I am sure current residents of the area will take comfort from knowing the government is committed to preserving the rural lifestyle for those who choose it. The plan balances development with known environmental values and constraints. It recognises land and water resources, both of major regional significance, and provides a land use structure for their appropriate use and management. In particular, planning priority is given to agriculture and horticulture. Provision is made for commercial, industrial, residential and community uses in a number of district centres, including the established centres of Humpty Doo, Howard Springs and Freds Pass, primarily to service the surrounding rural communities.

The Gunn Point Peninsula Land Use Structure Plan 1990 has been published in recognition of the fact that Gunn Point Peninsula, in the northern part of the Shire of Litchfield, is an area where more detailed planning is immediately necessary. The peninsula is mainly undeveloped at present but has potential for early development for agriculture, aquaculture, recreation, tourism, rural industry, selective urban development, and rural

living. The peninsula is within 1 hour's driving time from the Darwin CBD and 40 minutes from Palmerston. Some areas are suitable for subdivision for rural living, while urban development at Murrumujuk on the Shoal Bay coast is planned. Coastal management will allow controlled access for recreation, tourism and aquaculture. Sites of high conservation value include rainforest areas and Melacca Swamp, a notable salt-water breeding site.

The Murrumujuk Land use Concept Plan 1990 provides a more detailed policy plan for a proposed town to accommodate an eventual population of up to 10 000. This centre will have a special role in providing community services to the developments on Gunn Point Peninsula in horticulture, agriculture and aquaculture. Water will be piped from bores elsewhere on the peninsular to Murrumujuk. Buffers have been planned between urban development and breeding areas for biting insects. Development must take account of several known sites of significance to Aboriginal people, and honourable members would also be aware that environmental questions with regard to possible development along the cliff top are presently being examined by my department. Development will not proceed until these questions have been resolved satisfactorily. It is expected that the town will extend eventually over some of the land currently occupied by the Gunn Point Prison Farm.

The Finniss Land Use Structure Plan 1990 covers the part of the Darwin region to the south and west of Cox Peninsula and westward of the Litchfield Shire boundary, including the coast and islands of Bynoe Harbour and Port Patterson. The area is relatively undeveloped, with limited economic activity and little infrastructure. Existing constraints on development include remoteness and a lack of roads and services, particularly a lack of available surface or ground water. Unalienated Crown land is subject to the unresolved Finniss River Aboriginal Land Claim while other areas are held as Aboriginal freehold and for defence purposes. Extensive urban residential development in Finniss is not supported because of its isolation, the cost of providing services, and environmental constraints related to the wetlands and mangrove areas. However, eventually, rural or semi-rural residential communities could accommodate up to 50 000 people.

In general terms, the major focus of Finniss is, and will continue to be, on recreational activities using areas of significant conservation and recreational value. Most notably, these are the wetlands of the Finniss River and the Fog Bay coast. The Finniss wetlands are important as breeding grounds for crocodiles, magpie geese and prawns, and the need to protect this resource is recognised. The proposed Mount Bennett Dam, in the east of this sub-region, will serve recreational as well as water supply use. There is potential for some economic activity other than tourism - for example, mining, especially for tin, commercial fishing and marine aquaculture. There is also some scope for raising stock, using improved pasture in conjunction with seasonal grazing of riverine plains. However, in general, the prospects for pastoral and agricultural activity are limited. As its full developmental potential is reached, the Finniss sub-region will require 3 major regional centres, one at Fog Bay and 2 others further inland. The plan also envisages that there will be 9 smaller community service centres. Generally, intensive residential development will be kept away from the southern part of the Finniss to avoid major mosquito breeding areas.

As I have stated already, the Cox Peninsula Land Use Structure Plan 1990 has long been regarded as the natural and most appropriate direction for the future expansion of Darwin. This was recognised in planning for future urban growth of Darwin as far back as the early 1960s. Existing land use includes freehold weekender subdivisions, several tourist facilities, the

Radio Australia telecommunications facility, and the Belyuen Aboriginal community. The peninsula is otherwise generally undeveloped except for some small-scale mining activity on the Bynoe Harbour coast. Ground water on Cox Peninsula is limited, as is the potential to develop any major surface water supply. Therefore, a prerequisite to any major development will be the provision of water from external sources. Whilst the capital cost to achieve this will be quite considerable, a similar investment would be required for any of the other options.

Four future major urban centres are defined on the peninsula with a total population capacity of 570 000. Sites suitable for future ports have been identified, the favoured locations being at Point Margaret in Bynoe Harbour and Blackmore Point in Darwin Harbour. Other possible sites in Bynoe Harbour are at Guilfoyle Reef and Raft Point. While port development at these latter 2 sites is not proposed in the plan, further environmental and engineering investigations could eventually indicate that one or more of these could be considered further.

Industrial land has been identified adjacent to the port site and strategically located between residential areas. Coastal areas are generally within coastal or marine parks, as proposed in the plan. Limited areas have been identified for rural residential use. Some areas are considered to be suitable for aquaculture or horticulture, but these uses would depend on the provision of an external water supply and are unlikely to be economic.

The plan assumes that the land held by the Commonwealth will become available eventually for other uses. The peninsula is prospective for minerals, notably tin and tantalum, both of which have been mined in a limited way over a long period. The need to protect Bynoe Harbour mangroves and their productivity is recognised, and further investigation is needed in this regard. Protection will be based on similar criteria to those adopted in the existing Darwin Harbour Mangrove Protection Plan.

I turn now to the Mandorah Land Use Concept Plan 1990. Mandorah is the location where further development on Cox Peninsula is most likely to occur in the short term. Accordingly, the land use concept plan provides a more detailed land use policy statement for this area. Further significant development cannot take place without provision of an adequate water supply. Ultimately, this will have to come from outside Cox Peninsula, although there has been preliminary assessment of a small, local dam site which could augment the recently-constructed limited water supply scheme and cater for up to 8000 people. In the short term, the plan provides for continued development of semi-rural lots, using the existing limited services, together with further development of tourist facilities. In the longer term, redevelopment to urban density is likely to occur within the context of major urban development on Cox Peninsula. The plan identifies a site for major land-water transport interchange to serve the whole of Cox Peninsula and connect with the Darwin CBD.

Under this government's policies and initiatives, the Territory has exciting prospects for major industrial development and economic growth over the next few years. The government is equally confident that we can look forward to sustained economic growth and population expansion over many years to come. Therefore, it is vital that we have a clear blueprint for the overall urban growth of the Darwin region as well as other Territory centres. This is the first time in the history of the Northern Territory that any government has taken such a farsighted and comprehensive approach to regional land use planning. These plans mean that all levels of

government, as well as developers and entrepreneurs, will now be able to make far more confident and informed decisions on the location of future infrastructure needed to provide for the growth of Darwin into a major metropolis well into the 21st century. They are the product of continued work and commitment by my department over a number of years, and I would like to pay tribute to the officers who have dedicated so much of their time and energy to producing these important documents. I believe that Territorians of the future will have cause to be very grateful to them.

It is important to point out that every detail of these plans is not set in concrete. As is necessary when planning is undertaken for many years into the future, the documents will be open to review and are capable of modification to meet changing circumstances. There will be opportunities for public contributions to this process. These documents themselves will be widely distributed in the region over coming weeks. They will be on display in the Darwin Mall, the Casuarina Shopping Square, the Palmerston Mall and at the Freds Pass Show. All councils affected by the plans have already been briefed by officers of my department.

In conclusion, I would like to make a few comments regarding recent publicity given to these plans prior to their release. It is unfortunate that various individuals have attacked the plans and their purpose. They have used half-truths and exaggerations. They have attempted to portray the plans as unnecessary or as a grandiose gesture by the government which has been cobbled together solely in connection with the Kenbi Land Claim. There has been criticism also that it is unnecessary to plan so far ahead without, so the critics say, planning for the short to medium term.

Mr Speaker, I can only wonder at these people and the current affairs program which gave their criticisms so much credence. They did not bother to check their facts first. I suppose that would have spoilt the story. I have been able to demonstrate clearly that these documents did not appear overnight. They are the product of many years of commitment and research conducted in order to provide the Darwin region with a viable foundation on which to build future development. Of course they will be used in relation to the Kenbi Land Claim. This government has never claimed otherwise. Indeed, we would certainly be open to criticism if we failed to place such important evidence before the Aboriginal Land Commissioner when he is considering a claim which has enormous ramifications for the Territory's development. Even so, it is ludicrous and mischievous to suggest that they were produced solely for the land claim.

It is equally ludicrous to suggest that we should not be undertaking such long-term planning at this stage. We have an important opportunity to avoid many of the severe difficulties which are now being faced by capital cities interstate where such planning did not occur. The appalling transportation problems which occur in these places demonstrate clearly that the opportunity must not be wasted. It is important also to recognise that the short- to medium-term options for the development of Darwin have already been addressed by this government, despite claims by some individuals.

For the benefit of the member for Wanguri, the main urban development of Darwin in the short to medium term will occur at Palmerston and Weddell. These areas have been identified for a number of years and, in fact, were an integral part of the widely-published Darwin Regional Structure Plan of 1984. I might add that that plan comprehensively discussed options for all levels of future land needs from urban to industrial and the associated issues in the Darwin region. I recommend that the honourable member make

himself familiar with it. It is a pity that, as a newcomer to the Territory, he has always failed to become conversant with the activities which have been occurring in Darwin and in the Territory in the short to medium term. I deplore his attitude and I ask the media to examine his record and to take his comments or suggestions with a grain of salt. He never gets it right.

Mr Speaker, I commend these regional land use plans to honourable members and I table them. I move that the Assembly take note of the statement.

Mr BAILEY (Wanguri): Mr Speaker, like the minister, I have a prepared speech. Before I come to it, however, I would like to deal with some of the comments which he added at the conclusion of his statement. He stated that I never get it right. Last week, in answer to a question which I asked in relation to the rezoning of certain land, the minister made the lighthearted remark that the term 'rezoning' was totally inappropriate to that block of land. It seems that the honourable minister should get in touch with his own department. It would appear that every piece of literature that his department issues in relation to that block of land refers to 'rezoning'. Perhaps the minister has it right and the Planning Authority continuously has it wrong. I do not know.

I was surprised too to find that the minister spent much of his speech simply reading from the Darwin Regional Land Use Structure Plan. I would have thought that he could have made an effort to do more than simply plagiarise existing documentation.

Mr Reed: Plagiarise? That is what it is all about.

Mr BAILEY: Yes, that is what it is. Anyone can read that.

Douglas Adams wrote 'The Hitchhiker's Guide to the Galaxy'. We have just seen the Minister for Lands and Housing produce a document with less credibility and with no entertainment value whatsoever. I will begin my response to the minister's statement by quoting from the September 1989 edition of the Journal of Australian Urban Studies, Volume 17 No 1, which contains an article by John Mills entitled 'Cities of the Future'. Mills says:

> Whenever we invest time and effort in developing scenarios to describe possible futures, the one thing we can be quite sure about is that the reality will turn out very differently or, if you like, that those scenarios will be wrong. No matter how much we invest in time and effort in producing scenarios of the distant future, we will be wrong.

The minister endorsed that finding in the first few pages of his statement. I quote the minister: 'As far back as the 1940s, a planner from Brisbane, Mr R.A. McInnis, was probably the first person to undertake long-term strategic planning for Darwin'. Unfortunately, as the minister notes, that plan was overtaken by the World War II. Undaunted, according to the minister, the first resident town planner, Mr Harcourt Long, tried again in the 1960s. As the minister noted, although his work was influential, it did not receive any statutory endorsement. Continuing his historical resume, the minister noted that the forward planning activities of Pak Poy and Associates in the early 1970s received no statutory endorsement. According to the minister, it did not stop there. In 1974, another attempt was made. Cyclone Tracy intervened and, to quote the

minister, 'the blueprint for orderly development ... did not receive the attention it deserved'. Having established the futility of producing this report, the minister produced this report. I say again that, no matter how much we invest in time and effort in developing scenarios of the future, we will be wrong. This minister and this government have invested a vast quantity of both time and money in the production of just such a scenario.

Mr Perron: And you are saying that it is all wasted.

Mr BAILEY: You do not need a planning degree to know that the longer the term of the forecast, the greater the margin of error. When we postulate a vision of the future 100 years from now, we move into the realms of science fiction and fantasy. The danger with this document is that it will be seen as a serious and reliable description of future historical outcomes. The danger is that developers today will make decisions predicated on this document, and people in the here and now will take this document as an accurate assessment of their property values and potential. Who will be to blame for the inevitable random and uninformed speculation which this document will provoke?

The document goes into the future with such extravagant precision and detail that it could be taken as a blueprint. It is nothing of the sort. The fundamental error in this document is the assumption that trend analysis, based on historical and current conditions, will provide an accurate picture of life in 100 years time. In other words, it assumes that what is happening now will be happening increasingly in the future. Let me illustrate the point. If this document had been produced in 1880 using the same trend analysis principles as are being used today, we would have a plan for a transportation system based on a century-long expansion of the use of horses and carts. We would have a plan for a city without electricity, without high-rise development, without airports, without shopping centres and without carparks. In other words, it would be a plan full of entirely useless projections.

Given the rapid escalation of change in the past 300 years, this document is particularly worthless. Any urban planner will tell you that a planning horizon beyond 30 years is an exercise in futility and a waste of taxpayers' money. By the minister's own admission, even a 30-year plan is vulnerable to unpredictable events such as the Second World War. Any respectable planner will tell you that forecasting over even a much shorter time horizon requires the production of what is known in one highly-regarded planning technique as 'a fan of futures'. A responsible planner will consider the probability of each of the elements in a forecasted future becoming a reality. Subsequently, the planner will assign a value to each probability to determine its likelihood. If this were a serious 20-year plan, the planners would have assigned a probability value to the use and need of the motor car for example. What are we to assume about a document that presumes there will be no change in transport technology in the next 100 years? What are we to think of a document which goes so far as to predict, and even to illustrate with dotted lines, exactly where an unexplained rail link will pass via a tunnel from an empty peninsula to the central business district?

Of course, this government knows this document is worthless. Let me quote from the introduction: 'The plan deliberately does not specify a time frame for development'. The reason, of course, is that the government does not know when or how or if any of the illustrated fantasies can be translated into reality, and here I refer to the whole baggage of the minister's speech as it relates to the Darwin central business district,

Darwin proper, Litchfield, Gunn Point, Murrumujuk, Finniss, Mandorah and Cox Peninsula.

Let me quote again from the introduction: 'The plan does not itself commit the government to any action'. Of course it does not. The government has no intention of committing itself to anything contained within any of the plans and brochures it has produced so expensively on our behalf. Thus, the plan is certain to be wrong. The plan is based on false principles. The plan has no time frame. The plan commits the government to nothing. Nevertheless, in his concluding remarks, the minister stated that 'all levels of government, as well as developers and entrepreneurs, will now be able to make far more confident and informed decisions on the location of future infrastructure needed to provide for the growth of Darwin into a major metropolis well into the 21st century'. They will be 'confident' on the basis of a plan which is certain to be wrong, based on false principles, has no time frame and commits the government to nothing. The reasonable voter will ask why on earth the government went to all of this trouble. That was the question asked by several senior departmental people who were dragged into the exercise when it was floated. Dubious both about the exercise and its motives, especially concerning Cox Peninsula, they were reluctant to commit departmental resources, but they were overruled.

I can think of only 2 reasons for this exercise and neither of them is good. First, it will put a screen of colourful paper over the planning void created by this government. Secondly, it will support the government's discredited position on the Kenbi Land Claim. The government is claiming that it has done all of this on our behalf. In fact, it has done it all on its own behalf. That is why I make the most reliable forecast that we will hear throughout this debate: this planning document has a life expectancy of less than 12 months and, after that time, it will be shelved as an idle curiosity. The minister said that it is not set in concrete. He is too modest; it is not even set in aeroplane jelly.

Later in my remarks, I intend to deal with the planning void which this government has created and which this document fails to conceal. However, first, I want to address the document's impact on current negotiations over the Kenbi Land Claim. Here, the minister tipped his hand and tipped a bucket of water over the whole worthless exercise. In his statement, the minister said: 'Publication has been expedited because it is vital that the documents be available for consideration as evidence by the Aboriginal Land Commission in relation to the Kenbi Land Claim'. That is why this document is before the House. Unlike the fantasies it presents, the mischief this document will do is immediate and is happening in the here and now. It is a mischief which is measured and deliberate. Already, those negotiating on behalf of the Aboriginal communities on Cox Peninsula have described this document as a road block to settlement of the claim. That means a negotiating process, begun years ago and slowly, painfully and expensively moving towards resolution, has been set back. That is the real and immediate impact of this fantasy, and that is the only outcome that we can rely on it to produce.

The great attraction for this government in producing a document like this is that it is never necessary to involve real people. The experts and the artists can be sent into a back room to dream the dreams and put them down on paper. As the minister says, the research and design has been done by experts 'on planning grounds alone'. People were never involved. As the minister says, this production is the work of 'a specialist planning and demographic team'. In fact, the last thing it wants in this type of exercise is real people because real people are interested in real planning

issues that do really affect them. They want to know what the politicians whom they elect will do for them in their lifetime.

What this document avoids studiously is the planning void of what Darwin will be like in 10 or 20 years - in other words, what Darwin will be like for the people who have paid for the production of this document. They would like to know, for instance, what is the planning policy on high rise. There is no planning on high rise for their city. They would like to know the government's policy on what should replace the oil tanks. There is no policy on what should replace the oil tanks. They would like to know how we are to achieve planning for the tropical city that they have asked for. They do not know how that will be achieved. If the electors of Darwin had wanted Jules Verne or Douglas Adams to design their future, no doubt they would have voted them in. What they voted for and what they expected was a government which cared for them and their interests.

Mr Reed: Tell us about the alternative. What are you going to do?

Mr BAILEY: I will. On this side of the House are members of parliament, shortly to be on that side of the House, who have taken the trouble to find out what those interests are. We did that through the 'Planning for People' campaign last year and it is interesting to note that, in the 3 days of that campaign, we gathered as many detailed responses from the public as this government could muster in 3 months through its public meetings on conservation strategy. The purpose of 'Planning for People' was to find out what the people of Darwin wanted their city to be like. We imagined a city of Darwin 30 years from now, at the very outside edge of reasonable planning horizons. We gave it a shape and laid it out in a concept plan. It was not a final statement. It was a tool to provoke people into thinking about the type of city in which they wanted to live and work. In the first 90 minutes during which it was on display in the Darwin mall, more than 60 people lined up to fill out a 2-page questionnaire, 'Planning for People'.

We went then to Casuarina and the Royal Darwin Show. Mr Speaker, you will be surprised to know that 99% of the respondents believe they should be asked how they want their city to develop, and that 95% have never been asked. It is relevant that 85% either do not want high-rise building or want it confined to a single precinct. People do care, believe it or not, and they do want to be heard. They want a clear and agreed concept for the development of their city but, most importantly, they want it to be real. Above all, they want the vision to be coherent. At the moment, a multiplicity of competing visions are in circulation. The Darwin Design Group has been commissioned by government to produce a vision of the future. We have the conservation strategy. We have the paper on proposed revisions for the machinery of planning. We have 'Territory on the Move'. Soon we will need to clear a space on our shelves to make room for them all. However, we do not have a strategic plan. Because we do not have a strategic plan for Darwin, we have been operating and will continue to operate in a planning void. The Planning Authority is nothing more than a zoning authority and the vision of Darwin as a tropical city is degenerating into a random tree-planting exercise.

Yesterday, I announced a Labor government's plans for establishing those essential strategic plans for Darwin. Two concept plans will be produced. The first will cover the immediate and verifiable forecasting future of 10 years. The second will expand that to the event horizon of 20 years. These will be produced by a strategic planning unit, established as quickly as possible within the new departmental structure established by Labor. We

will then pursue the path laid down through 'Planning for People'. The concept plans will be used to draw in the widest possible public comment and participation. The results will be reported and then handed to the strategic planning unit as its primary guide in respect of strategic plans. The strategic plans will be displayed for a final round of public comment before legislation is prepared. Put simply, Labor will create real plans involving real people and a real government commitment which people can use to create their tropical city reality.

But Labor will not stop there. Darwin is the capital, but that does not mean that people in the Territory's other major centres do not have the same interests and concerns. Labor will program strategic planning for Alice Springs, Katherine, Tennant Creek and Nhulunbuy. What Territory men and women cannot understand is why, after 14 years of CLP government, there are still no strategic plans for any of the Territory's urban centres. The minister talks about the next 100 years yet, 20 years after Rachel Carson, the government still has not grasped the simple, self-evident message that everything is connected to everything else. A strategic plan provides that interconnection, and a strategic plan must have a single legislative framework. It appears to me and to the entire community that planning in the Territory is a legislative mess. There is no single, coherent, legislative framework. We have a plethora of legislation that either impacts on, qualifies, touches on or relates to planning and environmental issues. As Rachel Carson pointed out 20 years ago, planning and the environment are inseparable. Under this government, they are never brought together. All of its recent initiatives indicate its firm intention to keep them as far apart as possible.

To illustrate the chaos of separate planning and environmental legislation in the Territory, let us consider the recent situation with Nabalco. Allegations were raised that Nabalco was responsible for cadmium and other heavy metal concentrations in the Gove Harbour and thus in the food chain. The grab-bag of legislation under which Nabalco operates currently includes the following controlling agreements and acts: the Gove Peninsula/Nabalco Agreement 1968, Special Purpose Lease 253, Special Purpose Lease 403, the Control of Waters Act, Permit 305, the Prevention of Pollution of Water by Oil Act, the Mining Act, the Mines Safety Control Act, the Territory Parks and Wildlife Conservation Act, the Conservation Commission Act etc. I am not suggesting that the list stops there. Nabalco suspects that there may be other controls, but this is the list which it provided. Nabalco simply does not know what all the controls are.

This is the government which claims to want to assist industry and companies. This is the government which claims to be offering clean, comfortable, simple conditions for settling and developing in the Territory. Labor will provide these conditions through a single legislative planning and environment framework. Unlike the document produced by the minister today, this task is essential to the orderly and environmentally sound development of the Territory. The Australian states have already undertaken the task, and it has taken them 2 to 3 years. Given the present legislative shambles here, it will take at least that long in the Territory. I have spelt out the process by which we will reach agreement on strategic plans which will provide some measure of reliability in the medium term. Whilst we will be setting that process in train as soon as is practicable after the election, we can begin to address the necessary legislative reform now.

Therefore, I am proposing that a committee of the House be established forthwith to undertake a review of all existing legislation as it applies to

planning and the environment. This committee should be set up immediately and consist of the usual ratio of government to opposition and crossbench members. It should be briefed to compile a total overview of all legislation relating to planning and the environment. This is no small task and, in my estimation, it will take many months. We can waste those months and begin the inevitable and necessary process after the election or we can begin now. We give our commitment that, provided the committee pursues its task diligently and effectively, it will be maintained under the Labor government. There are some members opposite who join with us in wanting to work with the community on developing real plans for a real Darwin in a real future. We can do it, but let us discard this fantasy document and let us get down together to the work that we were elected to do.

Mr PALMER (Karama): Mr Speaker, the contribution this morning from the member for Wanguri as opposition spokesman on lands and environment was an embarrassment to this House. We have a Regional Land Use Structure Plan for Darwin's future for some years to come, and I will address my comments particularly to the first few pages of the structure plan, headed 'Context'. I believe that the issue has to be addressed in its proper context or we will have uninformed debate, uninformed comment and we will develop uninformed expectations on the part of people within the Darwin region.

The plan sets out a number of objectives. It has been produced as an aid to identifying appropriate land uses in order to cater for a regional population in excess of 1 million, and it acts only as a basis for more detailed future planning and for both public and private developers. The specific objectives outlined in the plan can be summarised as being land capability evaluation, land and water resource identification, maintenance or improvement of existing lifestyles, adequate planning for uses dependent on coastal locations, and capitalisation of the diverse recreation and conservation resources of the area or the region. The plan talks about planning horizons. In formulating a structure plan, one must settle on a projected population for which one is planning. The total population at which the structure plan is pitched is almost irrelevant in the detailed planning process as all scenarios of population growth are taken into account within the proposed structure. Given a current regional population of 82 000, a sustained annual growth of 5% will produce a population of about 165 000 within 15 years. A more realistic growth of 2.5% within 15 years will produce a population in excess of 115 000 reaching, within 25 years, about 150 000.

Some of us can remember Darwin 25 years ago when it had a population of less than 25 000. At the time of Cyclone Tracy, there was a population of a little over 40 000. Today, it is in excess of 80 000. The long-term growth patterns are there and it is imperative that the planning mistakes made immediately prior to and immediately after World War II are not repeated. In the 50 years since the outbreak of World War II, Darwin has grown from an alternately dusty or muddy backwater to a thriving modern city with a growing industry base and brightening prospects for its future. Another 50 years growth at 2.5% per annum would result in a population of about 275 000.

It was a lack of planning 50 years ago that resulted in the airport being located where it is. It resulted in the port being located at the end of a narrow peninsula with little shore backing and almost adjacent to the CBD. It resulted in the army occupying the most valuable real estate in the region. 50 years ago, you would have been laughed out of town if you had suggested that planning should be undertaken to cater for a population of

80 000 by 1990 and, unfortunately, that planning was not undertaken and we now have to suffer the results. I am not saying that, if a detailed structure plan had been produced in 1940, some of those mistakes would not have been made. However, we would have been able to act earlier to remedy them. The former opposition spokesman for lands roundly berated this government for not producing long-term structure plans for Alice Springs. I now trust that now, in this debate, the member for MacDonnell will commend the government for producing long-term structure plans for Darwin.

The chapter headed 'Context' deals with water resources, catchment management and land resources, all of which can be grouped and dealt with as part of the conservation of the finite resources required to sustain large urban populations. In itself, water is not a finite resource. In the Top End, thousands of cubic hectares of water are available each year. However, from both engineering and economic viewpoints, suitable storage and catchment areas are a finite resource. Planning for the provision of urban water supplies needs to be carried out on a long-term basis so that development within both storage and catchment areas is limited and so that developments which are permitted do not prejudice the viability of those areas.

Unlike water, land is most certainly a finite resource. Once a particular land resource is lost to intensive use, it is well nigh impossible to reclaim that land for less intensive uses. Most important in this consideration is the preservation of our limited resources of land suitable for agricultural or horticultural pursuits. The few areas in the region that contain the rare combination of good soils and adequate groundwater supplies must be preserved for future productive use. The growing city of Darwin will need to become less reliant on imported foodstuffs, in particular fruit and vegetables. An expanding agricultural and horticultural industry, keeping pace with the city's growth, will contribute to that growth by taking an increasing share of the local market.

I turn now to growth prospects. There is nothing to suggest that the rate of growth of Darwin or its prospects for growth are any different from those which Perth experienced. In fact, our potential for growth is markedly better than that which faced Perth at the turn of the century. Given modern communications and our proximity to major markets - advantages which Perth did not have - our growth prospects are considerably brighter. The hoary old arguments of zero population growth have long been discredited. The world can support a growing population, and it is more to do with politics than global under supply that we still have people starving in the fourth world. Darwin will grow and I, for one, can vouch for the fact that past growth led to only one thing: it has made Darwin an even better place to live.

Under the heading of 'Land Suitability and Availability', the issue of Aboriginal land rights - and, in particular, the Kenbi Land Claim - is addressed. It is almost absurd that the future of Darwin, and the future of the Northern Territory with which it is inextricably linked, can be held to ransom by claims such as Kenbi. It has been patently obvious to anyone who has spent more than a few years in Darwin that its future growth should be directed toward the Cox Peninsula. No one on this side of the House would argue with the principles of Aboriginal land rights. However, those principles need to take close and serious account of the needs of the greater population. The granting of large areas of Cox Peninsula under the Aboriginal Land Rights Act will lead only to unreal expectations by the recipients of such a grant that they and their descendants will hold the land in perpetuity, blissfully untouched by increasing pressures of urban

development. As sure as death and taxes, some future government will be forced to legislate those people out of their land. All competing and conflicting land use claims must be settled now, satisfactorily and amicably, and once and for all.

On infrastructure investment, the one sure way of achieving the opposition's goal of zero or negative growth is the neglect of timely planning and the ultimate appropriation of moneys for infrastructure development. I alluded previously to the fact that the port is inappropriately located and, unless its relocation is properly planned in the context of a much larger city of greatly increased trading importance, there can be no guarantee that the mistakes of the past will not be repeated. I believe that, within the next 25 years, we can expect Darwin to become a major trading port, the focal point of the land bridge from the eastern seaboard to Asia and, as such, the terminus of Australia's last great railway project. The port infrastructure and its onshore support facilities are of vital importance to the future of Darwin and their physical relationship to the rest of the city will prove critical to the long-term best interests of the populace. Likewise, the location of fuel storage facilities and heavy industrial plant such as gas liquefication facilities and their necessary infrastructural supports will have a marked impact on a future Darwin.

The opposition spokesman made much mirth in the media over the allowance for transport corridors in the plans attached to this document. He stated that they make no allowance for technological developments. Let me remind the opposition spokesman that transport corridors are just that. They are passageways for the carriage of people, goods and livestock. No amount of technical advance will somehow lead to a reduction in volume or mass of those persons, goods or animals. Let us face it, history is riddled with references to transport corridors such the Appian Way, the road to Damascus and, recently, the Kokoda Trail, just to name a few. They were nothing more than transport corridors.

Better and more efficient methods of transport are the very basis of modern civilisation, both from the point of view of trade and of quality of life. I have no doubt that we will see better and more efficient modes of transport. In fact, the marked decrease in congenital abnormalities of babies born in England over the last 100 years or so can be attributed directly to the pushbike. In short, it brought about greater genetic diversity among the population of rural England by permitting young men, touched by the wonder of spring, to sow their oats over a broader population of fair maidens. The opposition spokesman's trivialisation of this crucial area of infrastructural development only reinforces the commonly-held perception that he is indeed thicker than 2 short planks.

Long-term planning for the future allows for close consideration to be given to matters of the environment. Notwithstanding the need for environmental considerations, it is an inescapable fact that any urban development, indeed any human activity, has long-term and dramatic effects on the pristine environment. At most, all that can be done is to limit those effects and to ensure the preservation of systems of a unique or significant nature. Again, this issue highlights the inadequacies of the opposition spokesman. A few short months ago, he was supporting the construction of a permanent salt-water lake within the Leanyer swamp as a means of controlling mosquito populations within that area. He ignored the havoc such a scheme would wreak on the entire ecology of Shoal Bay. Again through the media, he now castigates the government for having the temerity

to suggest similar schemes as possible options for controlling insects in estuarine areas adjacent to areas of possible future urbanisation.

My credentials in matters of the environment date back to my very first speech in this House when I addressed at length the problems of mosquitoes emanating from Leanyer Swamp. At that time, I asked this question, and I ask it again now: how can man be expected to be tolerant of his environment when that environment is intolerant of man? Surely the control of mosquitoes and other insects at source, by means such as the creation of lakes, is a far better method than forcing individuals to control them at home or in the workplace through the widespread use of personal chemical insecticides.

As I said, any urban development will impact on the environment. The best we can hope to achieve is some type of rational and economically sensible balance. I will not address the matter of the sub-regions as I believe the honourable minister has addressed them adequately, but I will turn to administration. Proper and easily understood administrative controls are essential to any ordered town planning process. Some of us will remember the reasons for the inquiry by Justice Nimmo that the minister and the member for Wanguri referred to. What caused that inquiry to be initiated was the almost total lack of planning controls over subdivisions in the rural area, and the resultant problems faced by persons who had acquired land in some of the early subdivisions. Although administrative controls are seen by some as mere red tape - and, no doubt, some of these could be streamlined - they are absolutely necessary for the good, ordered and safe development of both urban, semi-urban and the closer-settled rural areas. In fact, a good administrative regime can prove helpful not only in providing guidance to prospective developers, but it can encourage the development of one area over another by providing the mechanisms for quick yet appropriate approvals, and clear guidelines for all manner of development. Without doubt, it is a boost to growth if developers can obtain clear and quick approvals without obfuscation and without doubts as to what has been approved.

I commend this document as being far-sighted and something which planners in the future will be able to use. There is no doubt that, from time to time, it will be amended as certain physical constraints are identified and acted on. I commend the document and the minister's speech to the House.

Mr SMITH (Opposition Leader): Mr Speaker, about 100 years ago, the planners of the day in London addressed the concept of what London might look like at about this time. One of the major problems that they anticipated having to face was an enormous increase in horse manure because the existing mode of transport was the horse and cart. That is a simple illustration of the problem that members on this side have with detailed plans relating to 100 years in the future. Things will change quite dramatically and that is something that the government itself has recognised by its disclaimer in the various documents that nothing in them is meant to bind this or future governments. Quite clearly, that is the case. In that circumstance, the question remains: why has so much money been spent on putting forward a vision for Darwin in 100 years time, when the London experience and previous experiences in our own Territory tell us that we cannot extrapolate that far ahead? I make the point again that the best forecasting methods available indicate that some reliability can be obtained, subject to cyclones etc, over a 30-year period but, to go beyond that, takes us into no-person's-land.

The major criticism that we have of what has been presented to us today is that it is looking too far forward and is not looking closely enough at the type of society and structures we will have in place in our major towns and centres in the next 10 or 20 years. Mr Speaker, if you want a perfect example of how our systems are failing at present, you have simply to look at what has happened to Alice Springs' main shopping precinct and the problems caused there by the lack of a proper strategy plan which could and should have been put in place in the early 1980s. It would have saved the embarrassment that is the mall and what were previously prosperous arcades, like the Turner Arcade, looking like the movie set for 'Before the End of the World'. There is not one shop in the Turner Arcade now. When I first went to Alice Springs 10 to 15 years ago, that arcade was a very prosperous and lively centre indeed. That dramatic change is the result of an essential failure in planning. It has failed us because this government has not seized on a very basic concept of planning: one does not simply talk about zoning, re-zoning and structure plans, but about a quality of life that Territorians can expect to enjoy, what a town will actually look like, and where functions within a town will be. When those factors have been addressed, then the plans can be put in place.

As the member for Wanguri said earlier, our policy is directed at putting in place a strategy plan for the next 10 years, followed by a further strategy plan for the following 10 years. We have very definite ideas on what that strategy plan entails and how we will achieve it. For example, the people of today and their children are not particularly interested in what will happen 100 years hence. I accept that it is a valid point of discussion for government, but people's main concern - and it is a legitimate one - is what the place they are living in will look like in 20, 30 and 40 years time. That is what they want to know.

More importantly, they want to be involved in the decision-making process. It is their town and they want to be involved in shaping it through the concept of the broad strategy plan. They want to know, for example, what sort of high-rise policy we will have in Darwin. Will we have unlimited high rise or will we have a high-rise spine? Will we have height restrictions? That is what people want to know. They do not want to find a Gold Coast on the horizon without having been involved in the process. They want basic decisions about high rise to be considered and discussed and they want to be involved in those decisions.

To give another topical example, they want to know what will happen with the oil tanks now. What will replace them? Instead of worrying about what will happen 100 years down the track, it is time that we started active community consultation on the best use of that prime land that is very close to the city centre. It could be used for a variety of purposes. They want to know how we will encourage people to live in the inner city area so that we can turn it into a living part of the community rather than a part of the community that dies after dark. There are planning mechanisms that cannot but help attract people to live in the inner city area. Does the government talk about those? It does not. It talks about what Darwin will look like in 100 years time when none of us will be interested in anything at all. That is the basic problem that we have: the government's inability to address the quality-of-life issues in planning.

I will give another example. I think we all agree that Darwin should be a tropical city, but what does that mean in terms of planning? It certainly means more than simply planting trees. Planting trees is a very small part of creating a tropical city. The creation of such a city requires an extremely active planning body which is able to discuss with architects and

planners such issues as the appearance of the city, particularly in respect of buildings and streetscapes. To give an example of the sort of situation that comes about in the absence of planning, honourable members should consider the thoroughfare which leads from Mitchell Street to the Smith Street Mall alongside the Sheraton Hotel, up the lane and into the car park. With our climate, that thoroughfare is exposed to rain for 4 months of the year. It cannot be used without getting wet. That is a failure of planning. It is something which, as a community, we should have been addressing through our government bodies as part of our planning for a tropical city environment. Mr Speaker, you may disagree about the relevance of that issue but it demonstrates a general point: no one in the government at present thinks about the way in which buildings, streetscapes and vacant lots can be integrated to give Darwin the flavour of a tropical city.

The type of planning that I am talking about occurs in other places. Go to Brisbane or to Adelaide and you will see very detailed plans depicting the means by which those cities will achieve the desired atmosphere and appearance. It does not happen here. All we have is a planning body which rezones areas, often after pressure has been applied in the relevant places, and on no sensible grounds at all. That is the problem which we have, and no progress is made towards solving it when a discussion paper ...

Mr Manzie: Why don't you expand on that a bit? You made a statement. Do you have the intestinal fortitude to expand on it or is it just a gutless statement? You have nothing to back it up.

Mr SPEAKER: Order! The Attorney-General will allow the Leader of Opposition to make his comments without interruption.

Mr SMITH: We have a discussion paper on the proposed revision of the Planning Act. What a terrific document! It is a document for people who work in the planning industry. It talks about the mechanics of the industry and whether we should fix up this bit of machinery over here or that bit of machinery over there. It does not talk at all about what the Planning Act exists for and what it is or should be trying to achieve. In fact, the planning objectives are tossed away in 4 paragraphs on page 5 which essentially say that Victoria has spelt out some objectives for planning and perhaps we should consider some in the Northern Territory.

Planning is about what people want their cities and other environments to look like in the next 20 to 40 years. Members on this side of the House believe that that can be achieved only through active and widespread community consultation. The so-called experts cannot be relied on to achieve it because they have a particular interest at a particular time. Developers build one building and move on to another. Architects design one building and then move on to design another. They do not have a brief to consider the city as a whole. Somebody has to have the brief to think about the city as a whole so that there is some shape and coherence to it all. That is not the role of the architects and the developers or even of the aldermen and politicians. It is the role of the people who make up the city, who want to be involved in the city and who want to have a say in what sort of city they live in.

The member for Wanguri demonstrated that by reference to the reaction to our document 'Planning for People - A Planning Document for Darwin'. We presented some concepts of what we thought a future Darwin might look like. We invited public comment and, as my honourable colleague said, we received as many responses in 3 days as the government received in 3 months of consultation on its document. Almost without exception, those people said

that they wanted to be involved in discussions about what their city could look like. They had some pretty firm ideas about certain things as well. For example, in general, they did not want unrestricted, high-rise building. They wanted green areas and parks and similar facilities. They wanted a tropical city to which they could relate and with which they could become involved. That is what planning is all about. It is also what generating community pride in the environment is all about.

Planning is about the interaction between buildings, people, streets and the entire environment. However, that is not a message that this government accepts. It does everything in isolation. It has bits of planning here, bits of planning there and bits of planning somewhere else. This document here does not relate to the document that was tabled today. There is no overall sense of coordination. There is no sense of vision about what the government is trying to do. Frankly if, as a government, members opposite do not have a vision to present to the people of the Northern Territory for them to comment on and be involved with, they are selling the people short because that is what the people want.

Mr Speaker, let me give you a quotation from David Chandler, who ran the Parliament House project:

> If you walk through the CBD of Canberra, it is a pretty disappointing experience. Sydney has got a lot of fancy glass curtained walls. In the last few years, people have tried to vary that with a bit of colour. But, they do not provide people with a feeling of strength of community and of values of the community.

'Strength of community and of values of the community'. The lesson is that that can be obtained only when the people are involved in the decision-making process, when you actually ask them - as we did in our 'Planning for People' document - what they want their towns to be like. However, this present policy that the government has of not having any overall strategy but of simply having a zoning structure does not reflect that at all. It does not give people the opportunity to comment on the quality of life, the buildings and the streetscapes that they want in their towns and cities. That is an essential weakness.

The other essential weakness is that the government has a multitude of regulations and legislation. My colleague gave a perfectly good example of the number of different pieces of legislation and regulations that apply in relation to Nabalco. For a government that is supposedly committed to making life easier for businesses wanting to set up in the Northern Territory, it certainly makes it very difficult when it talks about planning and environment legislation scattered everywhere. My colleague made the very sensible suggestion that a parliamentary committee should be established to look at the existing environmental and planning legislation and to look at ways of bringing that information together. On behalf of my honourable colleague, I give notice that we will be seeking to introduce a motion to establish such a committee on Thursday. I hope that the honourable members opposite will support it because it is a positive suggestion. It is a way that we can start the processes involved in dealing with planning issues in an integrated way rather than in the ad hoc manner that we have been dealing with them so far.

Time is running out rapidly for us, particularly in Darwin. If we are not careful, we will lose control of the future, particularly of the central business district in Darwin. If we do not think carefully about the type of city we want, we will miss that opportunity. We are not too far down any

particular track, whether it be the high-rise track or the medium-density track or whatever, to turn the clock back or to examine what we want to achieve in the future growth and direction of that area. It is important that we do so. We have the opportunity to plan now for the next generation.

The next generation will not have the same opportunity because there will be far too many new buildings, probably high-rise buildings, if no controls are put on them. It will be very difficult to shape the future at that stage. We still have the opportunity to seek community involvement and to shape the future of this area. It may well be that we want to go the Gold Coast route and have a high-rise city. That is fine. I do not have a particular problem with that, as long as that is a decision that is arrived at through the proper consultative processes. It may well be that the consultative processes will throw up something that says we should go another way. That is the opportunity that we have now. Let us ensure that we use it. Let us start concentrating our energies on a proper planning process, with proper consultation in the next 20 to 40 years.

Mr PERRON (Chief Minister): Mr Speaker, the Minister for Lands and Housing has presented what I believe is an exciting and visionary work on the future of the Darwin region, and I know that his statement and the accompanying documents will be read with very great interest and will be welcomed enthusiastically by all who have a commitment to the future of this great city. I commend very sincerely the minister and all those associated with the development and preparation of this work. Its quality is outstanding and its vision appropriate to the vibrant and dynamic Northern Territory. We now have a series of documents which provide clear guidelines to all those who, for business, personal, family or other reasons, are keen to see the anticipated pattern of Darwin's future growth

I believe the minister's statement and the supporting documents are extremely comprehensive and I do not wish to go over the same ground again as was covered by the minister in his statement. Rather, I want to take up 2 particular matters which flow from the statement and from his strategic planning exercise: firstly, the appropriateness of the planning horizon which has been adopted and, secondly, some points of Territory-wide significance which flow from this forward-thinking strategic land use planning approach.

The documents have taken as the planning horizon a Darwin population of 1 million. No date has been specified for this horizon and the minister has indicated why that is not necessary. In order to satisfy ourselves that the exercise is based on legitimate and credible assumptions and has validity for genuine planning purposes, clearly we need to be satisfied that a Darwin population of 1 million is not totally fanciful but is a reasonable objective within which to formulate plans and strategies. I believe we would be timid, foolish and shortsighted to deny the appropriateness of a planning horizon of this scale. The minister has pointed out that, on the basis of past Australian experience, Darwin will grow from its current 70 000 towards a population of 1 million in the lifetime of someone born today. There is no reason to suppose that Darwin's growth experience will not emulate the experience of other Australian capital cities. Indeed, there is every reason to believe it will surpass their record. Our own experience in the Territory since self-government strengthens such a positive view. Notwithstanding that population growth has slowed over the past few years, it remains true that the Territory's average rate of population growth since self-government has significantly exceeded the national average. This side of the Assembly remains confident and convinced

of the Territory's enormous potential and we see no reason to doubt that high growth rates will continue to be sustained.

The Northern Territory and much of northern Australia will become the focus for much of Australia's growth over coming decades. While southern Australia will continue to be the centre of the bulk of Australia's commerce and manufacturing for years to come, the simple fact is that many of the nation's future opportunities lie elsewhere. It is no accident that the fastest growing regions in Australia are in the north. The geographic imperative is that it is the north of Australia which links our nation to the rest of the world. Perhaps we say it so often that it loses its significance but, economically, South-east Asia is the fastest growing region in the world and geography has handed the Northern Territory a very substantial opportunity to capitalise on the achievements of this growth region. One of the greatest disappointments over recent years has been the relatively limited extent to which Australia has been able to take advantage of South-east Asia and our failure to promote significantly greater levels of commerce and investment. Our failure in this sense does not take away from the geographic opportunity which has been presented to us and it is important both to keep trying and to take every opportunity to expand those links of trade and commerce.

One further point has to be made. The emergence of northern Australia as the focus for national growth in the decades ahead depends critically on 2 factors. The first is the willingness of governments, investors and key decision-makers in business to accept the challenges that go hand-in-hand with northern development. The second is that, as a nation, we must be able to maintain the commitment and sense of purpose that characterised Australia's earlier growth phases. These are important qualifications because, on the evidence, there must be some doubt about Australia's national will to accept the challenges that will allow the north to develop. In the first 50 years of federation, as a nation we built a network of infrastructure, roads, railways and ports, not only to service the country's needs but also as the essential platform for further growth and development. As we draw to the end of the second 50 years of federation, it seems that, as a nation, we are either unable or unwilling to afford to maintain that network of infrastructure, let alone continue to develop it. If we do not continue to develop national infrastructure - and it is of course in northern Australia that this infrastructure is most deficient - then the growth potential to which I have referred will be lost.

Let me give an example. The estimated cost of building a modern high speed railway from Alice Springs to Darwin is in the order of $800m. The first transcontinental railway from east to west was built around 1917 and covered 621 miles from Port Augusta to Kalgoorlie. In today's dollars, the cost of that east-to-west railway would be nearly $500m. What no one can explain to me is how, as a nation, we could afford the investment in 1917 yet we cannot afford it now. In 1931, our national rail network covered 42 618 km. Today, it covers 40 673 km. In a similar vein, the core of our national road system was built over the first 60 years of federation. Today, notwithstanding massively higher taxes and charges, including some special levies to fund roads, we can barely keep pace with the maintenance of that system, let alone its further expansion. This applies not only to roads. In real terms, public capital formation as a percentage of GDP has fallen from 10.9% in 1965-66 to 7% in 1985-86. Australia is failing to maintain its infrastructure base.

As the Minister for Lands and Housing pointed out in his statement, adequate planning is essential for sustained progress. That, of course, is

a lesson which applies virtually to any field of human endeavour. Where there is inadequate vision and lack of foresight, resulting in inadequate planning, then failure to achieve to the full potential will almost certainly be guaranteed. In the context of my colleague's statement, if we wish Darwin to grow and develop as a place which residents and visitors alike can appreciate and enjoy, then we need to plan and we need to do so boldly and with vision. This lesson is not confined to planning for Darwin's future. It applies with equal force to the whole of the Northern Territory and our aspirations for the future. A Darwin population of 1 million implies a Territory population of around 2 million. The process of achieving such a target opens up exciting possibilities for all who care about the future of the Territory and who want to be part of it. However, if we do not dream, if we do not believe it, if we do not plan for it, then it will not happen.

Let me turn to some of the implications for the Territory's future which flow from the application of the same dreaming and planning that lies behind the documents which my colleague has now tabled. The Territory is politically, culturally and socially an integral part of Australia. Economically, this integration is increasingly seen as a drag on our potential. Let me explain. The Territory is dependent on Commonwealth funding to a greater level than both we and the Commonwealth would wish. Over recent years and in line with its own perceptions of the needs of the Australian economy, the federal government has massively reduced the level of funding available to the Territory. It has done so at a time when the community's demands on the public sector and its expectations of government have certainly not diminished. It has done so irrespective of the inescapable consequences for Territory growth. Savage funding cuts from the Labor government in Canberra have given us dramatically-reduced income and expenditure levels in the Territory and hence have choked our ability to grow.

The lesson we learned from this, although we knew it all along, is that the Territory must widen its economic base and achieve a greater revenue-raising capacity. However, growth is not entirely a government responsibility. The CLP government has strongly and consistently sought private sector investment in the Territory, both from Australian and overseas investors. In some cases, we have been significantly successful, particularly in the mining and energy fields and in some sectors of primary industry. I think a fair and reasonable assessment would be that the response of investors to opportunities in the Northern Territory, particularly of Australian investors, has been disappointing. There are reasons for this. For most corporate organisations, investment in the Territory represents a significant challenge and offers a degree of uncertainty. It is not a region with which most Australians are familiar. It has been easier for these organisations to stick with investments within their own geographic comfort zone.

In today's economic climate, additional forces are working against significant Australian investment in the Territory. The heavy hand of federal economic policy is producing a contraction of the Australian private sector and is forcing business to concentrate on consolidation and survival, not on growth and development. The federal government says that this is necessary and that it is the right economic strategy. I do not agree. Be that as it may, it is producing entirely the opposite result to that which the Territory needs as it seeks to grow to its potential.

The reality is that, over the years ahead, the only sustainable prospect for ongoing Territory development is through a very carefully fostered

partnership between the private and public sectors. Unless there is a significant change in federal economic policy, no Territory government will be able to generate, from within the resources of the public sector, the capital needed for growth. That capital must come largely from the private sector, but the capital available to the private sector is limited and the private sector should reasonably expect some lead from the public sector in the identification of directions and future growth opportunities. That is where planning and strategic thinking come in. That is why we produced the Northern Territory Economic Development Strategy last year and that is why, with publications like the recently-released Energy Strategy, the tourist industry's Towards 2000, industry plans in the primary sector and through joint government private sector promotions, the CLP government has deliberately sought to look beyond the horizon to what can be, and to direct the vision of the Territory community to the opportunities ahead.

We do not dream simply to pass the time, and we do not plan simply to keep ourselves occupied. The focus of all this effort, whether it is the creation of new national parks, a major expo in Hong Kong, a trade mission to Asia, ongoing representations to Canberra in relation to funding, infrastructure needs, special programs for Aboriginals or the elderly or whatever, is to keep pace with the needs of the people of the Territory whose reasonable expectation is that the Territory will continue to provide both opportunity for the future and a quality of life second to none. I believe the community wants to see its government hold a vision for the future and plan to implement that vision. I believe it wants a government which can think big while not overlooking the small. I believe the majority in our community recognises that preserving the quality of life and protecting those values which we hold dear requires, as an absolute essential, a growing economy which provides opportunity and security for our citizens.

On this side of the House, we hold a vision which includes a Territory where the offshore oil and gas reserves will make us the new Bass Strait by the turn of the century. It is a vision of a supply base in Darwin that will service this offshore oil and gas development, of an extended energy system with gas pipelines to Gove and to major interstate markets, of new goldmines, of the development of the McArthur River deposits, of the export of iron ore once again from the Territory, of the continuing viability of our major bauxite and manganese deposits, of a sound and growing uranium industry, of the next phase of Territory tourism growth, of the completion of a Territory-wide network of national parks which will protect and preserve for Territorians and visitors alike the unique beauty of the Territory, and of the new facilities and services which will be needed to ensure that this dynamic industry continues its contribution to Territory development.

In cooperation with industry, we are planning for the development of new, soundly-based agricultural enterprises such as cashews, kenaf and central Australian grape and date industries, for the consolidation of the Territory's pastoral industry, through the eradication of disease and the development of techniques to raise productivity, for a greater benefit for Territorians from the vast fishing resources in Territory-adjacent waters, and for the growth of a strong, export-oriented manufacturing sector around the catalyst of the TDZ which will widen and strengthen employment opportunities and will generate spin-offs in trade, servicing and finance. We recognise that the Territory's physical and social infrastructure has to expand to ensure that these plans are fulfilled. We are doing our bit. Our housing stock, and our roads, schools, health and community facilities are being developed as fast as our budgetary circumstances will allow. If the

federal Labor government had kept faith with us, the Alice Springs to Darwin rail link would now be in its third year of operation. The new airport terminals in Alice Springs and Darwin would be long completed and the opportunities which would have been created both by the construction of these vital projects and by their day-to-day operation would be contributing already to an accelerating process of real and sustainable growth and the evolution of the Territory towards a million people would be more readily seen.

However, Canberra has not kept faith and valuable time has been lost. Time has been lost, but not momentum, because the resilience and potential of the Territory cannot be denied. We will have our railway, a new port, new airport terminals, an integrated energy network and a road and communications network providing access to communities everywhere. These facilities, coupled with the industry developments that I have mentioned and others covered in various strategy and planning documents, will allow us to continue the growth and expansion of government services to the community to ensure that we have the capacity to protect the lifestyle which Territorians cherish, and to provide security and opportunity for future generations. The minister's statement is an important contribution to this ongoing process and he and his team deserve the full support of this Assembly.

Mr BELL (MacDonnell): Mr Deputy Speaker, initially, I did not speak in this debate. I did not appreciate that the Chief Minister and the member for Karama Tavern intended to speak as well.

Mr DEPUTY SPEAKER: Order!

Mr BELL: Mr Deputy Speaker, I refer to the member for Karama who has indicated an interest in the Karama Tavern.

Having listened to their comments and having heard the response from the Leader of the Opposition and the excellent contribution by the opposition spokesman for planning and the environment, I am prompted to make some further supporting comments. Quite obviously, the proposals from the opposition spokesman for planning and the environment provide a sensible contrast with the pie-in-the-sky approach of the government which is couched in terms of the distant future. In fact, the government's proposals put me in mind of the ambit claim relating to the size of the area of Darwin and the continuing saga in connection with the resolution of the Kenbi Land Claim, a saga which was created by the bad faith demonstrated by honourable members on the government frontbench, including the Chief Minister himself.

Having been a member of this Assembly for 9 years, I find it quite extraordinary that the Chief Minister or the Minister for Lands and Housing should propose something like this and maintain a straight face. I would have thought that any comment that the minister or the Chief Minister might make in that regard would reflect the ongoing battle which has been created by successive CLP governments. I would have expected that the background to the events associated with the Kenbi Land Claim would be mentioned at least in the context of a tabling of this type of document. Mr Deputy Speaker, I am not sure whether you were a member of this House when, in 1982, the CLP government decided in a hurry that it did not want particular documents to be brought before the court in respect of the land claim on Cox Peninsula. It decided to enact a particularly virulent form of Crown privilege in relation to such documents, the only precedent being the protection of submarine plans in Great Britain during World War II.

Mr Manzie interjecting.

Mr BELL: I hear the Attorney-General mumbling about Cabinet documents. He was not a member of this House at the time but, if he would like to read the record of the relevant debates, he might become informed about the attitude which his predecessors and current colleagues took in that regard. I feel constrained, therefore, to point out to him that there is a great deal of distrust in the community about these glossy proposals in the context of about 12 or 13 years of demonstrated incapacity to plan Darwin on the basis of recognising the interests of the people who have a traditional claim in the vicinity of the Cox Peninsula.

In that regard, Mr Deputy Speaker, I should point out in passing that we were all very heartened - as I am sure you were heartened - to be part of the public meeting that was conducted in Alice Springs at the weekend. This is a turning point, albeit one stimulated by a nervousness about the behaviour of the electorate as a whole, in the attitude of the CLP in this regard. If it had not been for those sort of actions in respect of traditional owners in the Cox Peninsula area, they would be a long way further ahead than they are. I point out that this proposal from the government is not only a would-be grandiose gesture, but it is also clouded by its refusal to take into consideration the interests of traditional owners and to vehemently oppose them, as it has done in the terms that I have indicated.

Let me turn now to the comments made by the member for Wanguri, the opposition spokesman on planning and the environment. Let me support, in the strongest possible terms, his proposal for 10- and 20-year concept plans. The fact is that the opposition is preparing to take over the reins of government and this is one of the clearest indications of our capacity to do so and the extent to which the ...

Mr Collins: You have only one opposition member in the Chamber.

Mr BELL: ... government has lost its ability to do so.

To pick up the interjection from the member from Sadadeen, there needs only to be one of us in this House in order to answer the sort of frippery that we have from the government. No doubt, some hard work by public servants occurred in respect of this plan. However, having listened to the minister's statement and having heard his comments in the past in this regard, which were either vacuous or non-existent, and having listened to the Chief Minister's capacity to organise planning decisions only in his own favour around Doctor's Gully, I have no doubt that my criticism thereof as frippery ...

Mr MANZIE: A point of order, Mr Deputy Speaker! I ask that the member for MacDonnell withdraw that inference of improper behaviour by the Chief Minister. It is uncalled for and unjustified. It is typical of the small-minded, point-scoring attempts made by the member for MacDonnell which are not based on any facts whatsoever. It is typical of his gutter tactics in this House, of his use of innuendo and his casting of aspersions on government members when he does not have the ability to back up his words outside this Chamber.

Mr BELL: Mr Deputy Speaker, if the Minister for Lands and Housing would like to tell me exactly which particular statement he was referring to, I would be quite happy to withdraw.

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

Mr BELL: My general point was that the minister's statement was frippery. Let me turn to the dealings of the Chief Minister in respect of planning.

Mr DEPUTY SPEAKER: Order! I ask the member for MacDonnell to withdraw his remarks.

Mr BELL: Mr Deputy Speaker, I withdraw any allegation of impropriety in respect of the Chief Minister's comments. If you intend to rule that I cannot comment on the rezoning in the vicinity of Doctor's Gully that occurred during the period of the Chief Minister being on the frontbench and, in nearby times, Minister for Lands, I will be forced to move dissent from your ruling. I leave it with you.

Mr HATTON: Mr Deputy Speaker, the member for MacDonnell has chosen to use this particular case to imply improper conduct on the part of the Chief Minister in that he alleged openly ...

Mr Bell: I did not say anything about that. You blokes are very sensitive, aren't you?

Mr HATTON: ... that the Chief Minister had somehow organised rezoning proposals in respect of areas in the vicinity of Doctor's Gully to his own advantage. That is an imputation against the Chief Minister.

Mr Bell: I did not say that, Steve.

Mr HATTON: Not only that, it is absolutely untrue and the honourable member should withdraw it immediately.

Mr DEPUTY SPEAKER: I ask the member for MacDonnell to withdraw his remarks regarding the Chief Minister.

Mr BELL: I withdraw any imputation that there was impropriety or that the Chief Minister abused his position as a frontbencher to gain rezoning in the vicinity of Doctor's Gully, Mr Deputy Speaker. But, I retain my right to refer to those planning decisions. In fact, I think I have said enough, Mr Deputy Speaker. I think that the government members, who leapt to their feet in the Chief Minister's defence, have said as much as I want to say.

Mr Hatton: What outrageous nonsense you go on with. Pick on me, come on.

Mr BELL: Yes. I am quite sure that that is the conclusion that the electors of Nightcliff will come to too, Steve.

Our constructive proposal, in contrast to the frippery proposed by the minister, is for a 10-year concept plan and a 20-year concept plan. It looks at the realities of people's lives in Darwin. It looks at the reality of commercial life in Darwin and development proposals that will make sense to the community. The opposition spokesman for planning and the environment deserves to be congratulated in that regard.

As a ratepayer in the city of Darwin, I suppose I should declare my interest. However, before I was such, I raised in an adjournment debate the possibilities for development in the area bounded by Bullocky Point and Gardens Hill around to Myilly Point and further around to Cullen Bay. As I say, I declare an interest as a mortgage holder in a flat in Shepherd Street. I suppose that I do have a vested interest in that regard. But, it

also puts me in a position of seeing that part of the town. Given that Darwin is a relatively 2-dimensional place, it would benefit considerably from an overall planning approach. If you wish to dream dreams, I suggest that, in some specific areas like that, that would be appropriate. It is a hallmark of conservative governments everywhere - and it is no less the case with this particular government - that they are loath to impose planning proposals that will make people look at an area and say: 'As an area, that looks good'. By their very nature, conservative governments allow individual property owners to do what they will with their business.

The Leader of the Opposition referred to the situation in Alice Springs in that regard and I have had the opportunity to talk to people in that town. The type of arrangements that have been allowed in respect of buildings around the mall in Alice Springs have dramatically decreased the pleasance of the amenity in that area. I realise that Bill Ford will not like me for this, but I am prepared to run the risk. It is a fact that buildings like the Ford Plaza, which incorporate cladding materials and signage that is entirely inappropriate, have an effect on other businesses around them. Thus, there are powerful commercial reasons why particular precincts need to have the sort of planning guidelines set out for them that this government has indicated is entirely beyond its ken.

Briefly, I will mention Darwin Airport. I think the centrality of the airport in Darwin is unfortunate. I am concerned that there is no mention of that. Maybe that decision is too far down the track now, but I believe that whoever left us with a city of 70 000 people, more than one-third of whom live to the north of the airport, another percentage in the older part of the city and another percentage out in Palmerston, did not exactly do us a service in planning terms. Honourable members will recall the sort of problems experienced with providing services, particularly transport services, in a town like Palmerston. Of course, when we turn our minds to Palmerston, we realise the shallow nature of the proposals before the Assembly because, over 12 years, this CLP government has demonstrated its incapacity to plan in that regard. If any honourable member has any doubt about that, just ask anybody who tries to get public transport of any form out of Palmerston to any other part of Darwin at any time after 5 pm at night.

I have referred already to the Chief Minister and his foibles. I want to conclude simply by saying that this statement and these plans are further evidence of the failure of this government to plan adequately for the capital of the Northern Territory. Its failure in this regard is a clear example of the reasons why it has been, and will continue to be, rejected by the Territory electorate. I believe that the positive proposals put forward by my colleague will be an inspiration to voters in the Northern Territory and that he is to be sincerely congratulated for his efforts in that regard.

Mr HATTON (Health and Community Services): Mr Deputy Speaker, I rise to speak to this document and in support of the statement made by the honourable minister. In doing so, it is my intention to relate the significance of this structure plan to my portfolio areas. The government's approach has direct relevance to planning from a conservation and environmental viewpoint. It is also vitally important in providing and locating the various services and facilities in respect of health and community services which will be required as the population grows. The importance of long-term structural planning is attested to by the location of the Royal Darwin Hospital. One must wonder whether that location is appropriate in the long term. It is a real shame that, when hospital sites were sought in the 1960s, an alternative was not chosen. The hospital is at

the farthest extremity of the northern suburbs. The city is growing to the south and west and the hospital will be at the most remote possible location in respect of any new developments in the city area. I use that simply as an example off the top of my head to demonstrate the importance of long-term structural planning.

It is a real tragedy for the Northern Territory that, yet again, we see that the opposition has nothing to offer. I have sat in the House throughout this entire debate. I have heard 3 opposition spokesmen - the shadow spokesman for conservation and the environment, the Leader of the Opposition and the member for the Central Land Council who also refers to himself as the ex-planning spokesman - contribute nothing but rhetoric.

When the member for Wanguri was speaking this morning, the Minister for Primary Industry and Fisheries said he would win the annual award for rhetorical speech. However, I believe that he has been outdone by the Leader of the Opposition. The member for MacDonnell is not in the race. His contribution was not even that good.

Mr Bell: You really know how to hurt someone, Steve.

Mr HATTON: In referring to the Alice Springs mall decision, 2 of the honourable members opposite failed to recognise ...

Mr Bell: You turned it into a shambles!

Mr SPEAKER: Order!

Mr HATTON: I would like to remind honourable members that the problem with commercial planning in Alice Springs was caused by the ribbon development along Todd Street. During the 1970s, there were many complaints about that development from local traders. The population was expanding to the east and west and people were shopping at the regional supermarkets. The mid-1970s saw debate about the creation of a mall in order to attract shoppers back to the CBD. The areas to the east and west of the Todd Street mall are now developing a commercial base. The mall itself is losing trade in some sectors. The particular arcade which has been referred to was opposite the Alice Springs Woolworths which, of course, has now moved across to the next street and its former site has been turned into a picture theatre. That will affect the trade in the mall. The mall traders will have to develop some new marketing thrusts to bring people back into the mall if they are to develop. They will have to compete as the CBD extends beyond the ribbon development into a more logical commercial development as part of the structure plan for Alice Springs.

The decision to build the mall was made by the Alice Springs Town Council, not by the Northern Territory government. In fact, for some considerable time, members opposite and others in Alice Springs harassed us to provide the financial resources to construct that mall. It had nothing to do with the Northern Territory government thrusting a decision on the people of Alice Springs. It was a development proposal. The member for MacDonnell wants a structure plan to include the colour of the paint on the inside walls of buildings. That is his logic. It is nonsense.

We must consider whether Darwin's future development will be to the west, south or east. It cannot go north, Mr Speaker, unless you feel like swimming. We had better start thinking about it because it has implications in terms of what will happen in respect of agricultural land and important environmental and conservation issues such as the protection of waterways,

mangrove preservation and the ecosystem generally. It also relates to the nature of the lifestyle in the area, the levels of residential density which might be envisaged as the population grows, the provision of water resources and so on. These are questions which people have been asking and they need to be answered. People in the Darwin rural area are also asking questions. They want to know whether the increasing pressure of urbanisation will destroy their lifestyle. They have some definite views on that and they will be particularly pleased that this structure plan protects and enhances the rural lifestyle which they enjoy close to the city.

There are many good reasons for having a long-term structure plan setting out the broad parameters for industry development, commercial development and residential development, providing for open space and recreation areas and protecting important waterways and aquifers. Those issues are addressed in a structure plan. The next stage, that of the land use concept plan, provides more detailed focus, as in the Murrumujuk Land Use Concept Plan. Beyond that, we have the statutory planning processes, taking into account zoning, housing types and so forth. Beyond that, there are development applications under the planning processes, covering the fine details such as the colour of the walls and the shape of the windows. Such matters are not addressed in a broad structure plan. The problem with members of the opposition is that they live in cloud-cuckoo-land. We have heard nothing else here but much ado about nothing. As Shakespeare seems to be in vogue today, I will go so far as to say that they are engaged in a midsummer night's dream.

As Minister for Conservation, I welcome the issue of a plan that will guide Darwin's growth and development. For purposes of conservation and environment management, it is imperative that we have a clear idea of where we are going and of the options available to accommodate population growth. The broad land use planning embodied in the statement will not only assist in the creation of a city which will be extremely livable in terms of its aesthetic and social environments, but will also ensure that overall environmental impacts of urban and industrial development are reduced compared with ad hoc developments in these areas. Planning for the future development of Darwin in this way ensures that services and facilities are located in the most appropriate places and that a balance is achieved between environmental considerations and society's need for development. Therefore, I support and applaud the steps this government has taken in this regard today. It is in sharp contrast to the historical development of the state capitals.

With the planning of Darwin, we have the opportunity to avoid many of the environmental pitfalls that have emerged interstate as a result of planning with inadequate knowledge of the effects on the environment. We are fortunate that our environment is relatively unspoilt, and this government aims to keep it that way as far as possible while accommodating population growth. Darwin is unique in comparison with all other major harbour cities in Australia in that only minor disruption of foreshore lands has taken place. The effect of soil erosion and resultant sedimentation, which have led to silting-up of shipping lanes, anchorages and wharf facilities in the states, and water pollution, are not significant problems in Darwin Harbour. This government supports the retention of mangroves fringing Darwin Harbour as the principal means of conserving the natural ecosystems. In addition, the mangroves form a natural barrier to coastal erosion and sedimentation which helps to maintain the integrity of the port facilities.

With the commercial and residential development proposed in this strategic land use plan, the Conservation Commission will be well placed to assist with guidelines for the protection of wetlands, water catchment areas, scenic and historic landscapes and foreshore areas, archaeological, historic and scientific sites, and wildlife habitat, particularly during the detailed planning stages. The Darwin Harbour Mangrove Management Plan, which will be presented to Cabinet shortly, will be an important planning document within the wider planning base to ensure the protection of our important mangrove and marine environments. The commission will be well placed also to assist in defining safeguards for the management of water catchment areas, transportation and communication corridors and public access areas to estuaries and waterways, and natural hazard management including consideration of tidal wave surge and rising sea levels associated with the Greenhouse Effect.

The range of population densities identified in the strategic land use plan is a realistic and sensible approach which seeks to avoid the problems that have occurred elsewhere. One might compare this approach with that taken by governments in the states which have been forced to redevelop their urban areas to cater for increased population density because of the extremely high cost of servicing outlying areas with sewerage, water supply and other services.

Urban consolidation, as it is known, has had divisive effects on communities, but it is something that can be avoided with the comprehensive type of planning to which this government is committed. This government's plan will also avoid the need to recycle open space which is now occurring in the eastern states because of the critical shortage of land for urban consolidation. In other words, the percentage of open space which will be available to future generations in cities such as Sydney is being reduced because it is now necessary to develop that open space for urban purposes. On the other hand, our plan perhaps takes advantage of mistakes made elsewhere and incorporates open space, retention of the foreshores in public ownership, protection of the harbour and its ecology, and identification and protection of sites of special significance to Aboriginal people and to the history of all Territorians.

The strategy outlined by this government, and the policies that will flow from it, will give Territorians the opportunity to maintain standards of living better than those available in any other place in Australia. An essential part of high living standards is personal health and, in this regard, this land use and planning strategy allows the long-range planning of the health and community services which are another aspect of my ministerial responsibilities. Considering the lengthy operational life of major facilities, such as public hospitals, it is essential that they be sited in the right places to service future population growth and that adequate provision is made for their expansion. Projections of health service requirements, based on a population of 1 million, suggest that 3 public hospitals with a total of 1550 beds, 5 private hospitals with a total of 650 beds and one 500-bed, stand-alone psychiatric facility will be required. Approximately 100 community health centres with dental treatment facilities will also be required.

Other essential facilities would include: 17 nursing homes and hostels of 240 beds each, based on an assessment that Darwin's population would contain 70 000 people over 70 years of age; 311 child-care centres, each catering for 33 children; for welfare and disability care, 25 group homes for children and 90 group homes for disabled people, each home to accommodate 4 to 6 people; support and accommodation assistance program

facilities; 20 youth shelters for crisis and medium-term accommodation; 35 women's shelters for crisis and medium-term accommodation; and 15 family shelters, each facility to accommodate 8 to 10 people. These estimates are based on the current composition of Darwin's population and on current trends in personal health and health care. It is possible, however, that changes in health care philosophy will see a different emphasis on requirements in the distant future.

What we can do at this stage is to plan on the basis of available information and allow some flexibility in areas where changes are possible as new trends emerge, such as in mental health care. However, the requirements for major facilities, such as public hospitals, are likely to remain constant and, with this strategy for land use and planning, we can ensure that they are sited in the right places and with adequate provision for expansion. I fully support the government's farsighted vision for Darwin's development. It is in marked contrast to the opposition's idea of planning which seems to be that you put a few green belts here and there and the rest will fall into place. It is very easy for the opposition - and it does this so often that one could almost believe it to be true if one did not know better - to attempt to promote the idea that this government has never done any forward planning. It forgets that we have been engaged in the planning and development of the Northern Territory for some 15 years now and, quite frankly, have done a very good job. A number of structure plans have been released and structure plans have been revised and updated. As we obtain more information, we are stretching our horizons without ignoring the need for ongoing and more detailed planning.

Honourable members are aware that detailed conceptual studies for the Darwin CBD have been under way for several months. A local firm of consultants has undertaken an extensive process of public consultation and is developing a proposal to develop the conceptual focus of the CBD. It is addressing matters such as traffic planning, open space and linking different areas through the CBD. Undoubtedly, it addresses matters such as the balancing of high rise and open space in the CBD areas. These matters have been debated here for some time.

I shudder when I hear the opposition demonstrating its lack of knowledge and lack of practicality. Its idea of planning is to sit in the mall for a couple of days and ask anyone who walks past to answer a 2-page questionnaire. It then says: 'We now know what the people think. We will draw up a plan'. It is frightening. The Northern Territory community should literally shiver with fear if some accident happened and the members opposite won government. The concept of obtaining professional advice and undertaking appropriate community consultation at various stages of development, so that people can look at the broad picture and gradually focus on the detail, totally escapes members opposite. They want rhetoric. They do not want anything solid.

They are not interested in looking far enough ahead to be able to tell the community that there will be protection for the ecosystem of Darwin Harbour and for the lifestyle of Darwin rural residents. This government will do that and will provide reasonable transport corridors and a future for the CBD of Darwin. We will do it in a way that will make the city work economically. We will provide for future water resources. We will not build a suburb on top of a key water resource that, in 60 or 80 years time, will have to be bought back in order to build a dam - and that has occurred elsewhere in Australia. We will not let that happen here. Members opposite do not like to think ahead. They regard this as 'pie-in-the-sky' nonsense.

This is practical. It is setting a focus. There will be plenty of opportunity for wide-ranging public consultation and involvement at every stage from the structure plan, to the concept plan, to the statutory planning and to the development proposal stages. That is the proper way to go about it. Members on this side of the House have had to live with the realities of planning, not simply the rhetoric. The job that has been done by the Department of Lands, now the Department of Lands and Housing, by many people in the field, by the planning authorities and by the Cabinet, has set a direction for the Northern Territory. We will continue to build on this as our knowledge grows. People will know where we are going and we will remove the fear that is often generated by the nonsense that is spread perpetually by the members opposite in their continual spouting of polemic and rhetoric.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in rising to contribute to this debate on the minister's statement regarding planning for strategic land use for the Darwin region, I would say that a person could be here all day. It is a very extensive subject. The minister only touched on it this morning and, in 20 minutes, it is impossible to do it justice. The extensive information on geography, demography, the environment and services certainly gives us plenty to consider in relation to the future of Darwin and its environs both around the coast and inland. I have been assured that these important documents will be available for public comment for some time. I certainly will be availing myself of that opportunity and I have no doubt that the Litchfield Shire Council will also. Possibly, the council and I will get together in respect of how it will affect our interests in the Litchfield Shire.

I appreciate that in-depth planning must encompass a time scale of more than 1 or 2 years, but I think 85 to 100 years is pushing it a bit far. This plan is supposed to be for a city of a million people. Whilst I am not a specialist in demography, a statement caught my notice at page 4 of the Darwin Regional Land Use Structure Plan: '... a factor dramatically illustrated by recent Hong Kong interest in the Northern Territory'. That was in relation to the attractiveness of Darwin as a place to settle. Whilst I have no personal objection to a relatively small intake of migrants from time to time, both in the Northern Territory and Australia, I believe that, in the interests of continued good harmony between different ethnic groups, we cannot entertain the prospect of millions of people from Hong Kong migrating to Australia or being sold an island to the north of Darwin, as was mentioned in the news recently. I believe it would upset the ethnic composition of our community far too suddenly. For migration from one country to another to be a success, it has to be done softly softly, with relatively few people at a time.

I have been able only to riffle through these papers. Whilst agreeing that the first thing to consider is the number of people who will be in a particular place at a particular future time, more emphasis could have been placed on the self-sufficiency of these people. I do not expect them all to be living on hobby farms, growing their own vegetables and keeping free-range chooks. However, we need to place more importance on how the million people in 100 years time will be fed and supported. I know these papers cover matters such as agriculture, horticulture, water resources and mineral resources. These references are very forthright and are self-explanatory as far as they go. However, I believe that not enough emphasis is placed on how these people need to support themselves.

In this plan, I do not believe enough attention has been paid to possible innovations that could be brought about in planning procedures and

in planning for this number of people in the future - innovations in relation to different ways of doing things, not only with scientific achievement but with lateral thinking. I am a great believer in lateral thinking because we can solve so many of our problems by that means. I note that a ferry service is planned between Gunn Point and Darwin. That is the beginning of innovative thinking, and much more of it needs to be indulged in.

There was mention of environmental concerns in relation to the settling of such a large number of people in the future. With such numbers of people, environmental concerns are of paramount importance because 1 million people cannot be settled without considerable impact on the environment. There will need to be more rules in place than there are at the moment. As I have said time and again, it goes against the grain that we need to have more legislation and regulations. However, it is unfortunate that, with more intensive use of areas and with an increasing population, there is a necessity for more rules. I would like to see more attention paid to energy sources of all kinds, including solar and tidal.

There are 4 options proposed for the settlement of an increased population around Darwin. The first option is urban development in the Shire of Litchfield and at Gunn Point. A second option is development in the Shire of Litchfield and at Coomalie. A third option is development in the Finniss area, and at Berry Springs and Darwin River, which is part of the Litchfield area. If that goes ahead, the people in the Shire of Litchfield will become one of the endangered species and we would ask to be put on the world endangered species list. Our lifestyle, for which we have fought over the last 13 years at least, would be destroyed. If the government does not want a fight on its hands, and it would be a fight that would go on for some time, I can see that option number 4 would be the only option that the government has: to extend settlement to the Cox Peninsula area.

Unfortunately, as I was reminded at the briefing provided by the minister, the Cox Peninsula area has problems in respect of the availability of water. However, I believe that any area proposed for settlement has good and bad points and these need to weighed against each other. Consideration needs to be given also to tax and other incentives to encourage large numbers of people to settle in these areas over the years. Such incentives would need to come from the federal government because it would certainly tax the resources of the Territory government.

I do not have a transcript of the speech given by the ALP spokesman on land matters, but I believe he hinted at planning with a big stick. That immediately brought to my mind the 32-square-mile acquisition which was undertaken by Mr Whitlam and Mr Enderby in 1973. I have to declare an interest as being one of the victims, along with many other people. In the bibliography given at the back of this structure plan, no mention is made of the 1968-69 Pak Poy Report, which is relevant even if only to show us what should not be done. I believe it is as relevant as the other references that are mentioned. The Pak Poy Report of the early 1970s advocated urbanisation from Myilly Point to the 15-mile. Even if only to indicate how planning should not be undertaken, I believe it should have been mentioned in the references. If I rooted around at home among my papers relating to the formation of the Darwin River Landholders Association after Cyclone Tracy, I would probably find a copy of the plan and also the Else-Mitchell report. However, that would take some time.

I believe that the Darwin Regional Land Use Structure Plan cannot be considered in isolation. We have also to consider planned development for the Northern Territory. I do not want the heavy hand of the planners coming down on me or anybody else, but somebody must have some idea about how we will feed 1 million people. As I said earlier, we will have to make this population self-sufficient. We cannot rely always on our food, services and other facilities related to urban living coming from down south or from overseas. The Chief Minister touched on this, but I believe more attention should be given to it.

The ALP spokesman on land matters and the Leader of the Opposition paid great attention to their essay into planning proposals for the future of Darwin and I must give them credit for the work that they have done in this area. However, whilst they may have had the best of intentions, the result relied far too much on the public purse. I have taken issue with the Minister for Conservation over taking roughly $1m out of the Conservation Commission's budget to green Darwin. Unless people actually contribute to something as important as this, they will not appreciate it or look after it. I have already written to this committee with these views. The people must be encouraged to green Darwin by the people planting trees - if that is what it means - rather than its being done by the government or the Conservation Commission. People must be encouraged to do much more for themselves than they have in the past. If, as we are led to believe, the Northern Territory government is to operate with straitened financial resources, it is even more imperative that people do more for themselves in terms of greening Darwin and improving our environment.

This plan is probably of importance to other honourable members, but I find it of particular importance because probably the people in the rural area refer to structure plans and development plans more than do any city people. I do not know about the people in Katherine and other places. The reason for that is that our area is still in a state of flux. Considerable development is occurring. Development and rezoning applications are being lodged and people want to do so many things whilst other people object to them. I am continually receiving proposals from the planning division for dissemination to my constituents.

Other honourable members spoke about the anomaly of the Darwin Airport being in the middle of the town, but those silly fellows could not realise that Darwin was not always the size it is now. Even the Minister for Health and Community Services was unable to realise that, when the hospital was built, it was built in the back of beyond. I do not know whether Harcourt Long had anything to do with it, but it was expected that all future development would take place in that area and not in town. If mistakes have been made in the past over the location of places, surely it is not beyond the bounds of possibility that there could be mistakes in all these beautiful papers before us. The planners may plan with the best will in the world, but mistakes could become apparent 100 years down the track.

When the Darwin Airport was built, it was out in the sticks. I believe that, during World War II, Ross Smith Avenue was used as an airstrip because our first house in Darwin was on one of the dispersal strips off Ross Smith Avenue. I remember it very vividly because our house was built on bitumen. Our whole garden was on bitumen which meant that we had to go to considerable trouble to establish a garden. However, we did it. Honourable members have spoken about relocating the Darwin Airport. I believe that, in the Pak Poy report of 1968 or 1969, it was recommended that the Darwin Airport be moved to a location in the vicinity of the mouth of the Howard

River. In those days, the estimated cost was in the order of $12m. Mr Deputy Speaker, don't you wish it had been done then?

Reference was made also to the inappropriate siting of the tank farm where fuel supplies are stored. It has been my experience that tank farms are always located on the outskirts of habitation. I do not know about country towns in other states but, in rural Western Australia, the fuel tanks and cemeteries were always located on the edge of town. As the towns grew, these were often surrounded by urban settlement and had to be moved. We have the privilege of hindsight in criticising the location of the fuel tanks in Darwin.

In these structure plans, it is paramount that the interests of people be protected before the interests of the government or the planners, and I agree with the Leader of the Opposition's remarks in that regard. After a cursory examination of the papers, I do not see too much to complain about. The planners have presented the issues in some detail. I note that, at the back of the large volume headed 'Darwin Regional Land Use Structure Plan 1990', there is a section containing little circles, squares and funny shapes which all have names on them. Nobody asked me for my views about those names and nobody asked my constituents. I do not believe that anybody was asked. I know that we have a Place Names Committee, but I would like to know about the naming of these places. In the middle, there is the name 'Taranaki'. A gentleman from the Planning Branch briefed me in relation to that. I believe that it is a New Zealand name. Recently, a young New Zealand lad was working for me and I had occasion to tell him to repair one of the cocky's gates because the goats were getting into some feed. He said: 'Oh, you mean the taranaki gate'. If the name has a meaning which relates to things rural, I might be interested in it. However, I do not take to it straight off. The name 'Erindale' sounds like an estate agent's dream title for a low-cost housing subdivision. I cannot comment on the others. No doubt, they have significance to some people but they are certainly a minority in the community.

With those remarks, Mr Speaker, I compliment the planners on their work. Coming from me, that is high praise indeed. At a later stage, I will send them my views in a more detailed form.

Mr FINCH (Transport and Works): Mr Deputy Speaker, I would like to follow the compliments of the member for Koolpinyah by acknowledging the extensive work carried out over many years by officers of the Department of Lands and Housing and various other departments involved in the process of developing the Darwin Regional Land Use Structure Plan. The document was not put together overnight, despite the ramblings of the member for Wanguri earlier today. He did nothing to improve his performance in this House. After last week, I thought that he might have learnt a lesson. It is obvious, however, that he has not. He was elected on a number of platforms, one of which related to environmental considerations. He rode in on the coat-tails of the Green Independents, who would have been absolutely appalled by his performance last week as the opposition's lead speaker in debates on environmental matters. One particular contribution, in which he spoke for 6 or 7 minutes of the 40 minutes available to him, will be in the Parliamentary Record for all to see. I believe that copies of the transcript should be circulated in the electorate of Wanguri so that those who supported him, either directly or indirectly through the Green Independents, will be made aware of his abysmal performance and his lack of insight into environmental matters. We have now seen his lack of insight into matters relating to planning, which was another part of his platform.

He gave some squawks and squeaks about planning issues in the Wanguri electorate.

The plan before the House has been painstakingly developed after a great deal of deliberation. If this government had not been pursuing forward planning in the long term for the Darwin region - and it is a exercise that has not been performed with such foresight anywhere else in Australia to my knowledge - it would be open to criticism. However, it was dismal to hear the opposition spokesman demonstrating such a lack of articulation and commitment on an issue which is sensitive in the community. On this side of the House, we can only hope that he is left in his current portfolio position because he is certainly totally ineffective there. Heaven forbid, however, that he should move to portfolios such as education or health, where his involvement could do nothing for the benefit of Territorians.

It is appropriate for government to plan ahead to ensure that appropriate areas for a variety of uses, whether they be horticultural, recreational, residential, commercial or industrial, are identified at an early stage and that all the appropriate transport and other infrastructural requirements are identified and addressed. Certainly, as the member for Koolpinyah stated, mistakes will be made. However, the object of the exercise is to minimise those mistakes by making use of up-to-date technology, population forecasts and so forth. Whilst I agree with the member for Koolpinyah, at the time when the Port of Darwin was first developed, support systems, technology and finances were obviously extremely limited. It was quite natural, therefore, that the Port of Darwin was constructed in its present location, to give us the best advantage at minimal cost and to utilise that natural deep water harbour. Of course, at that stage, the population and development of Darwin were fairly limited. Freight transport to and from the port did not have an adverse effect on the community. Times have changed however. We can acknowledge that, at the turn of the century, people did not have any idea of the shape which Darwin might take in the 1990s. It is also true that we do not have any precise knowledge of what that shape will be in another 100 years. However, to do nothing would be a sin.

Whilst some of the planning may seem far-fetched to the member for Wanguri, he has never been able to see much beyond the end of his nose. His argument - that an appropriate time span for planning is 10 years and that 20 years is probably fairly far-sighted - was ridiculous in the extreme. As another honourable member interjected at the time, children go to school for much longer than 10 years. It is amazing to look back on our own time at school and the changes that occurred in what seemed at the time to be a lengthy period. It would be wrong of us not to take account now of the need for transport corridors and service infrastructure. The member for Wanguri has demonstrated again his negative approach and his total lack of commitment to his portfolio responsibilities as a member of the opposition. He should be producing realistic alternatives. Of course he has come up with absolutely nothing at all.

In closing, I commend the minister for his handling of this matter. Most particularly, I compliment the officers of all departments, particularly the Department of Lands and Housing, for their commitment to planning on behalf of all Territorians, not only here in the Top End but throughout the entire Northern Territory.

Mr COULTER (Mines and Energy): Mr Speaker, I rise to support the minister's statement, particularly as it applies to matters for which I have responsibility, such as water resources. A number of honourable members

have spoken about planning for the next 100 years and a population of a million. However, planning is as relevant for tomorrow as it is for 100 years hence. In the Territory, we are fortunate to have the opportunity to select locations which are suitable for water catchment areas. We have that responsibility.

I will give honourable members a little more insight into the matter of water catchment areas that was mentioned in question time this morning. These are finite resources that we are talking about. Certain areas are more suitable as catchment areas than others. Of the 3 areas that were considered some 10 or 12 years ago, the Batchelor/Rum Jungle area was considered to be the prime dam site. However, a number of developments occurred. Markets were developed for horticultural produce and numerous plantations were established, particularly mango plantations. An abattoir at Meneling Station was developed within that catchment area. That abattoir expanded and eventually reached export standard. Some $6m was spent on it. Thus, that site was lost because compensation for that development would have made it a very costly exercise. Apart from that, the social upheaval involved in moving people out of the Batchelor/Rum Jungle area could not be tolerated. For those reasons, we lost the opportunity of a very good site.

In relation to the sites that have been selected - Mount Bennett, Warrai and Marrakai - some social upheaval will be experienced. As I indicated in question time, some 34 properties in that area are involved. However, this is nothing like the problems faced by southern states in respect of potential sites for dams or airports etc. It is a matter of all out war in those states when such matters are discussed. Many factors have been taken into account in relation to water resources. The proposed dam sites are laid out clearly at page 14 of the major document accompanying the minister's statement. These are not based on population growth alone, but also on the horticultural and aquacultural potential of the region that can be realised only if there is an adequate water supply.

In this regard, we are not talking about 100 years into the future. It will be necessary to build the Marrakai dam in the year 2010, and that is not so very far away. When one considers the construction time that will precede the commissioning of that dam, it is clear that we are not dealing with a fantasy relating to 100 years from now. We are talking about less than 20 years into the future when the requirement for that dam will be imperative.

Speaking as Minister for Mines and Energy, this document lays out quite clearly the facts that are relevant for the purpose of this land use structure plan. There are many high-potential, mineralised zones within that area, and I am not talking only about sand and clay even though they are important. Some of the areas in the structure plan have extensive deposits of tin, lead, silver, zinc, uranium and gold. This is indicated in the plan. As a result, we can explain our intentions to companies that have exploration leases over certain areas. It would be in their interests to get in there before further developments occur. For example, the Marrakai dam site is believed to have potential deposits of gold, copper, lead, silver and zinc. The relevant company would be able to mine those resources and be out when the site is needed for the dam. If we are to build the Marrakai dam in 20 years time, we will be communicating along those lines with the relevant companies in 5 or 10 years time. In fact, we have done that already in relation to the Warrai site at the Adelaide River. The holders of exploration licences have been given the opportunity to mine the resource there before the area is inundated with water in 10 years time.

I recall the number of people who rubbished the establishment of Palmerston. Whilst I have not done any in-depth research on comments made in that regard, I recall references to its being a white elephant. I am sure that the Leader of the Opposition would recall such sentiments being expressed in this parliament.

Mr Smith: By whom?

Mr COULTER: I am not sure. I am asking if the Leader of the Opposition remembers that being said. Mr Speaker, I will find that out for the Leader of the Opposition. Obviously, he has forgotten who said that Palmerston would be a white elephant.

However, that was said not so very long ago. In 1983, 300 people were living at Palmerston. Today, 7800 people live at Palmerston. Let's forget all the nonsense that the member for Wanguri said about this being fantasy and 100 years being too far away. In 1978, when the idea of Palmerston was first mooted, people were saying it would be a white elephant and that nobody would live there. Today, with nearly 8000 people, it would be the next biggest place in the Territory after Alice Springs even though the population of Katherine, of course, is getting close to that figure.

There was a need to plan for the next satellite city. We used to call it New Town before it became known as Weddell. Honourable members will be aware of the compulsory acquisition of the Meyering block in order to accommodate Weddell. That acquisition occurred not so very long ago, and I use it as an example to demonstrate that this is not planning only for 100 years ahead. In fact, some development outlined in this document will impact on us almost within minutes in terms of a planning timetable which allows only 10 or 20 years to put things in place. These are the types of decisions that have to be made now. I am thankful that the honourable minister has seen fit to have this land use structure plan prepared. It is a blueprint by which people can make decisions - commercial decisions in many cases - in the next 5 or 10 years, and that is the time frame that people use in respect of the commercial decision-making process.

The quality of the documents is excellent and I would like to congratulate the staff who worked on them. I am just having the spelling of 'Perron' Island checked. That is the only mistake that I have been able to pick up so far. It appears to have been named after the Chief Minister. I think the correct spelling should be with a single 'r'.

Mr Perron: That is right.

Mr COULTER: The Chief Minister has confirmed that. If that is the only mistake in the documentation that we have been provided with, that is not bad at all. I congratulate the officers of the Department of Lands and Housing for their hard work. In particular, I pay special thanks to Graham Bailey. Graham Bailey is a visionary. It is unfortunate that his surname has some similarity to that of the member for Wanguri who could not see over his bootlaces let alone 100 years into the future. However, Graham Bailey has spent a great deal of his time on this and he can always be called on for information about the future of Darwin. In fact, as Minister for Industries and Development, on many occasions I have asked Graham to advise investors on how the Territory will look in 5, 10 or 20 years time. I pay particular tribute to his skill and the calibre of his work. I hope that he never loses his visionary attitude towards the planning of Darwin because future generations of Territorians will benefit

from his foresight. I would like also to congratulate the minister on his statement which I support totally.

Mr SETTER (Jingili): Mr Speaker, I rise to support the minister's statement. Like my colleagues, I am absolutely appalled by the way this matter has been handled by the opposition's shadow spokesman for the environment and land matters, the member for Wanguri, and by the lack of commitment and input from members of the opposition. This is one of the most important issues to come before the House for many years. It is one of the most important because it relates to a conceptual plan for the Darwin region for about 100 years or even longer. Despite that, we have had such poor input from members of the opposition today. They have had only 3 speakers. They do not want to know about it.

Mind you, over the weekend, we saw the member for Wanguri run to the media when he thought he had picked up this document which had fallen off the back of a truck. There was his big chance to make a name for himself. He went to the media, but he addressed the issue with no more commitment, no more knowledge and just as much naivete as he did last week when we were talking about environmental matters. He is the fellow who claims to have won his election on the basis of environmental issues and the support of the greenie movement, Mr Ellis and a few of his supporters. We all know that the only reason that he is sitting in this place today is because he picked up the second preferences of the environmental vote.

However, he blew it again over the weekend. He blew it for a couple of reasons, not the least being that he became involved in a joint press conference with the member for MacDonnell. He was upstaged, and I note that only one electronic media organisation ran his story. The other totally ignored it. The reason that he was upstaged is that the member for MacDonnell went on camera and sat there with his hairy chest totally exposed to the world. Perhaps the member for Wanguri just does not have a hairy chest. He wore a tie. That is why the media ran with the member for MacDonnell and ignored the story from the member for Wanguri.

We have a unique opportunity at the moment because we have this conceptual plan before us. I would like to mention the objectives that are laid down:

> The primary purpose in publishing this plan is the identification, the endorsement and dissemination of the Northern Territory government's planning and development objectives for the Darwin region. More specifically, this plan has been produced to establish a broad land use structure for the future development of the Darwin region that identifies suitable lands sufficient for all land uses anticipated for a regional population of at least 1 million.

That is what it is all about. It is a conceptual plan which will take us down the line to a population of 1 million. I heard members of the opposition pour scorn on the idea of 1 million people in Darwin: 'That is absolutely ridiculous. When will it happen? Not in our lifetime, not in our grandchildren's lifetime, perhaps not ever'. In fact, at least some of them said that it would probably be a good idea if it never happened.

I first came to Darwin as a visitor in 1966. Darwin city itself did not project any further down the highway than the Bagot Road intersection. There was almost nothing from Parap to the 2½-mile store and the public works depot at that intersection. Further down, there was the RAAF Base. In towards the city, there was hardly anything. The railway was there, the

railway workshops and the railway houses around Parap and then there was Stuart Park through to the city. However, there was nothing at Winnellie. There was nothing along Bagot Road. You had to travel all the way down Bagot Road as far as Nightcliff before reaching the 100 or so houses that were there in a small community. There was nothing at all at what are now known as Rapid Creek and Millner. Jingili, Casuarina and the other suburbs to the east were just open bush. In 1973, when I came back to reside in Darwin, the city had developed to the point where Lee Point Road was its eastern most extreme. In fact, the suburbs of Moil and Wagaman had just been completed. There were many vacant blocks there in those days, but nothing on the eastern side of Lee Point Road. I do not think there was anything in Tiwi or Wanguri. That is as far as the city had developed by 1973.

Post-1974 and after the cyclone, it exploded out as far as the member for Karama's electorate. In 1983, very few people were living in Malak and Karama, but look at that area now. It is totally built out. As the Deputy Chief Minister indicated, 4 or 5 years ago, there were 300 or 400 people in Palmerston. There are now 4500 voters in Palmerston. I think Woodroffe has about 450 voters at the moment, which probably represents about 1000 residents, and there are 2 or 3 other suburbs yet to be developed. The projected population for that area is 50 000 people.

The member for Wanguri, as the shadow spokesman, said in the media the other day that the Northern Territory government did not have any short-term development plans. He asked what we will do in 5 years time and 10 years time. Doesn't the poor fellow know what is on the planning board? If he had read this document, he would know that we have already planned not only Palmerston, but Weddell and even further. This conceptual plan relates to projections for the growth of Darwin and for satellite townships that will be created to the south, west and perhaps east of the city. I am very pleased that we have continued to incorporate green belts and rural areas in this plan. These are a very important aspect of planning because we do not want to see a repeat of what occurred in Melbourne, Sydney, Brisbane and some of the other major cities around Australia. Have a look at London, Paris and Tokyo and you will see the horrendous problems that have resulted from a lack of planning. Those cities did not envisage the growth that would occur.

The point that I have been trying to make is that, in the short time that I have been associated with Darwin, I have seen tremendous growth from a population of 15 000 to 20 000 in the mid-1960s to the present figure of around 80 000 for the greater Darwin area. In 100 years down the line, a million people is not beyond one's imagination. We are talking about Palmerston and Weddell and taking greater Darwin around to encompass the Cox Peninsula. I can envisage development, part rural and part satellite urban, from the Finniss River and perhaps the Daly River right across to Gunn Point. It would be bounded in the south by perhaps the Daly River Road or by the Adelaide River right through to Lee Point and to East Point. Mark my words, it will happen and it will happen sooner than we think.

Whilst approving and supporting this conceptual plan, the member for Koolpinyah indicated some concern about the lack of water on Cox Peninsula. It is true, I understand, that there is a very limited amount of groundwater on the Cox Peninsula. However, the minister responsible for the Power and Water Authority spoke about our plans for development of future dam sites. These have been identified and, as time goes by, the short list will be finalised and the next site selected. No doubt, at some stage, there will be a pipeline from Darwin River dam or one of the other dams that will be

developed south of Darwin across to Cox Peninsula. In fact, a pipeline from Darwin River dam to Mandorah probably would be no longer than the pipeline to Darwin. That is the type of thing that would happen in order to supply the water needs of regions such as Cox Peninsula. That is what forward planning is all about. You do not sit back and wait until it all crashes down before your eyes and then start planning. Nevertheless, that is what the Labor Party wants to do. We heard the honourable member opposite say that, if - and I doubt if it will ever happen - the ALP becomes the government, it will form a committee to examine the matter. I could not believe it.

Mr Finch: Labor's only answer to every problem is to form a committee.

Mr SETTER: That is right. I could not believe it. He went on to tell us how the ALP displayed its Darwin plan in the mall last year and that, within a short time, quite a number of people had signed its proposal.

I will refer to urban and regional development in the ALP platform. I will quote selectively from it. 'Citizen participation is encouraged in all land use decisions, including the administration and development of cities and the management of the environment. Decentralisation and development of regional centres should be recognised as a sound growth policy for the Territory'. That is exactly what we are doing. 'Labor's land use and development policies should therefore enable citizens, assisted by planners and strategists at all levels, local, regional and Territory-wide, to determine the shape of their living spaces and to obtain land as cheaply as possible'.

Whilst it is fine to consult - and I would not say for one moment that, as a government, we should not consult with the community - it seems to me that, if Labor ever comes to power, all of the good work that has been done previously by this government in putting this plan together and developing this concept will count for nought. Whilst I certainly agree that we need to consult with the community at large, I would like to know what 'citizen participation' means. Does it mean what I think it means - that we go back to the grassroots again? I recall how, when Mr Hawke and Mr Keating first came to power, we had to have consensus. A couple of forums were held in Canberra. We had a taxation summit and, subsequently, another summit. I wonder whether Labor would have us put together a land use summit, inviting all interested parties to attend, and subsequently procrastinating for years and years. Such processes never get anywhere.

Mr Bell: You can have forums and summits without procrastinating.

Mr SETTER: I believe that governments are elected to make decisions, albeit after receiving community input and consulting with the community. We have excellent people in the Department of Lands and Housing, people with the expertise. That is what is needed. We do not need waffle. We hear enough waffle from members opposite. Every time the member for MacDonnell stands up, we hear waffle ad nauseam. Mr Speaker, we want decisions. We want plans which can be implemented, albeit that they may need to be modified as time goes by and circumstances change. We all recognise that the circumstances which apply in the years 2010 or 2030 will be different from those which apply today. Of course plans will have to be adjusted along the way. At least, however, we have taken the first step. We have put the plan in place. It is there for public discussion and no doubt many submissions and comments will be received as a result.

In closing, I would like to compliment the honourable minister and his department for having the foresight to put this document together in such a commendable form. It is very professionally done. Together with the Deputy Chief Minister, I compliment Graham Bailey and the officers of the Department of Lands and Housing on the hard work and research which they have put into preparing the document now before the House. Mr Speaker, I support the minister's statement.

Mr MANZIE (Attorney-General): Mr Speaker, I have been amazed by the contributions of members opposite. It is important to understand that this is not a 100-year plan. It makes no reference to a fixed period of time. It is a process to establish structures for a predicted population level. The reference to Perth gave an indication of why the assessment of population growth is realistic. Anyone who does not believe in our potential to reach those levels of population growth should not be a member of this House.

Mr Bell: Why? What an obscene thing to say, Daryl.

Mr MANZIE: Members opposite, particularly the member for MacDonnell, would like to see no development in the Northern Territory, no growth, no additional employment and no more people coming to the Territory. He would like to close the shop. We know too that he would like all the Europeans to leave and to give all the land to the Aboriginal people. He is quite proud of his commitment to that and any comments he might make to the contrary can be taken with a grain of salt.

Mr Bell: El desperado. I will be asking to make a personal explanation later.

Mr MANZIE: Mr Speaker, I am glad that we have drawn him out because, as I said, anyone who does not believe that we have the potential for population growth should not be here.

Mr Bell: That won't even work in the northern suburbs.

Mr MANZIE: Mr Speaker, the member opposite condemns himself out of his own mouth.

With that potential for growth, it is important that we set in place the structures to match the direction in which we are moving. What needs to be done in relation to water supplies and transport? Which areas will be set aside for urban living? Which areas will be set aside for recreation, industry, commerce and agriculture? We have to establish those directions.

I am amazed at the confusion of members opposite in relation to strategic land use statutory plans and controls. For the member for Wanguri to say that there is no short-term planning in place demonstrates appalling ignorance. There are a number of statutory plans in place which take care of the short-term planning needs in the Territory, and I will mention a few of them: the Alice Springs South-west District Rural Area Plan, the Alice Springs Town Plan 1981 as amended July 1988, the Highways Control Plan, the Katherine Town Plan, the Palmerston Town Plan, the Darwin Town Plan, the White Gums Rural Area Plan, the Tennant Creek Town Plan, the Borroloola Town Plan, the Katherine Rural Area Plan, the Batchelor Town Plan, the Darwin Rural Area Plan and the Darwin Foreshore Protection Plan. Those plans deal with the short-term issues, with what we will do tomorrow.

When the member for Wanguri states that he does not know of any short-term planning controls and that the government does not know where it is heading in the next 10 years, that demonstrates the absolute abysmal ignorance of the man who is supposed to be the opposition spokesman on planning matters. He is supposed to find out what is occurring in relation to his shadow portfolio responsibilities and apply himself accordingly. It would have been a different matter if he had stated that he did not like what was in the Darwin Town Plan and, for that reason, did not want to become involved in its revision. That would have been a reasonable comment. However, when he does not even realise that the Darwin Town Plan exists, he demonstrates appalling ignorance. It is also appalling that he misunderstands the strategic land use planning documents and process which have been put before the Assembly today. He demonstrated his total ignorance by discussing such matters as high-rise buildings and areas to be set aside for recreation.

Members opposite claim that we need to ensure that Darwin becomes a tropical city and stays that way. They claim that only the Labor Party can deliver that. What a ridiculous assertion! Mr Speaker, why do you think Darwin is such a pleasant place now? Why do you think it is a tropical city? Why do you think it has more open green spaces than any other city of its type in Australia? Why do you think our foreshores are available to the community? Why do you think we have greenery and parks and recreation areas? Why is the environment that we live in so pleasant? Because there are planning controls and because of this government's efforts.

This structure plan aims to ensure that the quality of life, not only for our children but for their children and their children's children, remains the same for ever and a day. We intend to ensure that the quality of life of people living in Darwin continues as it is now. It is important that we do not fall for any of the socialist planning dogma which members opposite have been putting forward. It is important that individuals in the Territory have the ability to enjoy our lifestyle. It is important to realise that very good planning processes and public consultation processes are already in place.

I remind the community that members opposite did not become involved in relation to the review of the Darwin Town Plan. We did not receive a single submission or comment from them. The process was well publicised. There were months of community input before the document was finally put together. Members opposite have shown a ridiculous lack of understanding of the difference between a structure plan and a strategy plan.

The member for Wanguri stated that the plan is based on 1990 technology, particularly in respect of transport. As the member for Karama correctly pointed out, there will be no change in the requirement to move people or goods from one point to another. That need will remain constant. Unless we perfect some means of 'teleportation' - 'Beam me up, Scotty' - 2 transport corridors will be needed. The member for Wanguri attempts to argue that we do not need to set aside areas for transport corridors. Perhaps he believes that we will have magic carpets. Perhaps we will, but I cannot envisage it. In the days when Jules Verne talked about underwater travel and air travel, members of the flat earth society wanted to put him in a lunatic asylum. The member for Wanguri and the member for MacDonnell are exhibiting the same sort of paranoia. They cannot see over their shoelaces, as the member for Palmerston pointed out quite clearly.

Mr Hatton: They have the vision of an earthworm.

Mr MANZIE: Mr Speaker, that is quite correct: they have the vision of an earthworm. They cannot see far ahead at all.

In relation to the Darwin CBD, a planning consultant produced a report outlining development concepts for various precincts. That was used as a base document in the recent review of the Darwin Town Plan and for the current work of the Darwin Design Group. We know the type of work that is being done by that group. Indeed, I believe that a member of the member for Wanguri's own party is involved in that process. I dare say, however, that he would not have asked for any advice from anyone.

Mr Hatton: She is thinking of resigning from the party.

Mr MANZIE: That would not surprise me. Mr Speaker, with customary brilliance, the member for Wanguri said that the document would be irrelevant within 12 months. That is another ludicrous statement. The government is committed to long-term, far-sighted and comprehensive planning. Previous land use structure plans, dating back to the Palmerston Structure Plan in 1980 and the 1984 Regional Structure Plan, have been endorsed and supported by this government through subsequent and more detailed planning. Palmerston is concrete evidence of the way in which we establish our directions. We could have done what the ALP wanted us to do at the time, and simply crammed more people into high-rise and town house developments in Darwin, ruining the city's unique lifestyle. They accused us of creating a white elephant. They castigated us for even thinking of putting a satellite city on the outskirts of Darwin. However, proper planning processes were in train and Palmerston is concrete evidence of their results.

Mr Hatton interjecting.

Mr MANZIE: They did object to it. The member for Millner knows who called it a white elephant. I do not have to say any more because other members of this House also know who it was. Thankfully, however, those days have passed, and I believe that all members opposite now support the concept of Palmerston in its own right. Because it was planned well, it will be a great place. Because it was planned well, the price of serviced land there is much cheaper than elsewhere and will continue to be for quite some time.

Mr Speaker, uninformed statements from the member for Wanguri will not prevent this government from continuing to ensure that we plan, both to meet short-term aims and to deal with the need to provide in the long term for appropriate structures and infrastructures to be put in place so that we do not end up with the types of problems that have caused trauma to the citizens of all other Australian cities. Whether the ALP wants us to or not, we will not be going down its track. We will be ensuring that Darwin remains the sort of city that we all enjoy, and that the lifestyle that we enjoy will be available for our grandchildren's grandchildren.

Motion agreed to.

PERSONAL EXPLANATION

Mr BELL (MacDonnell)(by leave): Mr Deputy Speaker, during his reply to the debate, the Minister for Lands and Housing was apparently so stunned that he said that I wanted to give all of the Territory back to Aborigines. I believe that it is important to place on the record that not only is that not a belief that I hold, but that I did not say it. For the record, and to relieve the appalling ignorance of the honourable minister, what we have

said and what I said in the debate was that, to take the same line as the Chief Minister was taking at the weekend, sensible public administration in the Northern Territory has to take into consideration the aspirations of Aboriginal traditional owners.

SUPPLY BILL 1990-91
(Serial 286)

Bill presented and read a first time.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Supply Bill 1990-91 (Serial 286) passing through all stages at these sittings.

Motion agreed to.

Mr PERRON (Treasurer): Mr Speaker, I move that the bill be now read a second time.

Authority to spend moneys under the 1989-90 Appropriation Act lapses on 30 June 1990. Therefore, legislation is necessary before that date to provide for expenditure between then and the passage of the 1990-91 Appropriation Bill. The Supply Bill provides for expenditure during the first 5 months of the financial year, with sufficient funds being provided to ensure the continuation of capital works programs, roadworks and normal services of government. It does not foreshadow the budget for 1990-91 although, of course, the manner of calculation of the provisions made in the Supply Bill must have regard to the estimated costs of ongoing services in the first 5 months.

The bill provides for a total expenditure of $712.882m allocated by division and subdivision to the various departments and authorities. As in 1989-90, the bill is in a format using activities rather than categories of cost as subdivisions, thus concentrating on the outputs that result from spending public funds. The significant items include: capital works, sponsored by departments and authorities - $110m; education, including TAFE colleges and the university - $127m; and health and community services - $103m. In addition, the bill contains an appropriation of $40m, entitled Advance to the Treasurer, from which the Treasurer may allocate funds for the purposes specified in the bill, including provision for inflation. I commend the bill to honourable members.

Debate adjourned.

TAXATION (ADMINISTRATION) AMENDMENT BILL
(Serial 266)
STAMP DUTY AMENDMENT BILL
(Serial 267)

Continued from 28 February 1990.

Mr SMITH (Opposition Leader): Mr Speaker, this is a very simple machinery measure that affects taxation and stamp duty legislation. The opposition supports the bills.

Motion agreed to; bills read a second time.

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

Motion agreed to; bills read a third time.

LAND AND BUSINESS AGENTS AMENDMENT BILL
(Serial 284)

Bill presented and read a first time.

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

This bill provides for a variety of amendments to the Land and Business Agents Act. Certain of the amendments are designed to improve the position of consumers of real estate services - for example, the obligation on agents to have indemnity insurance. Others are designed to improve the efficiency of the administration of the act, and the third group of amendments is designed to clarify and correct the act in various ways.

The major proposed improvement to the regulation of real estate agents and related persons from the point of view of consumers is the imposition of an obligation on persons licensed under the act to carry professional indemnity insurance. The government has made the decision to make professional indemnity insurance compulsory because it considers that such insurance is a necessary adjunct to the carrying on of a business that can severely and adversely affect the fortunes of ordinary citizens if it is carried out negligently. The government notes the point that, in a perfect world of informed consumers, such consumers should be in a position to decide whether or not to place their business with a licensed agent who is able to offer a lower cost because he or she does not carry insurance. Unfortunately, consumers are not in this happy position. Accordingly, the government is of the view that real estate businesses, like the businesses of legal practitioners, ought to be obliged to carry such insurance. In this regard, the government commends a 1988 decision of the Real Estate Institute of the Northern Territory to make it a condition of membership that its members carry professional indemnity insurance.

Honourable members will note that the provisions dealing with insurance are contained in the proposed new sections 108A and 108B to be inserted by clause 20 of the bill. Particular attention should be given to the proposal that the Real Estate Institute is to be given the responsibility under the legislation to administer the insurance provisions with regard to its own members. The reasons for this are twofold: firstly, it reduces duplication as the institute is presently carrying out the role and, secondly, it is a step towards self-regulation of the industry. I draw attention to the amendment proposed by clause 19(b) as it will entitle the institute to moneys from the Fidelity Fund to pay for the cost of administering these provisions of the legislation.

The second major consumer improvement is the widening of the application of the act to cover the activities of persons engaging in the management of corporations established under the Unit Titles Act. This amendment is proposed not because there are any apparent problems within the Northern Territory concerning such body corporate management, but to ensure that the Northern Territory is well placed to deal with any problems if and when they arise. Honourable members will be aware that body corporate management could turn into a large-scale business where managers could be in effective control of large apartment blocks controlling hundreds of thousands of

dollars of unit holders' money. This has occurred, particularly on the Gold Coast.

The government considers it highly desirable that corporation managers be subject to those provisions of the act dealing with, in particular, the control of trust funds, insurance and appropriate educational requirements. The mechanism for an appropriate degree of regulation is to include corporation managers within the definition of 'real estate agents' in section 4(1) of the act. However, for organisations that deal solely in body corporate management, it is likely that the Agents Licensing Board will grant a restricted licence both limiting the field of endeavour and giving an exemption in respect of those obligations under the act that relate specifically to the carrying on of a real estate agent's business - for example, some of the educational requirements and some of the requirements concerning the obligation to hold moneys in 'approved accounts' under section 50.

The bill also proposes 3 amendments to improve administration of the act. The first such amendment provides for the employment of alternate members for the Agents Licensing Board. This increases the likelihood of there always being a quorum for the board's meetings and inquiries. The second such amendment includes the giving of greater flexibility to the Agents Licensing Board in the carrying out of its responsibilities under the act. For this purpose, clause 5 proposes a new section 5A so that the Agents Licensing Board is entitled to grant exemptions from the provisions of the act. This power is considered necessary because the act has been found to be inflexible regarding persons who fall within the definitions of real estate or business agent but who, in fact, carry on business in a field of endeavour of much more limited or specialised range than that of a suburban real estate agent. Particular examples include hotel brokers and shopping centre managers. For such a highly-specialised person, there may be no need for the person to have completed a real estate agent's course. Some other educational qualifications may be adequate. Similarly, specialists from interstate who wish to operate in the Northern Territory from time to time in a specialist capacity may not be required to have a branch office and branch manager located physically in the Northern Territory.

Members will note also that the regulations may provide for limitations on the exercise of the power to grant exemptions. Clauses 10 to 12 respectively provide for new sections 25A and 41A dealing with restricted licences for agents and restricted registration for agents' employees which have been issued pursuant to the giving of exemption by the Agents Licensing Board.

The third administrative amendment is the proposal in clauses 18 and 19 to amend sections 92 and 95 to provide for the giving of responsibilities to the Real Estate Institute of the Northern Territory for the spending of moneys for education purposes. This amendment has been proposed in acknowledgement of the role taken on by the Real Estate Institute of the Northern Territory in conducting courses using moneys supplied from the Fidelity Fund by the Registrar of Land and Business Agents with ministerial consent and on the application of the Agents Licensing Board. The new provisions will simplify the means by which the institute can obtain the moneys and plan its courses. However, members will note that the institute will be required to report to both the minister and the board. In practice, the content of such reports will determine the amounts of money that can be used in following financial years. The precise nature of the educational purposes will be specified in the regulations. It is anticipated that the

purposes will include public education in the nature of advisory and information material to be developed in conjunction with the Commissioner of Consumer Affairs with particular regard to tenancy issues.

The final major amendments deal with a clarification of the wording of the disciplinary provisions of the act. In particular, clauses 14 to 16 provide for amendments to sections 67 to 69 to make it quite plain that the Agents Licensing Board, in dealing with any complaint against an agent, is only taking disciplinary action that may lead to a punishment, with one such punishment being revocation of the licence. Presently, the act reads as if the only disciplinary proceedings that should take place are those which will lead to the revocation of the licence.

The second aspect of the amendment to the disciplinary proceedings is to increase the fine that can be imposed by the Agents Licensing Board from $200 to $5000. Honourable members may consider this to be a rather steep increase. In fact, it simply provides for a more rational scheme of penalties. At present, the possible penalties are a reprimand or caution, a fine of $200, and suspension and revocation. The gap between the fine of $200 and suspension is too great. A $200 fine is meaningless for most people whilst suspension could mean ruin. A fine of up to $5000 can act as some kind of deterrent without putting a licensee, together with his or her employees, out of business.

Finally, the opportunity has been taken to make statute law corrections and clarifications to sections 31(6), 44(6) and 77(10). I commend the bill to honourable members.

Debate adjourned.

RACING AND BETTING AMENDMENT BILL
(Serial 274)

Continued from 1 May 1990.

See Minutes for amendments agreed to in committee without debate.

Bill reported; report adopted.

Mr FINCH (Racing and Gaming): Mr Speaker, I move that the bill be now read a third time.

In so doing, I thank the members of the opposition for their support for this important legislation which further enhances the racing industry throughout the Northern Territory.

Mr POOLE (Araluen): Mr Speaker, I want to make a couple of short comments. It is good to see that the opposition supports the bill. This legislation indicates that the racing industry in the Northern Territory has come of age. It is a vital industry for the Northern Territory, employing a couple of thousand people. The bill has come before the House at an opportune time, with the Alice Springs Cup being run last week and the big Sunday Territorian race to be held next weekend. The minister is to be congratulated on the establishment of the independent appeals system and the tribunal. I think it is a great credit to the industry in the Northern Territory that clubs in both the north and south are finally working in conjunction to make the carnival the success that it undoubtedly will be for the benefit of Territorians and interstate visitors.

Mr LEO (Nhulunbuy): Mr Speaker, I always listen with great pleasure to the unctuous, self-righteousness of the members of the CLP.

Mr SPEAKER: Order! The honourable member is on very dangerous ground. I allowed the member for Araluen a certain amount of latitude in his third-reading speech.

Mr LEO: I am speaking only to the bill.

Mr SPEAKER: In the third-reading debate, after the amending stage, you cannot introduce new material. You must speak to the bill as amended.

Mr LEO: Mr Speaker, I am indeed speaking to the bill as amended. I am always pleased to see legislation in this House which will further enhance the operations of the TAB in the Northern Territory.

In reflecting upon old material, I must say that the old is certainly the attitude of the CLP in the Northern Territory and its self-righteous members who proclaim the virtues of the TAB. I battled for years for its introduction, when the only person on the government benches who wanted it was the Chief Minister of the day. If he is to be congratulated for any achievement, it is for the introduction of the TAB in the Northern Territory.

Motion agreed to; bill read a third time.

JUVENILE JUSTICE AMENDMENT BILL
(Serial 272)

Continued from 28 February 1990.

Mr LANHUPUY (Arnhem): Mr Speaker, the opposition has no objection to the bill, which is of a technical nature. We understand that police requests for the attention of magistrates in relation to detention orders sometimes occur late at night or on weekends. The legislation meets the needs of the community by allowing police to be able to seek authority from magistrates at night or on weekends for the purpose of detaining young people. The opposition supports the bill.

Mr SETTER (Jingili): Mr Speaker, I will be equally brief in rising to support the bill. Magistrates are regularly telephoned in the middle of the night by police asking for detention orders to be issued against juveniles. They are in a very difficult situation. As we well know, juvenile crime is a problem in our community. The government has been addressing the problem for some time, with a fair deal of success.

Regrettably, the time sequence involved in many juvenile crimes places an unfortunate onus on magistrates. When police apprehend suspected offenders during the late afternoon or early evening, as frequently occurs, those offenders are subsequently interviewed. Invariably, by the time the police decide to lay a charge, it is well into the evening or even, dare I say, into the wee hours of the morning. Having already been telephoned by the police and convinced of the necessity to issue a detention order under section 32 of the act as it currently stands, the magistrate is forced to remain awake until the police arrive physically to collect the order. That can take considerable time and, obviously, the situation is not desirable. This bill will enable the police to receive verbal approval from the magistrate to detain the suspected offender in a juvenile detention centre. The police will no longer be required to physically hold the detention order.

The bill contains a number of other minor amendments. Clause 4 relates to work service orders. Usually, if a person has been guilty of breaking a work service order commitment, that person is required to serve time in jail. Whilst that is quite understandable and acceptable in the case of an adult, it is not appropriate for a juvenile. In the past, because of the way the act has been structured, the requirement has applied to juveniles. That will no longer be the case. Given that the opposition supports the legislation, I will not go into detail about the other amendments. With those few words, Mr Speaker, I support the bill.

Mr REED (Correctional Services): Mr Speaker, I thank the members for Arnhem and Jingili for their comments and I thank the opposition for its support.

Motion agreed to; bill read a second time.

Mr REED (Correctional Services)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

LOCAL COURT (CONSEQUENTIAL AMENDMENTS) BILL
(Serial 260)

Continued from 27 February 1990.

Mr BELL (MacDonnell): Mr Speaker, I rise to indicate that the opposition supports the bill. I note that the minister has circulated an amendment schedule and I wish to assure him that, unlike the Minister for Mines and Energy, I will not be taking exception to the fact that it was circulated only 1 hour ago. However, he can rest assured that it will be the subject of my customarily assiduous examination during the committee stage.

I note that the bill makes some amendments to the Adult Guardianship Act providing new requirements for adult guardians because of the increase in the size of the jurisdiction. I note also that 2 common law actions are abolished in respect of rent. Allied to that is the abolition of the Tenancy Tribunal, with that jurisdiction under the Tenancy Act able to be conferred on the Local Court. I imagine that there is some administrative saving in that regard.

Since we have just this minute passed legislation to provide for telephone warrants to be issued under the Juvenile Justice Act, it is probably worth referring to the important role that magistrates play in such a wide area. It is very easy for us to impose new duties on them, in this case the jurisdiction under the Tenancy Act, but the result is an increase in their workload. I am mindful of the comments made by a senior jurist in respect of magistrates being the front-line troops of the justice system. In any given day, they have to deal with a very large range of matters of varying degrees of importance. I believe that it is worth while recognising that fact in the Assembly from time to time, and I raise it for that reason.

One of the amendments contained in this bill will grant a power under the Local Courts Act for the Chief Stipendiary Magistrate to set costs. That proposal, together with the other miscellaneous amendments contained in the bill, meets with the approval of the opposition. I am happy to indicate that we support the bill.

Mr FIRMIN (Ludmilla): Mr Speaker, I would like to comment briefly on the bill. I appreciate the opposition's support for the bill. I particularly remind members that these amendments are the result of draft rules that were circulated after deliberations by the Rules Committee late last year. Thus, there has been considerable consultation with members of the judiciary. Like the opposition spokesman, I appreciate the front-line troop activity of the magistrates. I had a considerable number of meetings with them in relation to local court matters when I was chairing a committee examining the extension of the court rules and the lifting of some of the limits on the court. That is being addressed in this bill. The Local Court jurisdiction was raised to $40 000 last year.

I will not range over the issues addressed by the member for MacDonnell, except for his mention of the Tenancy Tribunal. The amendments that he referred to earlier were to tidy up the method of transferring the responsibility from the Tenancy Tribunal to the Local Court. They do it in a slightly different form than in the original proposal. That allows appeals under the Local Government Act.

As an incidental matter, a term that I was unaware of was used by the opposition spokesman. I must admit that I had to look up the meaning of the term 'replevin' in order to see how it applied. It means: 'The restoration to or recovery by a person of goods or chattels distrained or taken from him upon his giving security to have the matter tried in a court of justice and to return the goods if the case is decided against him'. That has been addressed in this bill. The archaic method of causing a person to be controlled by the courts has been removed. It is being handled in the same way as other matters are being handled currently by the courts. With those few words, I support the bill.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr MANZIE: Mr Chairman, I move amendment 110.1.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6:

Mr MANZIE: Mr Chairman, I move amendment 110.2.

This makes a correction to proposed section 20. It removes the reference to 'subsection (1)' and replaces it with 'section 19'.

Amendment agreed to.

Clause 6, as amended agreed to.

Clause 7 agreed to.

Schedule:

Mr MANZIE: Mr Chairman, I move amendment 110.3.

This removes certain words from section 35(a) of the Partnership Act.

Amendment agreed to.

Mr MANZIE: Mr Chairman, I move amendment 110.4.

Amendment agreed to.

Mr MANZIE: Mr Chairman, I move amendment 110.5.

Mr BELL: What will be the effect on the Trading Stamp Act of omitting sections 8 and 9?

Mr MANZIE: Mr Chairman, I am advised that there is no longer a need for the sections of the act relating to the imposition of stamp duty because fees are now able to be prescribed instead of stamp duty.

Mr BELL: Mr Chairman, I note the comments from the Attorney-General. At some stage, I will line up a copy of the Trading Stamp Act with the minister's comments.

Amendment agreed to.

Schedule, as amended agreed to.

Title agreed to.

Bill passed remaining stages without debate.

ADJOURNMENT

Mr McCarthy (Labour, Administrative Services and Local Government): Mr Speaker, I move that the Assembly do now adjourn.

Mr SMITH (Opposition Leader): Mr Speaker, I want to raise 2 subjects tonight. The first relates to a matter that requires the assistance of members of this Assembly. St Paul's School in my electorate is running an auction in early June and I volunteered to provide a memento from the old Parliament House. I spoke to the Clerk and it appeared that our options were rather limited. What we have come up with is one of the old flowerpots that stood outside the Parliament House. Thanks to Peter Downard of the Assembly staff, it has been freshly painted twice in glowing white. I ask members for their cooperation in signing the said flowerpot so that it can be donated to St Paul's School as a memento of the old Parliament House. I am assured that it will be highly regarded by St Paul's School and that it is likely to fetch a good price. Certainly, in years to come, it will be a useful memento to whoever purchases it at auction. As from tomorrow, the offending flower pot will be in the foyer close to the reception desk and there will be a marker pen inside it. It would be appreciated if honourable members could sign it at some time over the next couple of days.

The next matter is not so pleasant, unfortunately, and it concerns the problems one of my constituents is experiencing with the TIO. In fact, it is indicative of a wider concern that many people are starting to have about the operations of the TIO. This man was injured in a car accident more than 2 years ago. He has been treated continuously ever since by his own doctor and by a specialist. His specialist recommends, and has recommended

continuously, an operation to remove the continuous pain that this man suffers. The specialist is so convinced that the operation will work that he has offered to undertake it at Medicare rates, which is indeed a very generous offer. In fact, the success rate of this operation in relieving pain is about 80% to 90%. Unfortunately for the person involved, the TIO has refused to accede to the operation on the basis that a visiting specialist from Adelaide, who has seen the patient once or twice in the last 1 or 2 years, has said the the operation will not help.

This raises a number of serious concerns. First of all, it raises the concern that the TIO is attempting to interfere in a doctor-patient relationship. The TIO is not working from the principle that is accepted elsewhere that it should accept the advice provided by the doctor who is in closest contact with the patient and, in this case, that provided also by a specialist who has been in contact with the patient on a regular basis.

In Queensland, where this specialist lives, he has never had a patient refused by the Compensation Board there when he has recommended treatment. As as I have said, 80% to 90% of his patients get back to work. Now, we have a situation where the Territory Insurance Office has gone the other way. Not only is it refusing to pay for the operation, it is saying that the man is fit to return to work, and it is attempting to cancel his section 13 benefit. Thankfully, his lawyer has lodged an immediate appeal and the matter will go through the normal processes.

I want to read into the record this man's account of his suffering, because it is heart-rending. The English is not very good because English is not the man's native language. However, it illustrates graphically the pain and suffering that he is experiencing:

> To whom it may concern, I am not to sure from where to start. My problems are so many that day by day passes when I take 4 different lots of medication, which are for relief of pain, for dizziness, for headaches, for migraine and for my back pains. In result of all these things, I have felt no difference whatsoever in which my pains are unbearable. In the back of my head and neck, the pains are getting worse day by night. The dizziness and headaches are getting as worse as the migraines. They are so bad that they get to the extent that my teeth and ears are aching, which it then affects my eyesight as well. The sharpness of the pain is as if stabbing knives to my back also.
>
> I just do not know how much longer I can go on. I feel so depressed that I cannot come to terms with what is going on around me. As soon as I start to think of doing something and of how to do it, my mind automatically stops and my migraines and headaches start all over again. There are times that I come to think that my mind goes crazy and my memory stops, which I cannot think logically. People talk to me and I do not understand anything they say, and I do not know what is going on around me at times. I have lost my memory. I cannot remember, and forget so easily to an extent which is unbelievable.
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> There is no morning when I get up that there aren't any dizziness, headaches and pains. To overcome all this, it takes me 2 or 3 hours. My head and neck seems as if it is all one with the back of my neck and down to my spine with such pains. I do not know how far this situation is going to go on for. I tend to lose my mind and I feel so depressed.

My family doctor and specialist are doing everything they can in helping me and are such good doctors indeed. The specialist believes that there is one solution to the pain of my nerves, which is an operation to the nerves which connect to the back of my neck which just maybe might stop my dizziness and headaches that are driving me insane. This is my only hope, that I will find in myself and in my life which has turned out hell for me, which only I know what I am going through.

Then I have my back. Each time I squeeze or cough, it kills me with unexpected pains. Whatever I hold I let it down because of the unexpected pain which causes the dizziness and headaches. Because of the pains in my back, it stops me from driving around in a car. I only drive when necessary and short distances, such as going to the doctor and also to physiotherapy. It is dangerous for myself and the other motorists whilst I am driving. It is also unbearable when driving that, whilst turning left or right, I am in pain with my neck to look from side to side. That is the reason I cannot drive any more.

When awakening in the morning, the back of my neck is swollen and very painful. With help and hints from a doctor, I put frozen peas on the back of my neck to relieve the pain for me and it relaxes me. Every evening, when I am due to go to sleep, it is not until 2 or 3 o'clock that I get to sleep and then I am awake at 6.30 to 7 o'clock in the morning. I do not get enough sleep because of the sharpness of the pains that I get and it is very disturbing, and I am very alert and always tossing about because I cannot sleep in 2 positions. It is too painful.

When we have a lot of heat, the pains grow bigger and the dizziness and heartaches get worse. When there is cool, it makes a world of difference. The climax of the cold has a better effect on me that I have noticed. They calm me down a lot more, the pains and aches and the headaches and dizziness. Another consequence of my life is that I am always taking it out on my wife. It is not very fair on her, and I just do not know how much more of this that I can handle.

Mr Speaker, that is heart-wrenching. There is an 80% to 90% chance that that matter could be resolved by a simple operation which the specialist has done hundreds of times before with that percentage success rate, but the Territory Insurance Office is saying that the operation is unnecessary and it is condemning that man to a life of pain and misery. I hesitate to raise this in this House because it is a matter that is being handled at a legal level. However, I was personally offended that any institution could be so inhumane and so callous. The specialist has advised the TIO and is so committed to the case that he came to see me and is prepared to perform the operation at Medicare rates in the Darwin Private Hospital. I am offended that the TIO could be so callous as to refuse to authorise the operation.

There is no doubt that that man's injuries are a result of the motor vehicle accident in which he was involved. There is no doubt in my mind that the TIO has a duty to provide an operation for that man so that he has at least some opportunity to lead a normal life again, and not to be forced to live a life of pain and suffering. Publicly, I ask the TIO to examine this case, to put some humanity into the decisions that it takes, to accept the advice that it has been offered by the man's family doctor and by the visiting specialist and to authorise the simple operation that has an

excellent chance of freeing him from the tyranny of the pain that he is experiencing.

Mr TUXWORTH (Barkly): Mr Speaker, I rise tonight to address the issue of Mr Tony Caught and his piano invention. Some members of the House would have been briefed, from time to time, by Mr Caught on the progress or problems relating to his invention. It is fair to say that Mr Caught has demonstrated perseverance in respect of this project. Whilst he may not have been his own best friend from time to time, certainly he has had the interests of his project, himself and the Territory at heart.

The Minister for Industries and Development was asked a question the other day by the Leader of the Opposition. The response was of such a nature that it would lead one to believe that the minister was not very impressed with Mr Caught or his proposal, that too much time and effort had been spent on Mr Caught and that the department ought to be doing other things instead. In all of these matters, there are always 2 sides ...

Mr Perron: Were you here?

Mr TUXWORTH: Yes, I was here, Mr Speaker. There are always 2 sides to the story and, given the response by the minister to Mr Caught and the minister's letter to the Leader of the Opposition, I would like to put Mr Caught's letter on the record tonight and to say to the minister that perhaps there is another way to handle this.

Mr Coulter: Why don't you invest in it? Put your money where your mouth is.

Mr TUXWORTH: Mr Speaker, for the same reason that I do not want to invest in the people's furniture factory. Nevertheless, it is something that ...

Mr Perron: You do not think that it is going to work.

Mr Coulter: Do you consider this to be at the same level as that?

Mr TUXWORTH: Mr Speaker, I would like to read into the record the letter that Mr Caught has written to the minister and then to table a couple of other papers in relation to the matter. This is an open letter to the Minister for Industries and Development, Hon B. Coulter:

> As you refuse to see me or correspond directly with me, I approached my member of parliament, Mr T.E. Smith, to try and find out why you have rejected my proposals and the proposals put forward for me by your own department for my piano inventions. I am writing this in answer to your response to the Leader of the Opposition and comments made by your spokesperson in the Territorian, Sunday 6 May 1990. The only comment I have heard you make on my proposals was in parliament in answer to a question from Mr Smith. Is confrontation in the House the only way a person can get any response from you, Mr Coulter?
>
> You claim in your letter to Mr Smith that your office 'has spent many hours trying to assist me'. Those hours were not spent in providing assistance but in total obstruction. On the other hand, the Department of Industries and Development has generally been supportive and helpful, only to have their proposals for assistance rejected by your office. It seems to me there is a lack of

communication between your office and your department. Indeed, I would go so far as to say you have ignored the advice of your departmental officers in this matter on several occasions. That claim is made because of the verbally expressed support I have received from your department only to have their recommendations rejected by you.

Your written response to Mr Smith reveals a total lack of understanding. It infers that I have received extremely generous support, when the opposite is in fact the case. For your information, Mr Coulter:

(A) I received $9810 in March and June 1988 to build the first prototype piano.

Mr Perron: And you don't call that assistance.

Mr Coulter: And is that help, eh?

Mr TUXWORTH: I assumed, Mr Deputy Speaker, from the letter, that it was from the government.

Mr Perron: It was a grant.

Mr TUXWORTH: Right. The letter continues:

(B) In December 1988, I received $6500 to begin the International Patent Protection Program.

(C) On 1 June 1989, you apparently approved what I and several officers of your department thought was a loan of $25 000. However, 4 months later, I was offered a loan of $25 000, at 18% interest, to be repaid within 1 year and secured by my personal guarantee. Is this your idea of assistance, Mr Coulter? Out of curiosity, how many of the other recipients of loans and grants detailed in the 1988-89 year had to have a personal guarantee on such short term or at 18%? There is no way I could accept such conditions.

(D) Your department's annual report for 1988-89 states that $30 029 was paid to me for research and development. In fact, I have never received that amount from your department. The only amount I received in that financial year was the $6500 for patent protection, not research and development. Where is the remainder, Mr Coulter?

Mr Perron: Oh, is that all?

Members interjecting.

Mr TUXWORTH: Mr Deputy Speaker, if honourable members would like to be patient and ...

Mr Coulter: They all received the letter. Why didn't you table the letter? Everybody has it?

Mr DEPUTY SPEAKER: Order!

Mr TUXWORTH: Mr Deputy Speaker, I will come back to that point in a minute, for the benefit of the minister.

(E) Your spokesperson's statement in the Sunday Territorian on 6 May indicated that I had been lent money to develop markets for the product. That statement is false and misleading. Though your department recommended this action, you rejected it and I have never received any advances for this purpose.

In an effort to clear up the inaccuracy of the department's annual report in (D) above, the departmental secretary advised, after according me a great deal of time and discussion on the matter, that he was making a positive recommendation to you which would correct the situation. I believe, Mr Coulter, that you waited for your departmental secretary to go on leave before rejecting his recommendations.

I have never demanded anything of you or your department, or requested an unlimited supply of funding. I have always followed the advice of your departmental officers in all submissions that I have made. I have proceeded on that advice, only to be told that, after setting certain events into motion, I could not follow through because you rejected the recommendations put in on my behalf.

Because there is no freedom of information act in the Territory, there is no safeguard on what a departmental ministerial adviser or minister can do. When decisions can be made without fear of exposure, it is too easy for the personal vendetta or favours to be instituted. You say in your letter to Mr Smith that 'with the benefit of hindsight, the time and effort which has gone into Mr Caught's proposal, in my opinion, would have been much better directed into projects which, and proponents who, had a more realistic potential to benefit the Territory'. With hindsight, Mr Coulter, you would have been much better advised to have supported this project and allowed the piano to be built in 1988. By now, a piano industry would be a reality in the Territory if you had done so.

I have succeeded, after much hard work and determination, in interesting the largest piano manufacturer in the world, Samik in Korea, with no help from you or your department. The company has supplied me with a piano for my modifications, and that piano has now been flown to Korea for testing prior to possible negotiations. Is this to be another Australian invention sold overseas because of the short-sightedness of the government, and can the Northern Territory afford to reject a new manufacturing industry in the Trade Development Zone?

You say in your letter to Mr Smith that I could not deal from a position of strength, and that is right. I am not in a position of strength. You have ensured that. However, even at this late stage, the situation can still be recovered if you accept the most recent recommendations of your departmental secretary, advance the funds necessary to secure the patent, and allow a marketing exercise to be undertaken. Your failure to do this will be a tragic disappointment to all who are aware of the facts and anyone that believes in the future of the Australian industry.

Tony Caught.

Mr Deputy Speaker, from reading Mr Caught's letter, there is no doubt that he is pretty disappointed with the treatment that he has received or the treatment that he did not receive.

Mr Finch: What else could have been done?

Mr TUXWORTH: The Minister for Transport and Works asks what else could have been done. For the benefit of honourable members, I would like to table a resume of the activities that have occurred over a period of 2 years between Mr Caught and the department. I do not think there is a reference in there to the minister, but certainly there is to his office. To read this resume, it would not appear that Mr Caught was being pushy, demanding or unreasonable. Perhaps he was, and perhaps that side of it has not come out. However, there have been 20 or 30 instances of activity between Mr Caught and the department.

Mr Coulter: That is what he referred to as not being helped.

Mr TUXWORTH: Mr Deputy Speaker, I pick up the minister's interjection and say that the old adage, 'I am from the government and I am here to help you', does not necessarily mean that that has happened, simply because ...

Mr Collins: And they will still respect each other in the morning.

Mr TUXWORTH: Yes - simply because there has been a communication.

With all the toing-and-froing and arguing about who is right and who is wrong, there is one point that we seem to have missed, and that is that perhaps Mr Caught ...

Mr Coulter: That there is no buyer for the product.

Mr TUXWORTH: Well, maybe Mr Caught has an invention that has some potential. If that is the case, then it behoves the government and all of us to try to ensure that it does not go out of Australia. Whether there is a local market or not, I do not know. However, I am told that more than 10 000 pianos are imported into Australia each year. If that is the case, I would have thought it presented a fair starting point for the use of the invention. Perhaps Mr Caught does not have the style, finesse and contacts to have his invention accepted by people who might reasonably use it, and that is the sort of communication and support that he was seeking from the minister. In any event, it would be a terrible shame for the Territory if the dissatisfaction between Mr Caught, the minister and perhaps the department became the focus of the issue, and the invention disappeared to benefit people elsewhere in the world.

I did not rise tonight to plead the case that Mr Caught is right and everybody else is wrong, or that the minister has been unreasonable. I am not arguing that at all. What I am saying is that, if there is an overseas firm that is prepared to transport the invention overseas for assessment, perhaps there is a good argument for the government to be supporting the pitch and determining whether the invention can be used. Mr Caught is clearly aggrieved. He is most positively out of pocket and the government is still in a position, if it so wishes, to do something about putting the invention on to the right plane in terms of introducing it to people who may prospectively use it.

Mr Coulter: And how much would you suggest that we put into it?

Mr TUXWORTH: Mr Deputy Speaker, I do not have much time left but, in response to the minister's interjection ...

Mr Coulter: Just give a figure. It does not take long to give a figure.

Mr TUXWORTH: Perhaps money is not the issue. Perhaps, as much as anything else, Mr Caught is looking for support in putting his proposal forward to the right people.

Mr Coulter: You have just spent 15 minutes talking about money and now you are saying that it is not the issue.

Mr TUXWORTH: Mr Deputy Speaker, I have spent 15 minutes putting Mr Caught's response to the minister on the record and putting a brief argument that the minister should consider using his good offices to determine whether there is any future at all for the proposal. From the responses coming from across the Chamber, I can only gather that the minister has no intention of doing that, and that is to be regretted. I think that it is an unfortunate loss for the Territory if the project goes ahead and someone else gets the benefit.

Mr DEPUTY SPEAKER: Does the honourable member intend to table that document?

Mr TUXWORTH: I am more than happy to do that, Mr Deputy Speaker. I seek leave to table the document.

Leave granted.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, this appears to be the night for giving the Minister for Industries and Development a bit of a serve, but he has broad shoulders. This morning, I asked the minister whether he could guarantee that the Chinese guest workers at Hengyang would be able to keep their money when they went back to China. I have no doubt that the honourable minister has done all in his power to ensure that the Chinese representatives know what is required for workers working in Australia, but that was not the question. It may be that the minister answered it by saying nothing because I do not believe that this minister or any of our federal ministers can control what will happen to Chinese workers when they return to China.

Recent months have seen the Tienanmen Square massacre when the uprising for democracy was crushed in a most brutal manner. As far as I am concerned, and I am sure that numerous Australians would agree, we cannot make much of an impression on such a country. However, we could register our protest by obtaining our guest workers from such places as Taiwan or Hong Kong. I am sure that the skills that are available in China would be well and truly represented in those 2 countries, and at least they support basic democratic principles.

The figure of 200 000 guest workers that I mentioned this morning came from the minister himself during a previous sittings of this Assembly. However, he told me this morning that it is more likely that 1 million Chinese guest workers are placed around the world. As I understand it, they leave their own country on a contract and go to work in a foreign country. They are paid the foreign country's wages and the difference between the wage agreed to in their contract and the wage they actually receive goes to their government. It is fairly reasonable to suggest that quite a few billions of dollars a year - indeed, I calculated some ...

Mr Coulter: You have never been further north than Darwin, have you?

Mr COLLINS: I do not see that that is totally relevant. We are employing these people and, if the world wants to put some pressure on the oppressive communist Chinese regime, perhaps sending the guest workers home could be a way to register a protest and support the ...

A member interjecting.

Mr COLLINS: Of course, that is the other aspect. It is what was not said in the fiasco last time, and it left a considerable amount of egg on the minister's face. However, in my book, he would not have raised the matter if he had not felt that there was some substance to it, and I am more than happy to put that on record. Given the position that he holds, he would not be so foolish as to fabricate such a story just for the heck of it. It certainly did not help his cause or his party's cause.

However, it is my opinion that these guest workers have conditions laid down in contracts which they have signed. The minister might think he can break that, but I think we are kidding ourselves if we think we can influence the Chinese government in that way. However, we could exert some influence by suggesting that other countries looked at the guest worker situation and, as a protest, sent them home. Certainly, that would hurt the communist regime in that country.

Mr Coulter: They would love to hear you say that. What great security you are offering them as guest workers. We are going to send them home now.

Mr COLLINS: The minister ought to read the Hansard record tomorrow. I know he has had his ears boxed tonight but, in the cool, calm morning light, he might read this over and understand what I am talking about.

On the plane going home to Alice Springs on Friday, I was sitting with an officer who is involved with ATSIC. I have known him for a long time. In fact, he attended Alice Springs High School when I was a teacher there. He was telling me about a scheme related to the Community Development Employment Program and which about 90% of the unemployed people in an Aboriginal community must support before it is implemented. This morning, the Chief Minister referred to concerns, particularly among Aboriginal women, about the men receiving the dole and shooting through with it, leaving the women and children without money.

The plan implemented by the community for which this person works is as follows. If a man who has volunteered for the CDEP in the community decides to visit a major town some distance away, he is not taken off the program. The result is that the money stays in the community where it is of benefit to his wife and children. That continues for 12 weeks or 3 months. After that, another 6 weeks elapses before the man is able to qualify for unemployment benefits. In total, that is about 18 weeks during which the person who has decided to go into the town has no money to support a drinking binge. That is one community's method of ensuring that the wives and children have money to look after themselves whilst putting pressure on the absconding worker to return to the community and carry on with the program. It is a practical solution and I commend it. There might be a few legal difficulties in relation to the finer points, but it is certainly not appropriate for Aboriginal Legal Aid to become involved in its usual tricks of getting people off at any cost with no thought to the justice of the situation.

At the last sittings, I raised the matter of making drunkenness an offence. I have pursued the matter in Alice Springs in recent times and I find that there is quite a degree of support for the general idea. The offence would not apply for a single instance of drunkenness but for continuing instances. I am talking about people who are picked up and taken into protective custody frequently - say, 3 times a week, 6 times a month or 10 times in 6 months. I do not propose that the offence should be punishable by jail but by community service orders to be served, wherever appropriate and practicable, in the offender's home community.

Basically, this idea was put to me by a person involved with the Tangentyere Council who has been concerned about the problems created by alcohol abuse for a long time. His view was that, if people had to serve community service orders in their home communities, it would get them away from the town for a while and provide a degree of peace and quiet for the Aboriginal people. Whilst we are aware of concern about Aboriginal violence and attacks on white people in Alice Springs, sometimes we are oblivious to the situation of Aboriginal people. A visit to the Alice Springs Hospital on virtually any night of the week is like a visit to a battleground for Aboriginal people who have been drinking and fighting with one another.

Alcohol brings out the tribal differences which remain under control when people are sober. On Friday, I was speaking to a person who holds an important position in the health field in Alice Springs. I asked him what percentage of hospital accommodation in Alice Springs is occupied by Aboriginal people. The answer was 65%, which is roughly two-thirds. Unfortunately, alcohol abuse and fighting are the major causes of this situation. One can well appreciate the Tangentyere Council's view that troublemakers from other areas who get drunk daily and cause fights should be taken back to their own communities.

I have been told that Aboriginal men believe that cleaning up rubbish is a job for women and white people - an attitude that is both sexist and racist. The person who told me that believes that the most effective punishment for these people would be to be sent back to their home communities on community service orders involving the cleaning-up of rubbish. That approach would be well worth trying. It could have a salutary effect. I know that I would find it very embarrassing to be told to clean up Bourke Street in front of a crowd of people who knew me and who knew that I was being made to do it because I had been perpetually drunk. That would have a salutary effect on me and it may well have a salutary effect on Aboriginal people. I believe that such an approach would be well worth examining and I intend to introduce a private member's bill to that effect. The bill will give magistrates the power, in circumstances in which they believe it to be necessary, to commit offenders to compulsory rehabilitation programs which must be completed. I realise that the proposal would be costly and the subject of considerable debate. However, I believe that it would be well worth a try.

My last point relates to the Alice Springs Eisteddfod which is occurring this week. It has been an annual event for a number of years now and, in fact, I took part in the first one myself. I am sure that the organisers now take steps to ensure that it coincides with Assembly sittings so that I am unable to take part and make raucous noises. I commend the people involved in the eisteddfod which is extremely well organised. Perhaps one should not mention one's wife but, in the first eisteddfod, my wife accompanied 64 choirs or individuals on the piano. Last year, she accompanied 76 and, this year, the number will be 93. That is not a bad effort. It shows how the eisteddfod has grown. I am sure that music will

at the forefront in Alice Springs this week and I only wish that I could be there.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I want to refer to several matters in this adjournment debate. First of all, I will remind all honourable members that this year's Freds Pass Rural Show will be held on 19 and 20 May. This will be the eleventh show organised by the APEX Club in Litchfield. It really is a beaut little country show and well worth the time spent in travelling from Darwin to attend. There is something for everybody. It is a family event which has some uniquely rural content. It will feature the things which usually happen at a show but, in addition, there will be some country games which I expect the Minister for Mines and Energy to enter.

Mr Coulter: I will. However, I am not sure that they are the same ones that you have in mind.

Mrs PADGHAM-PURICH: I am running them, and I will keep you to your word.

With the help of APEX and the Howard Springs Scouts, I will be running my animal nursery once again. Last year, it made over $1000 for APEX and I am hoping for public support again this year.

I turn now to a more serious matter which is becoming increasingly important in the Darwin rural area and, possibly, rural areas in other parts of the Territory such as Katherine and Alice Springs. I refer to the spraying of weedicides and herbicides. More and more people are growing fruit trees and other horticultural and agricultural produce in the rural area. If they live on big blocks of land, their spraying for insects or blights of various types does not affect anybody. However, in the case of 5-acre and 20-acre blocks, it is important that immediate neighbours know when spraying is to occur. It is being drawn to my attention increasingly that neighbours of people who are very enthusiastic sprayers suffer considerably, especially those who have breathing problems such as asthma. These people are not opposed to their neighbours' spraying for pests on fruit trees and other agricultural produce. All they want is notification of when the spraying is to occur.

I do not know quite how to approach this problem. I have not yet approached any government departments and far be it from me to seek the introduction of more regulations. However, I believe that the situation must be addressed. I believe the Litchfield Shire Council has been made aware of constituents' concerns in relation to this matter. We do not use many sprays at our place, but we have to use them from time to time. I do not have any philosophical objection to spraying when necessary, but I believe that people in the immediate neighbourhood should be notified so that they can take appropriate precautions if they feel that these are warranted.

Turning to another matter, over some years I have drawn attention to building requirements in the rural area. I thought that I was a voice crying in the wilderness, but it appears that my requests for consideration to be given to the special requirements in the rural area have been listened to and are in the process of being met. I refer to the requirements relating to the construction of sheds. Of late, the Building Board has been receptive to the view that, under certain conditions relating to distance from boundaries and heights and floor areas, some sheds might be built without Building Board approval. This is good news for many people. The relevant specifications have not yet been made public by the Building Board,

but they will only apply to larger blocks. In the Rural Living 1 area around Howard Springs, there are 5-acre blocks. The owners of many such blocks also want consideration of some sort. The Building Board is looking also at some amelioration of the position in respect of 5-acre blocks. I am very pleased to give credit where it is due and I believe that all credit must go to Building Board in this instance.

Mr Coulter: And the minister.

Mrs PADGHAM-PURICH: The minister as well. It is a pity that he is not here to hear me praising him.

In last week's Sunday Territorian, I read an article which adopted an anti-male position. Whilst I am a great believer in the equality of men and women and I consider that any woman is as good as any man, I still believe that, if an article made the same sort of adverse comments about women, every feminist from Bathurst Island to Hobart would be up in arms. Evidently, a survey conducted in the United States was conducted also at the Casuarina shopping centre. It asked women whether they thought men were egotistical, lecherous slobs.

Mr Hatton: Oversexed.

Mrs PADGHAM-PURICH: That is what 'lecherous' means. However, if you like, they were asked whether they thought men were egotistical, lecherous, oversexed slobs. Whether one agrees with such a statement or not, that is not to say that such questions should be asked.

Mr Bell: This is more shameless headline-grabbing, Noel.

Mrs PADGHAM-PURICH: No. I am speaking in the interest of fairness. If the same derogatory remarks were passed against women - and I will say 'against wayward women' because I am being very tactful - every women's group would be up in arms. If we expect to get along with people in the community, we will not do so by knocking them, whether they are men or not.

Mr Bell: That is the men's vote in your pocket, Noel.

Mrs PADGHAM-PURICH: I am very much aware that 50% of my constituents are men and 50% are women. Whilst I do not push the women's barrow, I do not push the men's barrow either. They are each worthy of equal consideration in my view.

Recently, I received a newsletter called 'Equal Opportunity' from the Office of Equal Opportunity. I rang Mrs Pat Davies and we spoke frankly about it. Probably, I can speak about this more than male members can. There is a heading: 'Pick the Discrimination'. There are certain references to what are called danger signals. 'Indirect discrimination is unlawful. It can be unconscious, but that does not make it lawful'. It gives examples of danger signals of discrimination in statements that may be heard. If one paid attention to the fact that one is not supposed to make such statements, very soon one would not be able to open one's trap at all when one employs someone.

The first example of a danger signal is: 'A woman could not do this job. There is too much stress'. 'Women/men do not apply for this type of job'. What is wrong with saying that? There are some jobs that I would never apply for. One of those would be working in a machine shop. I could not stand the stress, not of the noise but of all those machines doing the

things that machines do. I would find it horrifying to work in a job like that.

The next danger signal is: 'One of the applicants is pregnant. That rules her out for a start for the job'. If one comments on the fact that an applicant is pregnant, surely one is commenting on the fact that certain consideration would have to be given to that employee in relation to what she lifts, whether she has a chair to sit on, whether she has to do certain jobs or whether she can walk distances without resting. It is consideration for the applicant.

The next one: 'Is he married? We prefer a married man for this position. The town needs families'. I applaud that. I think that is community feeling carried to its best.

The next is: 'What is his/her name? Ho Lin. An Asian, eh? That would not go down well here'. There are also comments about a person being an Aborigine and a person being Jewish. You cannot change human nature by legislation. If you believe that, as a result of taking on an Asian, an Aborigine or a Jewish person for a particular job, there will be real trouble on the job then, in fairness to all concerned, you should talk it over with all the other employees and explain the position clearly to the applicant. If the applicant wants to proceed with the application, that is up to him or her.

The next is: 'She has young children. We had better find out what her child-care arrangements are'. What is wrong with that? That shows consideration for the applicant for the job. You want to find out what her child-care arrangements are in order to determine whether it is a part-time job or a full-time job or what time she starts and finishes. Another is: 'I believe she is trying to start a family which will affect how long she can stay in the job'. I am not commenting on how that would affect big employers like Woolworths or Coles but, if an employer who employs only a few people employs somebody for a short period, considerable time may be lost. Time is very valuable to a small employer because he has only a small profit margin and time is money. The time taken to train somebody who does not last long in the job will be time wasted. It is in the employer's interests to know whether the person intends to start a family or how long she will stay.

We then come to ageism: 'She is a bit young for the job. Women her age are always getting pregnant'. 'Now, I am not sexist. Older women make great employees, but you have to face facts'. That is ageism and we are told now that it is a danger signal. You might want a young person for a job or you might want an older person who has more experience. Surely that decision should be left to the employer?

The next example is: 'Look, Smith is a married man. He really needs the job'. I think that that is looking after the employee's welfare. If he is as good as the next person and you give him the job because he is a married man, I think that really that is looking after his interests. The next one is: 'Oh, I always tease him about his colour. He does not mind a few black jokes'. That is okay provided white jokes are made too. I believe that humour is one of the best means of getting any message across and it is the best way of softening a situation. I swap black jokes and white jokes with some of my friends.

The only one I agree with is the following: 'Choose the blonde. She will look great in reception'. I agree that that is wrong because I am a brunette.

Another one is: 'She got married recently and may not be able to give the job any long-term commitment'. Again, we must consider the small employer who will be grossly disadvantaged if he has to spend time constantly training people. His profit margin is small. The next is: 'He/she has never done this type of job before. I think it is outside his/her capabilities'. I think that is fair comment if it is made by an astute personnel manager. The purpose is to assess whether or not the applicant can do the job. I do not believe that that is a danger signal. That is followed by: 'She has only ever done secretarial work and my guess is she will not be suitable for a position in administration'. I believe that is a fair comment that could be made by an astute personnel manager who knows the applicant very well.

I expressed my concerns to Mrs Pat Davies. We had a frank discussion because I know her quite well and she is a very sensible lady. I believe that statements such as these tend to trivialise the work that these people are doing. With those comments, I conclude my remarks. However, I again remind members of the Freds Pass Show which is to be held on 19 and 20 May.

Mr FLOREANI (Flynn): Mr Speaker, this may be of interest to the Minister for Education. In November of last year, I received a phone call from a Mr James Dash, the past president of the school council for the Acacia Hills School. He asked me to act as an independent chairman for a meeting that was being held at the school. The meeting was attended by some 50-odd people. Most of them were parents of the children at Acacia Hills School which is the special school for handicapped children in Alice Springs. The parents were concerned about the treatment that a Mr Kelly might have been receiving. I am not sure what the matter was really about but, certainly in my judgment, the parents were supporting Mr Kelly.

Later, I received a letter dated 13 December. The same letter was sent to a number of other people in Alice Springs including all the MLAs, the leaders of the various parties and important people in the education service. I would like to read the letter into the public record. Incidentally, the letter is signed by Anthony Kelly, Principal, Acacia Hills School, and Heather Hall, Senior Teacher, Acacia Hills School.

Dear Enzo,

We have enclosed a copy of our proposal for directions for an inquiry for special education in the Northern Territory which we have written as a reaction to the Review of Special Schools in the Northern Territory dated 21 November 1989. It is our belief and that of others in the 4 special schools in the Northern Territory that an investigation into the role, function and effectiveness of special schools in the Northern Territory is necessary.

In this, we agree with senior officers of the Alice Springs regional office of the Northern Territory Department of Education, who not only drew up the current review document but who constitute the working party. However, we believe that the parameters set for the Department of Education review are too narrow and it would be fruitless, if not impossible, to undertake a review of special schools in the Northern Territory without considering the

outstanding needs of all special education services in the Northern Territory.

We have asked that the inquiry should investigate the total provision of special education services in the Northern Territory, that membership of the inquiry should be representative of Territory-wide concerns, that the needs of the disabled children and their families in urban, regional and bush centres should be the focus of the working party, and that the Northern Territory Department of Education create immediately the policies, structures and procedures necessary to meet these needs. We have asked the Assistant Secretary Operations South Northern Territory Department of Education that our document be passed on to the Northern Territory Minister for Education for his action. We believe that our support to have this inquiry and the subsequent responses of the Northern Territory Department of Education enacted is vital and urge that you confront the Minister for Education with this.

Attached to the letter was another letter which is a preamble to a 5-page statement prepared by these 2 people. I will read the preamble:

Perceived difficulties in the composition, description and parameters of the Review of Special Schools in the Northern Territory 21 November 1989: The tone and direction of the document are negative. It fails to recognise the need for the creation of policies and structures at departmental level which are basic to effective service delivery and the development of special education services in the Northern Territory. Indeed, it seems to be stating that, if we fix up Acacia Hills School to the satisfaction of current staff, we will know how to fix up the other special schools when similar problems occur there.

Whilst we acknowledge that there are issues expressed in the body of the review document that are common to all special schools in the Northern Territory and should be addressed, we feel the document was hurriedly put together without weighty consideration of the real issues underlying the unrest in special education in the Northern Territory.

Again, this is signed by Anthony Kelly, Principal, Acacia Hills School, and Heather Hall, Senior Teacher, Acacia Hills School.

Mr Speaker, I raise this matter in this public forum because special schools throughout the Territory are of special concern to all. I have visited the Acacia Hills School on a number of occasions. It has many innovative and positive programs and has won the healthy respect of most of the parents of the children at the school. I would appreciate an explanation from the minister as to whether a review is being undertaken and whether the points raised by these 2 teachers will be taken into account in any review. I am genuinely interested in what happens at the Acacia Hills School and what the future holds for the handicapped children in Alice Springs.

Mr BELL (MacDonnell): Mr Speaker, I want to take up a question asked of the Chief Minister by one of his backbenchers and by myself in respect of the initial interest that he has taken in the views of Aboriginal people around my electorate. I very much appreciated the invitation from a member of his staff to attend the rally on Saturday morning. As well, I very much appreciated the opportunity to address that rally. I was interested to hear

the comments made both at the rally and this morning by the Chief Minister in respect of those meetings. There are a couple of points that I want to make.

The first is that it needs to be drawn to the Chief Minister's attention that the very people whose views he is praising or, at the least, taking seriously at this stage, are the self same people whose views about traditional ownership of places like Ayers Rock he was deriding so determinedly a few years ago. However, let me say that I very much appreciate this change of heart by the Chief Minister. If it is the case, it will be of electoral benefit to the Chief Minister, and to my cost. However, the CLP and the Chief Minister are attempting to drive a wedge - and the Chief Minister was more equivocal in that regard this morning than he was on Saturday morning in Alice Springs - between Aboriginal people in bush communities and the town-based Aboriginal organisations. I can appreciate his political analysis in that regard, but it is unfortunate that he has decided to approach the matter in that way.

Tonight, I want to indicate quite clearly that the work done by many of those Aboriginal organisations in Alice Springs is extremely valuable supportive work. I believe that the criticisms so often heard of those organisations, such as the Central Land Council and the Tangentyere Council, by and large, are extremely unfair. Everybody knows that there are tensions and difficulties in any organisation. The traditionally-oriented people in the bush speak English as a second language. In my electorate, the first language of the people is an Aboriginal language. As I have said on other occasions, 2 languages are spoken and each of those languages is broken up into several dialects. There is tension between that group of people and the town Aboriginal people who work in those organisations.

Very often, we hear the very unfair accusation that those town Aboriginal people have become activists in the Aboriginal cause only for personal gain and that they have taken an interest in their non-urban relatives only in recent years. That is a very unfair accusation. If some of those people have taken an interest more recently in that regard, it is more a condemnation of the past policies in this country that sought to discourage them from taking that interest because it placed Aboriginal people at the bottom of the pile. In the last 20 years, there has been an effort - and many of those organisations are at the spearhead in this - to raise the status and self-perception of Aboriginal people and their sense of pride in being Aboriginal. It is true that I find the rhetoric to be a little questionable at times, but any organisation or social movement will make some claims and statements with which one is unable to agree. However, their embattled position, chiefly as a result of the actions of past CLP governments, has been the cause of that in the Territory. By and large, they have not been supported by any government ministers in those 12 years, and that has created this embattled situation.

I will be speaking elsewhere about the Minister for Mines and Energy who is determined to circumvent the land councils in respect of the processes under the Mining Act for the consideration of exploration licences. He is determined never to talk to them. I think that is very sad. I think I am pretty close to the very people who were dancing on Saturday morning. One of those women regards my kids as her kids. One of those women has a son who, without putting too fine a point on it, is a hopeless alcoholic. He is in and out of my office most days waiting for the next cheque. It is an absolute tragedy. There is no doubt that he could do more to pull himself out of it but, to a large extent, he is a victim of social circumstances. Anybody who was aware of the family ...

A member: On social security, like everyone else.

Mr BELL: I hear members pooh-poohing. Do I get the message that all alcoholics are that way because of their decision to be alcoholics or that we are accepting that there are social forces that drive some people to alcoholism?

Mr Coulter: He is saying social security provides ...

Mr BELL: I will not get on to the issue of social security, Mr Deputy Speaker, because I have addressed it. However, I will say in passing ...

Mr Reed: Oh, you will say in passing. Right.

Mr Vale: You are enough to drive anyone to drink.

Mr BELL: I was not intending to raise this tonight because I do not have a great deal of time but, since the member for Katherine has taken an interest in it, I will draw to his attention the report on public submissions to a social security review of income support for the unemployed in Australia. If the member for Katherine and the Chief Minister have an interest in this subject, I would like to know why they did not take the trouble to make a submission to this review. Every state in Australia, including Queensland before it had a Labor government, made a submission. Don't talk to me about who is interested in social security benefits.

Members interjecting.

Mr BELL: That is just a taste of it. The next time you want to introduce a statement about how social security benefits are paid or not paid and the problems that are associated with them, you need to give me more than 15 minutes.

Mr Vale: Or abused.

Mr BELL: Mr Deputy Speaker, I think that I have made ...

Mr Vale: No, you have not.

Mr DEPUTY SPEAKER: Order!

Mr BELL: Many points were raised by the Chief Minister this morning, but the only point I wanted to make was in respect of Aboriginal organisations. I point out that, in this situation, it is impossible to address a large number of the issues he raised. However, I would urge him to continue with his positive dialogue with Aboriginal communities and Aboriginal people. I believe that it is positive. I would further urge him to take a positive attitude towards Aboriginal organisations. I am not suggesting he is being entirely antagonistic. He was more antagonistic on Saturday. This morning, he seemed to have modified his position in that regard.

The final issue that I want to address in the adjournment debate this evening is the question of Housing Commission rents, and I want to know why they are 20% higher in the Northern Territory than they are in Western Australia.

Mr Reed: How long does it take for them to get a house?

Mr BELL: I do not have research facilities to investigate these points all round the country, but I would like to know why the base rental on a 3-bedroom house in the Northern Territory is $111 per week whereas the standard rental for a 3-bedroom house with Homes West, which is a public housing authority in Western Australia, is $87.50 per week anywhere in Western Australia. There is a limit in that state for everyone, being 20% of gross income up to $285, with an increase of 0.3% per dollar over $285 up to a maximum of 25%. In that state, there is also a small child allowance of $2 for each child after the first. Pensioners have extra allowances which keep their rentals at 16% or 17%. For example, the allowance for a single pensioner is $4 and it is $6.50 for a couple. If they are over 60, it is $4.50 for a single person and $7.50 for a couple. The situation in the Northern Territory is similar for pensioners. They pay 16% of income. Persons on other social security benefits pay 20% of income. A supporting mother with 2 children would pay $36 a week. In the Northern Territory, rental may be increased by $4 per week for wardrobes, $3 for heaters. Extra rent may be paid for verandahs whereas there is no extra cost for concrete driveways.

In Western Australia, the standard rental for a 3-bedroom home is $87.50 a week as compared with $111 per week in the Territory. That is a 27% higher rental rate in the Territory. Bear in mind that, under the Commonwealth State Housing Agreement, there has been movement away from market rents by the federal Labor government. The Fraser government was insisting on movement towards market rents. The impetus under Labor has been towards cost rents and, on that basis, it should be clear that there is a serious disparity which requires some explanation by the minister.

Mr REED (Primary Industry and Fisheries): Mr Deputy Speaker, I want to speak tonight in response to some comments made by the member for Koolpinyah in relation to the use of chemicals. May I say at the outset that I support totally the stance that the honourable member has taken. It is a serious issue and I can understand the concern of people on adjoining rural blocks when neighbours are using chemicals. The chemicals could affect the adjoining properties and there may be concern that the chemicals could enter the watertable and pollute the water supply, particularly as so many rural residents are dependent on bores. Of course, quite apart from issues of personal health, there are other concerns inasmuch as some of those people are growers of small crops of various kinds. If growers use chemicals and pesticides in concentrations above the levels recommended by manufacturers, and if residue levels are above minimum levels and are detected interstate, our primary industries may be jeopardised.

Whilst the issue is very important, I agree with the member for Koolpinyah that legislative measures are probably not the best means of dealing with it. I would think that education would be the best way to tackle the problem. In this context, I would like to advise the honourable member that a pesticide application workshop is to be conducted at Taminmin High School on Saturday 20 May. I have a program which I will provide to her. The workshop is directed primarily at small landholders in the Darwin area and will be advertised in The Litchfield Times, the NT Horticultural Association Newsletter, the NT News, the Katherine Times, and on radio. We hope that there will be a good roll-up.

The objectives of the workshop are to reinforce educational activities undertaken last year in spray technology, to provide information on current pesticide registration and safety issues, and to teach application methods suitable for small commercial orchardists and horticulturists. The program is being presented jointly by the Department of Primary Industry and

Fisheries and the Northern Territory University. It commences at 1 o'clock and will be chaired by Dr Dasari of the Department of Primary Industry and Fisheries. Matters to be covered are residue testing, pesticides registration in the Northern Territory, droplet formation and nozzles, equipment calibration and hand-held spray equipment, orchard spray equipment, vegetable spraying equipment and safety aspects for pesticide spraying. I hope that there is a a good attendance and that the member for Koolpinyah will inform her constituents that it is to be held. I am sure that it will be very useful for people in the rural area even if they do not use chemicals themselves but have concerns about the use of chemicals by their neighbours or friends. I hope that this workshop will go some way towards addressing the concerns expressed by the member for Koolpinyah.

Mr HATTON (Health and Community Services): Mr Speaker, I rise as a consequence of some comments made by the member for MacDonnell this evening in respect of the meeting in Alice Springs last weekend. As honourable members will be aware from the remarks of the Chief Minister this morning, I was present at all of the activities which occurred during the weekend. I must say that it was a particularly rewarding weekend, not least of all because of the conclusion achieved on Sunday morning when the traditional women agreed to form a committee of representatives from the communities or tribal language groupings, as they chose, to ensure that there was a group of representatives in whom they had faith and who could work with myself and my departmental officers in the continuing development of the Aboriginal health strategy which we have been working assiduously towards for several months.

I am determined that this strategy, rather than being developed on the basis of comparisons of services provided and access to services in communities, will look at the service needs of communities and will develop appropriate responses to meet the needs, based on a clear understanding of what the health issues are in Aboriginal communities and among Aboriginal people generally. I can advise the House that research completed so far indicates that the nature of health problems varies according to age and gender. The research information is now being subjected to technical and medical analysis to determine the major health factors. When that process is completed, we will start to develop methods of addressing the problems in the communities which are the focus of identified problems.

In the development of solutions and directions, it is essential that there be involvement of a range of government departments. The Chief Minister has already brought together a number of the relevant departments to commence a consideration of the coordination of delivery of services into remote communities. Secondly, it is absolutely essential that the consumers of the services - that is, the Aboriginal people themselves - are adequately and appropriately represented. During the weekend, they gave us the first stage in developing genuine, honest, on-the-ground consultative processes which will work through the traditional decision-making processes and community decision-making processes in central Australian Aboriginal communities, male and female.

I hope that similar arrangements can be developed in other parts of the Northern Territory so that we will have a genuine partnership in developing health strategies for which Aboriginal people can feel a sense of ownership and responsibility rather than seeing them as another service provided by an external force called government, pouring goods and services into communities which do not know why they are receiving them. That is how I propose to go about developing an Aboriginal health strategy which will

address in a practical way the quite horrific health circumstances which confront Aboriginal people.

Be that as it may, I must correct a few of the member for MacDonnell's comments. I have been particularly disturbed about attempts to portray the events in Alice Springs as a political exercise. During the past week, such attempts have been made by a number of organisations, including Aboriginal organisations and certain media outlets, and by those who felt concern about the prospect of direct consultation between Aboriginal people from bush communities and the government. Those attempts have tried to trivialise the events in Alice Springs by portraying them as a government-engineered exercise. Many stunts were played during the week in an effort to undermine the process.

Let me make it crystal clear to anybody who cares to listen that this process began when my staff were visiting bush communities to discuss women's health centres and were virtually mobbed by Aboriginal women saying: 'You get the Chief Minister and the Minister for Aboriginal Affairs and other ministers to come to us because we want to talk direct to them about some of our problems'. Those women were insistent that a meeting be arranged and it is quite wrong to assume that the initiative came from anyone else. The traditional Aboriginal women in bush communities are saying: 'Enough is enough. We are going to speak for ourselves for once because we have problems'.

Certainly, grog was the catalyst. People were ringing people in communities throughout the area to say that there would be a meeting in Alice Springs to talk about grog and other health matters. In the space of 2 weeks at the most, people were informed and came from as far north as Lajamanu and Lake Nash and right down to South Australia and out to the Western Australian and Queensland borders. The people organised themselves. They went to Alice Springs to have their say and they made it very clear that they expect to have the right to talk directly to the Northern Territory government and not to have to talk to third-party intermediaries.

The aspect of the honourable member's comments tonight and his interjections this morning that perturbs me most is the implication that somehow the Northern Territory government is trying to drive a wedge between the Aboriginal organisations and these people. That is not the case. This involved both men and women. Many of the male traditional elders came in to support the women and we met on 2 separate occasions. They were very senior people in terms of Aboriginal law. They spoke with the Chief Minister and myself about a number issues, including health issues. They referred to their governments, within traditional law, wanting to speak direct to our government about matters of concern to them. They said they did not want to talk through the land councils or the Tangentyere Council and other organisations.

It is clear that it will continue while the current Land Rights Act operates as it does. For example, the land councils have an important and significant role under the Land Rights Act. That is recognised and it must be recognised. It is a fact of law. But, according to the traditional people, they believe that the days of those organisations are numbered. They say that the way the Land Rights Act and the decision-making processes are operating is an abomination to Aboriginal traditional decision-making. They say it is undermining the responsibility and authority of those responsible for the land, and responsible for making decisions over the

land. That is what they are saying, and I would be less than honest if I said otherwise.

It is equally disturbing to hear the member for MacDonnell again ranting the litany of his views of the CLP's attitudes towards Aboriginal people. We become sick and tired of it. Because we happen to be in the Country Liberal Party, somehow we are against Aboriginal people and Aboriginal tradition, do not want to talk to them and are antagonistic to Aboriginal people. A number of ministers, including myself, have spent years visiting communities, trying to build up trust with Aboriginal people and to make contact with traditional leaders in those Aboriginal communities. Our efforts have been frustrated continually by people from organisations such as the land councils coming in after us and telling the people that we cannot be trusted. A reading of any issue of Land Rights News will indicate how statements and views have been distorted. Is it any wonder we lose faith and have no trust in the land councils? They do not engender any trust because they act in an untrustworthy way.

If they will do their job, we will do our job. However, from now on, the Northern Territory government will accept its responsibility and right to talk directly with Aboriginal people through the leading people in the Aboriginal communities and not through third parties. We will work with organisations such as the Tangentyere Council and the Central Australian Aboriginal Congress on health issues, fringe camps and other matters with which they are concerned. They do a good job in that regard. However, there are other issues about which the elder people want to talk to us directly. For example, some are saying: 'If you want to talk about health at Yuendumu, come out to Yuendumu and talk to us'. I do not think that that is unreasonable. Just as the Alice Springs and Katherine communities want us to talk to them about health matters, we will do the same for the Aboriginal people.

We will tolerate no longer the attempts to create racial division and this nonsense that somehow the CLP is anti-Aboriginal. It is simply not true. We will not subjugate the Aboriginal people by listening only to what the land councils and the organisations are saying. We will talk directly with the people and communicate with them through their traditional methods. I believe that is a support for the Aboriginal culture and law, and not an attack on it. It is something we have been trying to do. Finally, we are gaining enough trust and overcoming the effects of the poison-pen attacks that are occurring behind our backs. We are encouraging people to talk to us and we will build on that. By that means, we will create real unity in the Northern Territory.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, before getting into the substance of what I want to talk about tonight, I will take up a point that was raised by the member for Koolpinyah. She was referring to an equal opportunity newsletter and the strong belief that she holds that men and women are equal. I would like to ask why, if men and women are equal, I am obliged to wear a tie in this House and the member for Koolpinyah is not. I think that is worth noting, and I am rather keen on the fact that men and women are not the same and never will be the same. In some way or other, equality seems to give an idea of sameness and similarity. One of the unfortunate aspects about all this is that the women's movement is moving more towards masculinity.

Mrs Padgham-Purich interjecting.

Mr McCARTHY: Frankly, I would not particularly move towards femininity, but I just draw to your attention that, in this House, we are not equal.

The Northern Territory government provides pensioner concessions to women 5 years earlier than it does to men. I do not think that is lamentable; it is commendable and I am very pleased to say that the Northern Territory government does that. I raise this point because of a comment made by the candidate who will oppose yourself at the next election, Mr Speaker - the ALP candidate for Casuarina, Mr Rod Ellis, who is also Joint Secretary of the PSU. Unfortunately, recently, Mr Ellis speaks more as the Labor candidate for Casuarina than he does as a representative of the employees of the public service generally and, for that reason, he has created considerable dissent among his membership. In a press release of 27 April, Mr Ellis stated: 'Unions have slammed the government for what they claim is hypocrisy in subsidising the Territory's wealthy elite for travel fares and other benefits. Public sector union secretary, Rod Ellis, says the government then refuses to provide the same benefits for its own employees'. Mr Ellis went on to refer to 'many wealthy people and, in some cases, the very wealthy elite, whom the Northern Territory continues to subsidise, courtesy of the taxpayers, their overseas recreation leave travel as well as other subsidies'.

Mr Speaker, you must be very pleased that Mr Ellis is to be the opposition candidate in your electorate for the next election. By making comments of that kind, already he must have alienated every pensioner in the Northern Territory. For the benefit of members, I would like to indicate some of the very generous benefits that the Northern Territory government provides to pensioners, not because we wish to look after a wealthy elite, but because we want to look after those elderly people in our community who have a genuine need of support in order to stay in the Northern Territory and maintain the extended family that is the basis on which the Territory is built. Women over 60 years of age and men over 65 years of age are entitled to these benefits. They must be residents who normally live here for 9 months in any calendar year and are entitled to be on the Northern Territory electoral roll. The concessions are available on production of the Northern Territory concession card.

These are the very generous benefits provided by the Northern Territory government: 50% reduction in the quarterly electricity account up to a maximum of $90 per standard quarter and 62.5% of the annual land rate up to a maximum of $200 in 1 year for the principal place of residence. Those are very generous benefits. In relation to garbage rates, there is a flat rate concession: Alice Springs $52, Darwin $46.25, Palmerston $47.50, Katherine $45 and Tennant Creek $45. That is based on the differing rates in each of those places. For water rates, there is a 65.5% rebate up to $25 on the Power and Water Authority quarterly account, to a maximum of $100 in 1 year, for the principal residence. In relation to motor vehicle registration, there is a maximum concession of $104 per annum for 1 vehicle. There is concessional travel at 30¢ per journey for bus travel.

I come now to the concession that really upset Mr Ellis. And this is a concession for those elderly people in our community who have been here for a reasonable length of time, who are genuine residents of the Northern Territory and who may wish, at some time in the year, to be able to travel to see other members of their family interstate. The concession is restricted to aged persons, TPI veterans and aged war service veterans of 60 years plus, who will be eligible for this concession after each 2 years of residence in the Northern Territory. The concession is 50% of the cost of return travel by commercial carrier to any Australian capital city once

every 2 years by air, bus and or rail or a combination of these. The concession is limited to 50% of the return economy air fare or 50% of the actual fares whichever is the lesser. However, an existing concession entitlement may be deferred once to allow for 100% concession on return travel once in every 4 years. Concessions are not otherwise accumulative. In addition, an entitlement may be utilised for overseas travel where an applicant can establish that he or she is travelling to visit family. However, the maximum value in this instance is limited to 50% of the return Darwin Adelaide economy air fare or actual cost whichever is the lesser.

There is also a rebate on spectacle frames and lenses. Even a rebate on a driver's licence is obtainable from the Northern Territory government. Those are the very generous concessions that this government provides in order to maintain the family unit in the Northern Territory and to enable those elderly people who, in most cases, have worked here for a good part of their lives, to stay here and have the capacity to visit relatives on a reasonably regular basis. If that is subsidising the wealthy elite, then I will go jump. It is not subsidising the wealthy elite. It is looking after those people who have a genuine need. If a country could afford to give concessions of that kind to everybody, that would be great. In fact, we cannot do that, but surely we can afford to provide concessions of that kind to the people who need them most - our mums and dads.

Unfortunately, my mum does not live here, otherwise she would be entitled to that as well. If she were entitled to it, that would be great because she has worked hard over a long period, as have all the pensioners in your electorate and elsewhere, Mr Speaker. I am sure that you must be enjoying telling the pensioners in your electorate what a Labor government would do. Make no bones about it: Mr Ellis is not speaking as Joint Secretary of the PSU but as the Labor candidate for Casuarina. This is endorsed by the people who should be sitting opposite at the moment. Most of them do not sit in this House for most of the day. They are cavorting around the town somewhere. If people were foolish enough to elect Mr Ellis to the seat of Casuarina, we could be assured that he would press to remove these necessary benefits from our pensioners. That would be disastrous.

I will sum up with a few points from Mr John Vanderwal's column in the Tennant Creek Times of 20 April 1990 in which he outlined the benefits provided by this Country Liberal Party government which would be wiped out by a Labor government. Mr Vanderwal said: 'Recently, I attended a course on creative retirement conducted by the Northern Territory University in Alice Springs where John Lawrie was the expert reporting on the NT Pensioner Concession Scheme. Did you know that the Northern Territory Pensioner Concession Scheme is available to all aged persons as well as war veterans, war widows, Commonwealth Health Care Card Holders and all men over 65 and all women over 60 years of age?' He went on to outline all of those things that appear in our concessions publication. In his final paragraph, he referred to something that a CLP government will maintain, in contrast to a Labor government: 'Many people believe that a pensioner concession card is only for the destitute and there you are, the Northern Territory government looks after anyone who has worked all of his/her life even if they have been frugal enough to save a bit of a nest egg'.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

PETITIONS

Stella Maris Seafarers Centre

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I present a petition from 2379 citizens of the Northern Territory requesting the Assembly to continue the tenure of the Stella Maris Seafarers Centre on its present site. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that they are extremely concerned and alarmed at the government's wish to move the Stella Maris Seafarers Centre from its present site on block 5260 McMinns Street, near the port area, to an unsuitable city site. Your petitioners, therefore, urgently request the Legislative Assembly to acquiesce to the constant continuation of the current agreement of occupation of its present site by the Stella Maris Seafarers Centre and in addition to give greater security of tenure on this site to the Stella Maris Seafarers Centre so that building improvements can be confidently carried out having regard to the importance of the seafaring industry to the continued development of the Northern Territory, the good name of the Stella Maris Seafarers Centre and its wish to remain on the current site.

Family Day-care Services

Mr HATTON (Health and Community Services): Mr Speaker, I present a petition from 904 citizens of the Northern Territory requesting the Assembly to favourably support family day-care services. The petition does not conform to the requirements of standing orders but, nonetheless, I move that the petition be read.

Motion agreed to; petition read:

To the Northern Territory government, we family day-care supporters would like to add strength to the family day-care submission currently being considered by the Minister for Health and Community Services. The Northern Territory government has a good record of meeting local needs in the area of children's services and we feel that the family day-care accommodation crisis is an urgent matter needing attention. Family day-care provides a valuable service to over 400 families each year and would benefit greatly by support from the Northern Territory government. We urge you to consider the request for support favourably as the future of this service depends upon your decision.

Recreational Space in Ludmilla

Mr SMITH (Opposition Leader): Mr Speaker, I present a petition from 126 citizens of the Northern Territory requesting the Assembly to provide adequate recreational spaces for the residents of Ludmilla south and to preserve Ludmilla creek and surrounding areas. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I move that the petition be read.

Motion agreed to; petition read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that they wish: (1) the provision of adequate open space and passive recreational facilities for the residents of Ludmilla south by the dedication of lot 3725 as parkland or reserve; (2) the area of lot 3725 to be delineated by the provision of unobtrusive barriers and management to preserve the pandanus and eucalyptus stands; (3) steps be taken to ensure the preservation of Ludmilla Creek and surrounding areas for the purposes of conservation induced by members of the public; (4) to ensure that the Darwin Rugby League Incorporated will comply with conditions attaching to the grant of portions 4954, 3724 and part of 3725; (5) to ensure that littering in the area of Ludmilla Creek will be prosecuted to the full extent of the law. Your petitioners therefore humbly pray that the Legislative Assembly will take such action as is necessary to ensure that your petitioners' above wishes are met and your petitioners, as in duty bound, will ever pray.

BTEC - Shoot to Waste Program

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I present a petition from 1430 citizens of the Northern Territory requesting the Assembly to stop the shoot to waste program carried out under BTEC. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that, having been made aware of the enormous waste of cattle and buffalo as evidenced in the shoot to waste program in the Northern Territory Brucellosis and Tuberculosis Eradication Campaign, your petitioners therefore humbly pray that the Legislative Assembly take note of our concerns and immediately stop the shoot to waste program of BTEC and replace it with a more reasonable, non-wasteful program, fully consulting with the producers for a method more acceptable to Northern Territory conditions. Your petitioners, as in duty bound, will ever pray.

NOTICE OF MOTION

Mr SMITH (Opposition Leader): Mr Speaker, I give notice that, on the next sitting day, I shall move that:

(1) this Assembly censure the Minister for Education for:

(i) failing to protect the rights of teachers, students and parents on Groote Eylandt; and

(ii) failing to exercise proper authority over his department generally and, in particular, failing to ensure that a thorough and impartial inquiry was conducted by his department into the substantial allegations concerning individuals and the education system generally on Groote Eylandt; and

(2) this Assembly call on the minister to resign forthwith.

Mr COULTER (Leader of Government Business): Mr Speaker, pursuant to standing order 95, the government accepts this notice as a censure motion. I ask that all questions be placed on the Question Paper.

MOTION
Censure of Minister for Education

Mr SMITH (Opposition Leader): Mr Speaker, I move that:

(1) this Assembly censure the Minister for Education for:

(i) failing to protect the rights of teachers, students and parents on Groote Eylandt; and

(ii) failing to exercise proper authority over his department generally and, in particular, failing to ensure that a thorough and impartial inquiry was conducted by his department into the substantial allegations concerning individuals and the education system generally on Groote Eylandt; and

(2) this Assembly call on the minister to resign forthwith.

Mr Speaker, yesterday, in response to a question asked by myself in this House, the honourable minister said: 'In the case of Groote Eylandt, I believe that the allegations had no substance whatever'. In this folder, I have 20 statutory declarations, from 12 people, making allegations about the education system on Groote Eylandt. The statutory declarations are supported by calls for an inquiry from members of the NT Teachers Federation in 20 schools and 2 regional councils. They are supported by a petition which was presented to this parliament yesterday bearing the signatures of 203 members of the European community on Groote Eylandt. These 20 statutory declarations contain 63 specific allegations - allegations which either the minister knew about or should have known about; allegations which the minister yesterday said were without substance; allegations which the minister had dismissed, on the advice of his department, without an independent impartial inquiry; allegations which, if true, indicate that a very serious situation indeed exists on Groote Eylandt.

The reason I have put this motion today is that everybody involved has been through every possible avenue to get these allegations considered seriously. They have used every possible avenue and they are left with this resort. People making the allegations have done so at considerable risk to themselves. Some have already paid a price, but they have persisted with the allegations and, indeed, have strengthened the allegations by way of statutory declaration. If only 1 or 2 people were making these allegations, perhaps we could ignore them, as the honourable minister has attempted to do. However, when 12 people make the allegations, there is something serious afoot and it demands a thorough investigation by the honourable minister, instead of his trying to sweep it under the carpet.

The allegations can be grouped under 5 headings: the behaviour toward European teachers by a principal or principals on Groote Eylandt; behaviour towards Aboriginal teachers, trainees and students; behaviour in the community or school environs; the misuse of or damage to school property; and administrative failure or inadequacies. The allegations are very serious indeed.

The first category relates to behaviour towards European teachers by a principal or principals on Groote Eylandt. The allegations in this category are as follows:

(1) swearing, yelling and temper tantrums at them;

(2) the victimisation of teachers, including harassment and bullying of them;

(3) unprofessional behaviour, being drunk on duty, being abusive, being asleep in class;

(4) neglecting duty, failing to attend classes or walking out of classes;

(5) alteration of a teacher's application for leave without consent;

(6) threatening teachers with disciplinary action for failure to carry out unreasonable demands;

(7) intrusion into teachers' personal lives by visiting their homes to deliver verbal abuse or issue directives to them whilst they are on sick leave;

(8) interrupting classes to criticise teachers in front of students;

(9) making sexist jokes and remarks to women teachers ...

I might say that the minister stated at the last sittings that he would investigate that last allegation for me. He has never come back to me in relation to it. The allegations continue:

(10) taking bets on who would be the first to 'score' with the new woman teacher;

(11) banning teachers on leave from school grounds, from the principal's office and from speaking with the school secretary;

(12) preventing use of school vehicles for legitimate educational purposes;

(13) intervening unfairly or inappropriately in the promotion system;

(14) damaging professional reputations by spreading rumours of inefficiency and by inquiring in the community about the mental health of a teacher;

(15) undermining a teacher by asking students to record in writing conversations outside classrooms;

(16) changing a duty statement without consultation;

(17) throwing furniture around in a tantrum;

(18) late night harassment of a teacher who had Aboriginal people visiting her home ...

The second category of allegations concerns the behaviour of a principal or principals to Aboriginal teachers, trainees and students. These are as follows:

(19) preventing in-service training by calling it bludge sessions for the Aboriginal teachers and trainees involved;

(20) generating fear among post-primary students through acts of physical abuse, specifically including the head-butting of 3 male students by a principal;

(21) asserting that Aboriginal people were 'less human';

(22) leaving students stranded at the airport to find their own way home and, associated with that, using the school vehicle as a private vehicle;

(23) undermining the RATE program by putting obstacles in the way of program implementation through: refusal of classroom space, undermining teachers, interrupting and criticising classes, shouting at a visiting lecturer, preventing excursions and blocking use of transport.

The next allegation, Mr Speaker, relates to a possible criminal charge:

(24) opening personal mail addressed to RATE students and removing Abstudy cheques and refusing to release them on the basis that students had not earned their money.

Mr Collins: Not a bad idea.

Mr SMITH: You are an appalling guttersnipe.

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

Mr SMITH: Mr Speaker, I withdraw unreservedly. However, it is beyond me how any member of this Assembly can say that it is not a bad idea to withhold money to which people are legally entitled. The member for Sadadeen ought to think about whether he is a fit and proper person to be in this place.

Mr Speaker, the allegations continue as follows:

(25) racism and sexism to women RATE students through criticising their right to stay in a Department of Education house, instructing them in cleanliness and telling them not to have male visitors;

(26) excluding Aboriginal staff from an end of semester barbecue by holding it at Bartalumba Bay where, because of a decision by the relevant council, Aboriginal people are not permitted to go and, when subsequently tackled about this matter, denying that the function was a staff dinner;

(27) asking students to keep written records of their after-hours conversation with a schoolteacher.

Mr Speaker, the third group of allegations relates to behaviour in the community and/or the school environs. These are as follows:

(28) dishonesty with members of the Aboriginal council in an attempt to prejudice the promotion system, by directing a council secretary to type a letter, demanding the letter, taking it to the president's home and obtaining a signature by misinforming him about the contents;

(29) telling members of an Aboriginal community that some women teachers were trying to take men's jobs;

(30) banning yoga classes on school premises because a teacher had used a photocopier after hours for work;

(31) verbal abuse of Aboriginal community members, referring to them in their hearing as, and I quote, 'scumbags under the tamarind tree';

(32) referring to Aboriginal men as 'cats' and, as I said before, 'less human';

(34) accusing a teacher of encouraging the bad element in the street by inviting Aboriginal community members to visit her home;

(35) vomiting and then sleeping in the girls' toilets;

(36) vomiting in the home economics classroom;

(37) failing to attend a function that the principal himself organised, and then being found intoxicated and asleep in the toilets;

(38) taking pot shots with a firearm at community members' dogs for his amusement;

(39) drinking in a dry area during school hours with Aboriginal men on mining royalty day and then attempting to sell a personal vehicle to them;

(40) blaming students for the suspension of the RATE program on the basis that they were lazy and slack;

(41) seeking signatures from the Aboriginal community to support the promotion of a teacher whose promotion was being appealed by another staff member;

(42) using the school caretaker as a relief teacher; and

(43) leaking confidential information about job applications.

Let us look at the fourth set of allegations, Mr Speaker, relating to the misuse of or damage to school property:

(44) using the school outboard motor on a private boat, dropping it into the sea and leaving it permanently damaged;

(45) driving the school truck on drinking sprees;

(46) a set of tyres for the school truck went missing;

(47) hiring out video equipment to contractors so it was not available for school use;

(48) driving the school truck in salt water so that it was ruined and had to be sold; and

(49) using oars stamped 'Darwin High School' as equipment on a private boat.

Let us look, Mr Speaker, at the next group relating to administrative failure and inadequacies:

(50) attendance records were falsified to keep student numbers up;

(51) inadequate and unprofessional conduct of investigations; the conduct of inquiries was inadequate and unfair; some people were not consulted; all allegations were not investigated; people involved were inadequately informed about the processes; some problems were swept under the carpet by being blamed on personality styles; a woman teacher, in the course of an investigation, was told to smile more and her problems would go away; inappropriate directives were given in the course of the investigation;

(52) applications for promotion were lost or put in the wrong file; a promotion was gazetted and later withdrawn with the explanation that it was a clerical error;

(53) letters given to senior personnel with complaints were not followed up or not answered;

(55) a letter to the minister from Aboriginal teachers was not answered;

(56) accusing teachers of not addressing complaints through proper channels in spite of written evidence to the contrary;

(57) failing to institute an adequate authority and accountability when RATE programs were attached to schools;

(58) failing to match people and skills with tasks for senior school appointments;

(59) allowing a system of stacking peer assessment panels with friends of the applicants;

(60) failure to ensure accountability for use of government property;

(61) allowing the policy of Aboriginalisation of education to be undermined;

(62) the department's secretary on a visit to Groote for a recent teachers dinner informing 2 teachers that they were 'pawns in a game'.

Mr Speaker, I have miscounted somewhere:

(63) the unlawful suspension of a teacher and then the lifting of that suspension; the unlawful and unjust recording of a formal caution against the same teacher, and then the lifting of that caution; issuing the same teacher with a recent demand for nearly $6000 in damages after the school vehicle was involved in an accident.

Mr Speaker, that was 12 months after the accident and some time after this matter became public.

Those are the allegations contained in these 20 statutory declarations from 12 different people. They are extremely serious allegations. The only reason I bring them forward is because, as it has turned out, there is no other way in which these people can have a chance of obtaining some elementary justice. They have tried the appropriate avenues. They started off by writing to the department directly about their concerns and they did not get anywhere. They went to their regional meetings with their concerns and they did not get anywhere. They went to the Teachers Federation with their concerns and they did not get anywhere. They went to the media and they did not get anywhere. Their concerns have been swept under the carpet.

I must say that it is not easy for me to do this because I know some of the people who are the subjects of these accusations very well indeed. I have known them for years. However, a basic question of justice is involved. There are 12 people who have been prepared to make statutory declarations, not 3 or 4 people. Those 12 people have been prepared to make statutory declarations about what they see to be a very serious set of circumstances indeed on Groote Eylandt.

As I said, those 12 people have worked through the system, and that has taken them absolutely nowhere. These matters are of such concern to us and are so serious - because, potentially, they may involve the violation of basic human rights - that we have raised them in the form of a censure motion today. We have chosen to move a censure motion because it is the responsibility of the minister to ensure that these matters are resolved satisfactorily. I agreed with what he said in February. He is not required to examine the matters himself but, certainly, he is required to ensure that he is satisfied that there has been a full and proper investigation, and that everybody has been given justice. No one making the allegations has been given justice because the allegations have not been taken seriously at all. I defy the minister to stand in this House and tell me that there is no substance to at least some of the 63 allegations listed here - allegations on which he should have been briefed in February. That is what he tried to tell us yesterday - that there was no substance in any of the allegations. We have brought the number of those allegations down to 63. Counted in another way, the total would be higher.

We are satisfied that the 63 allegations made in these declarations are substantial, and I will make the point again that this is not new information for the minister. The minister, or at least his department, has had this information for months. Nothing has been done with it. A couple of inquiries have been undertaken. Those inquiries were not set up properly in any way at all and, indeed, the Public Service Commissioner described the most recent such inquiry, the Wauchope and Cluney inquiry, as an informal inquiry into the matters which had been raised.

I have to tell the minister that that informal inquiry, whose details the government has not released, does not satisfy the 12 people who have made the statutory declarations. It does not satisfy the 203 people on

Groote Eylandt who are those most directly affected, being mainly parents. It does not satisfy the 20 Teachers Federation branches and the 2 regional councils which believe that the allegations that have been circulating place their profession at some risk and in some jeopardy. It does not satisfy any of those people. It might have satisfied the honourable minister but, certainly, it has not satisfied those important groups, particularly the end users of the educational product on Groote Eylandt.

To obtain 203 signatures, which are essentially the signatures of people at Alyangula, is an amazing effort in relation to an issue such as this. It demonstrates the depth of people's concern about this issue. But what was the response from the minister? Yesterday, the minister said that there was no substance in any of the allegations. In his response in this debate, I do not expect the minister to go through each of the allegations and answer them one by one. Obviously, that would be an impossible task. However, I do expect him to acknowledge that the matter has not been investigated properly as a whole and that the allegations have not been grouped as we have grouped them and investigated properly. I would like the minister to be honest with us and to say whether, in fact, he knew about the extent of the allegations, knew the areas that they covered, knew that so many people had been making the allegations and knew that they covered such a wide range of areas. I would like him to be honest and tell us that, because it is very important.

On the face of it, and I am being charitable to the honourable minister, it appears that he has been snowed by his own department once again. Actually, there are 2 possibilities. Either the minister has been snowed by his own department or he has been part of the plot which has led to these matters being swept under the carpet rather than being addressed fully and openly. As I have said, these are extremely serious allegations indeed, allegations and issues which the minister claimed had been thoroughly thrashed out.

Mr Coulter: Do you intend to table the statutory declarations?

Mr SMITH: No. I do not wish to table the statutory declarations. Certainly, I intend to give them to the honourable minister, but I do not wish to table them simply because a number of innocent people are named in the course of the allegations. I am certainly happy to give the honourable minister a copy of the statutory declarations. Indeed, I have his copy here now.

The procedures that we have seen adopted by this government have been piecemeal and partial. Its investigations have been inadequate and powerless. There have been inquiries and there have been informal discussions. There has been no formal inquiry, no inquiry established by the minister with the power to put people through their paces in relation to these matters. Let me make the point that we are not asking for an open inquiry. We think that the appropriate action in this context is for somebody who is impartial, who is not associated with what is occurring on Groote Eylandt, to be given full authority by the minister to go there and seek the truth in relation to these very serious allegations. That has not happened. There has been no impartial inquiry. There has been no formal inquiry. At best, there has been what the Public Service Commissioner called an 'informal inquiry'.

It is clear to me that those piecemeal, partial and powerless investigations were all intended to silence the teachers who made the complaints and to bury the issues which they raised. Unfortunately for the

minister, the investigations have not succeeded in doing this. Neither the teachers nor the issues have gone away. Taken together, the allegations add up to a disturbing picture in relation to education on Groote Eylandt. Not only are serious problems indicated by these allegations, but very serious problems are indicated by the way in which the system attempted to deal with those problems. It attempted to bury them rather than exposing them and, if something was found to be wrong, dealing with it openly.

We heard from the honourable minister in February that not 1 person has been penalised, punished or chastised in any way as a result of the allegations raised. The only unfortunate exception is 1 poor teacher, Anna Masero, who suffered the ignominy of being suspended from duty and of being cautioned, prior to seeking legal advice and assistance, which led to her position being justified through the lifting of the suspension and the removal of the cautionary note which had been placed on her file. What sort of system do we have, Mr Speaker, when people seeking redress in respect of their concerns with the education system end up having to seek legal advice to enable them to go to the department to have obvious wrongs righted? Perhaps the honourable minister might also like to address that issue in his response.

The statutory declarations contain allegations of problems with the selection of staff for Aboriginal schools, departmental procedures gone wrong or not followed, professional misconduct and, in 1 or 2 cases only, possible criminal offences. On the whole, it is not being alleged that the actions described in the statutory declarations are criminal, but I want to refer quite clearly to those in which criminal offences may have occurred. These are the alleged withholding of mail and the alleged withholding of Abstudy cheques. In each case, there is a possibility that criminal charges would apply if this matter were properly investigated.

Mr Hatton: Why didn't you report it to the police?

Mr SMITH: That is a very good question and perhaps the honourable minister would like to address it in his reply. He has known about these allegations for months and perhaps he could tell us whether the secretary of the department informed the police that these allegations had been made and, if so, whether the police took any action.

If this matter concerned 1 or 2 people, it could be ignored. However, as I said, 12 people have been prepared to sign statutory declarations. That indicates that there is a serious problem which the minister should have addressed. The petition presented yesterday to this parliament followed the inquiries that he initiated in February. Obviously, those inquiries have left people unsatisfied. The petition shows that people on Groote Eylandt have no faith in the minister's procedures, his inquiries, his findings and his excuses. All of this material shows that the minister has failed in his duty as a minister. He has failed to protect and represent the people to whom he owes his first responsibility: the students, the parents and the teachers. The minister deserves the same censure in this House as he has already suffered in the community at large. Mr Speaker, the honourable minister should resign.

Mr HARRIS (Education): Mr Speaker, I should perhaps reverse the censure motion immediately and call on the Leader of the Opposition to resign because, heaven forbid, the way that he has acted and the impact that this action today could have on the morale of teachers throughout the Northern Territory is indeed serious. I wish that the Leader of the Opposition would start to realise that we are not playing games in relation to the education

system in the Territory. We have a good system. It covers a huge area of some 1.6 million square kilometres. There are procedures which are followed by the department and by the Teaching Service Commissioner in relation to allegations and the Leader of the Opposition stands condemned for raising this matter here today.

The first part of this censure motion refers to my 'failing to protect the rights of teachers, students and parents on Groote Eylandt'. Mr Speaker, I can assure you that all of my efforts have been directed towards protecting those rights. I have been most concerned about trying to address the issues in a responsible manner as a minister of this government. I believe that I have done that.

The second part of the motion states: 'failing to exercise proper authority over his department generally and, in particular, failing to ensure that a thorough and impartial inquiry was conducted by his department into substantial allegations concerning individuals and the education system generally on Groote Eylandt'. Mr Speaker, I will cover that in my response, but I can assure you that the processes and procedures that are required to be carried out in relation to any allegations are indeed carried out. I ensure that they are carried out. I can assure you, Mr Speaker, that the department has indeed carried out that action.

One often wonders whether one should simply say: 'Don't worry about it. We will let the opposition have the inquiry that it wants'. The opposition's answer to every problem which it sees in the Territory is to have an inquiry. That applies to BTEC and everything else. The Leader of the Opposition should know, however, that appropriate procedures exist. He has been the executive officer of the Teachers Federation. He knows the processes that are to be followed. I accept the role of Col Young in going out to these communities and looking after the interests of his members. That is his right and I do not have any worries about that. What I do become upset about is when incorrect information is fed to the media and is not commented on. People start to gain the wrong impression about what is in fact happening.

The Leader of the Opposition said that he had information which indicated that the department had possessed information for months in relation to the situation on Groote Eylandt but had done nothing about it. In the next breath, he said that, in fact, the government had carried out some inquiries. In other words, he was admitting that we had done something about it. Those matters are continuing to be followed up.

Mr Smith: What? Yesterday, you said there was no substance in it.

Mr HARRIS: In relation to certain matters ...

Mr Smith: Now you are lying to the parliament.

Mr HARRIS: ... that are brought to our attention. The Leader of the Opposition does his cause no good.

Mr SPEAKER: Order! The Leader of the Opposition should withdraw that remark.

Mr SMITH: Mr Speaker, I withdraw.

Mr HARRIS: Mr Speaker, let me go through the processes that have been followed. It is very important that I inform honourable members of exactly

what has occurred throughout this whole exercise. I will commence by saying that, in many small communities, there are indeed problems in relation to staffing. There is no question that people in those communities are put under enormous pressure. It is difficult for us to position teachers in those communities. The government has acted responsibly in putting in place incentive packages which, I admit, need to be advanced. I will be continuing to make efforts in that regard. I have told Mike Bradley of the Teachers Federation that I will continue to push the cause of teachers. In fact, another matter that has not been mentioned is the provision of television services in those communities. The dishes will be paid for by the government. Such things will help in providing satisfactory services to the people employed in those isolated communities and they do not only relate to teachers.

The other matter which I commented on yesterday concerned the continuity of service of teachers in particular locations. There is an argument that teachers should not be allowed to remain in some communities for long periods because it allows the so-called familiarity and what has been referred to as an 'old boys network' to develop. It is all very well to say that teachers should be moved around so that this does not occur. However, in many isolated communities, we face problems in retaining the services of teachers for more than 1 or 2 years. That is something which the government has to address. We will try to ensure that teachers remain in those communities for a longer period and we have been working on that.

Despite what the Leader of the Opposition said, there have been several investigations on Groote Eylandt. The first investigation was in September 1989 and concerned a case of refusal to carry out a lawful instruction. Whilst the formal caution for misconduct was withdrawn for technical legal reasons, the teacher concerned was counselled because she had behaved rashly and because her behaviour contributed to the situation getting out of hand. The teacher admitted fault to the investigating officer, Mrs Schotton, who conducted the inquiry. During this investigation, other allegations emerged. On the advice of the investigating officer, the Department of Education instituted a board of inquiry. After discussions with the Teaching Service Commissioner, Mr Speaker, nothing has happened.

The second investigation was conducted by Messrs Cluney and Wauchope and was in 2 stages. In the first stage, every teacher on the island was given the chance to contribute. Some chose not to, not wishing to be involved. An affirmative action group lodged some 45 allegations, covering a 3-year period. Can I just say that, when the affirmative action group was established, we were in favour of it. There was a need for it to put more emphasis on students.

Mr Smith: Excuse me. The regional superintendent formally criticised the group. Don't mislead the House.

Mr HARRIS: Mr Speaker, the Leader of the Opposition is again commenting about officers of the Department of Education. I am commenting in relation to the government and the initial establishment of the affirmative action group. It was set up to look after the interests of girls in their studies and to ensure that they were given a fair deal, and I have no problems with that. However, when a group devotes its energies to the vilification of male teachers - and there were many people who promoted that situation - the matter is of concern and the group does not have my support at all. Some 45 allegations were made by that affirmative action group, covering a 3-year period.

The next stage of the investigation was to enable those who had made the allegations to face those who had been accused. The outcomes of the investigation were as follows: some of the charges were found to be baseless; others were of an interpersonal and private nature; some covered minor administrative matters which have been corrected in the normal way; in some cases, the persons concerned apologised to each other; and, in some cases, allegations were formally withdrawn.

I have made no secret of the fact that there were mistakes made on both sides of the coin in relation to teachers and the department. I have not resiled from that. As I said, most of those people were counselled and, in some cases, were able to agree to disagree. However, the persons concerned apologised to each other. The department took the view that the investigation report should not be released, the main reason being that people have been personally and professionally critical of each other and because, in many cases apart from those in which accusations were baseless, people had apologised and made a commitment to work constructively. People were at least making an effort, acknowledging that there were some concerns but that the matter needed to be looked at responsibly because, after all, the welfare of the children was the major concern. There seemed to be no useful purpose in reopening old wounds by releasing the report publicly, and that remains the situation today.

There has been a further comprehensive investigation into concerns raised by the Quinns in relation to their transfer. The investigation was conducted by Mr Ron Kirkman and Mrs Vicki Stokes, both of whom are highly respected departmental officers and neither of whom are involved in any way with events on Groote Eylandt. Their report, which covered the same ground as the earlier investigation, found no basis for disciplinary action but made recommendations about human resource management.

The members opposite are saying that nothing has happened, that nothing has been done and that the government is not interested. They want an extensive, open inquiry into the whole situation, causing disruption to the system. The Leader of the Opposition stands condemned for his action because it will impact on the morale of teachers, and I will come to that in a moment.

In the course of the second investigation to which I have referred, the Secretary of the Department of Education received written submissions from Mr and Mrs Quinn relating to their experiences as teachers on Groote Eylandt. In order to ensure that there were no entrenched attitudes or practices which operated to the detriment of individual officers or to the prejudice of efficient human resource management, the secretary authorised Mr Ron Kirkman, superintendent, and Mrs Vicki Stokes, principal of Driver High School, to investigate the matters referred to in the Quinns' statement and to report to him in respect of such matters.

Mr Kirkman and Mrs Stokes reported that they had not found any prima facie evidence in the course of their investigation which warranted disciplinary action in accordance with provisions of the Teaching Service Act, that all parties who had been engaged in the matters which were a cause for concern on Groote Eylandt had been consulted by senior officers of the department and that there were no entrenched attitudes or practices which operated to the detriment of individual officers or the prejudice of efficient human resource management on the island. They made a number of recommendations with respect to the professional development and training of senior teachers who were approaching the level of principal or superintendent. The recommendations have been referred to the director of

the department's Personnel Branch in order that he might prepare and submit a training program for consideration by the executive group of the department. I mention that further investigation because the Leader of the Opposition continually makes the point that the department does not carry out its role responsibly and does not examine these matters responsibly. Of course, that is complete nonsense.

There were a number of allegations which were either true or partly true. On taking legal advice, the department was advised that these fell short of misconduct within the meaning of the Teaching Service Act and accepted the recommendations ...

Mr Smith: There was no substance in them yesterday.

Mr HARRIS: ... of the investigating panel.

This is going back in history, talking about the issues that the honourable Leader of the Opposition raised. He keeps shouting across the Assembly.

Mr Speaker, 10 officers, including 5 senior officers, were counselled on aspects of their behaviour. I mention that to show that something did happen as a result of the concerns which were raised. After the report was completed, the following counselling procedures were undertaken. The 5 senior officers were counselled together as major concerns were seen to be the breakdown of relations between the regional office and the schools on Groote Eylandt. The process was carried out by 3 principals, the Regional Superintendent and the Assistant Superintendent. The meeting lasted for several hours. It was agreed that there were faults on both sides and that the proper lines of communication were to be re-established with matters to be referred to the appropriate personnel.

The other 5 staff members were counselled individually although, in cases in which allegations were made against another staff member, that member was also present. At these sessions, the allegations were explained and discussed and, if blame was apportioned to a particular person, that person was counselled further either in front of the other person or alone. Mr Quinn had made no allegations but, from statements made and comments passed by himself and others, there were perceived problems with his performance. He was counselled also on matters such as confidentiality, initiative and so on. Finally, letters signed by the Acting Secretary were sent to all 10 officers asking them to reassess their personal aims, objectives, priorities and professional direction so that delivery of education services at Groote Eylandt could return to its usual high standard.

I believe that the matters raised by the Leader of the Opposition have been fully answered and investigated by the Department of Education through a correct process - a process which has the confidence of the teaching service generally. It is a process which must be set in place. Otherwise, morale will start to break down in particular communities. There is no question that concerns have been raised but, as I have repeated over and over, the matters have been fully investigated.

During the last sittings, we referred to the 7.30 Report's role in this matter. Can I say that, in trying to obtain support from the teachers on the island, Col Young has met with a wall of silence. Col Young went over to Groote Eylandt. He had gone to schools and put forward the view that he represented all of the teachers' viewpoints. I knew that was not true because I had many letters from people there which denied that. I

challenged Col Young to go over to Groote Eylandt and meet with the teachers to discuss this issue. He had the President of the Teachers Federation write to all of the teachers on the island and arrange a public meeting. When he arrived there, a total of 4 people turned up. That was after the President of the Teachers Federation had written to all the teachers on Groote Eylandt. The Secretary of the Teachers Federation went there to stir up trouble and to cause a big meeting to occur. What did we have? We had 4 people, and that included Col Young himself.

The Leader of the Opposition says that there are major concerns and that the government is not doing anything about them. If that is the case, one would have expected Col Young and Mike Bradley to have had more support in relation to this exercise. It did not come. What does the Leader of the Opposition say about the support for Col Young and his call for an inquiry? Col Young has a responsibility to look after the interests of the teachers who are members of his federation. I make the point again that he does not represent all teachers. Many teachers are not members of the Northern Territory Teachers Federation. However, he has a responsibility to represent federation members and I accept his role and the role of the union.

I do not believe that there are any matters of substance which would change my mind in relation to holding an open inquiry into this matter. I believe that the procedures have been carried out and that the reaction from the teachers on Groote Eylandt is far from supportive of the attitude of the Leader of the Opposition and that of the Northern Territory Teachers Federation. In fact, it is the exact opposite. I understand that the school council president, who had agreed to chair the meeting attended by Mr Young, left the meeting in disgust. That shows how much credence the council and others put on Col Young's efforts to generate a major scandal.

We are interested in listening to the people from the communities and we do that on a regular basis. This government set up school councils. This government allowed greater representation from parents. We have done that and we will continue to promote their involvement in matters which concern them. However, to say that these allegations have been made and that nothing has been done in relation to them is absolute nonsense and the Leader of the Opposition knows that.

I acknowledge that 2 of the letters supporting our stance, which I read out on a previous occasion, were form letters. However, that does not negate the fact that signatures have to be placed on those letters. Is the Leader of the Opposition going to tell me that the teachers who sign those letters are being stood over? That is complete nonsense. They are able to make up their minds and they are able to put their signatures on a piece of paper with full understanding of what they are signing.

On 19 March, not so very long ago, the teachers and staff of the Groote Eylandt schools sent a memorandum to Mike Bradley, the President of the Northern Territory Teachers Federation. It said:

> Further to your facsimile correspondence on 16 March 1990, we, the undersigned teachers and staff on Groote Eylandt, refuse to meet with the General Secretary of the Northern Territory Teachers Federation. We consider that past representations by him have been disreputable, irresponsible and damaging to teachers and the delivery of education, particularly on Groote Eylandt.

Mr Speaker, I now consider that such comments also apply to the Leader of the Opposition. The memorandum continues:

> We wish to restate and endorse the view made public on 6 March in regard to the matter. We consider the mere fact that previous statements made by us have been disregarded, to be a slur on the integrity of all signatories.

Mr Speaker, the memorandum is signed by a number of people, and I table it.

Furthermore, a number of letters have been written to the 7.30 Report and to the Secretary of the Department of Education, supporting the efforts that have been made. I have also received support for my stance in relation to this matter. I will read one of the letters which was written to the Editor of the 7.30 Report, ABC Television. The letter was written by a person from Alyangula and it says:

> I am writing to you as a concerned parent and viewer of your continued reporting of the issue of teacher staff at Groote Eylandt. I am a parent of 2 children who are currently students at the Alyangula Area School, one of whom is now in his third year of education there. I have been somewhat disturbed at your program's attitude and apparent bias in presenting these reports. Throughout, you have continued to show reports and opinions of people who, in most cases, are now far removed from the Groote Eylandt community and who have all aired grievances that are largely unrelated to the present day situation.
>
> Furthermore, I find it incredulous that you see fit to cast aspersions on the genuineness of the teachers who signed the 'form' letter, indicating their support for the teaching structure on Groote Eylandt, yet accept totally that the signatures of 28% of European population on a 'petition' that was somewhat dubiously raised, indicates solid support for the instigation of an inquiry into teaching practices. To expand on this:
>
> (1) the teachers who signed the form letters are obviously central to the issue involved and, I suggest, have enough courage in their convictions to be able to decide for themselves whether or not they choose to put their signatures to the letter.

I have covered that matter already, Mr Speaker. The letter continues, referring to specific matters:

> (2) All but 4 of the teachers on Groote Eylandt signed the letter, clearly a large percentage.
>
> (3) The 'petition' was placed on shop counters in the community where people were asked 'would you sign this?' Clearly an unsatisfactory procedure.
>
> (4) Many of the signatures on the petition are those of people without children attending the school and single people, many transient contract workers who have no interest in the issues.
>
> (5) 28% of the European population represents about 14% of the total population on Groote Eylandt. As the issues do apparently involve Aboriginal students also, I sincerely

> hope that, by your manner of reporting, you don't consider the Aboriginal population to be nonentities.
>
> All the teachers at the schools have persevered very well to date very well throughout this matter. However, the pressure must, and is, beginning to show on these people and I and others fear that this must subsequently begin to affect the most central issue - the education of our children.
>
> I hope that you see fit to publish these views, in the best interests of the students, parents, teachers and communities of Groote Eylandt and in the interest of fair and just reporting.
>
> Mr Speaker, there are other letters, but time is ...

Mr Bell: Could you table that, Tom?

Mr HARRIS: ... running short.

Mr Bell: Will you table that letter, Tom?

Mr HARRIS: I am happy to table that letter.

Mr Speaker, I could go on. Many letters in support of the government's attitude in this matter have been received. The Leader of the Opposition has written to me about an issue which he raised. I have a response to his letter, and he will receive that in due course. However, the allegations in the list which he read out, in the main, were investigated by the Wauchope and Cluney inquiry and covered again by the Kirkman and Stokes investigation. All new allegations made outside those investigations have again been followed up, and I made reference to that. To date, no particulars have been received from those who made the allegations. Despite the fact that several months have passed, no particulars have been received.

We want to ensure that matters which are of concern are investigated. I have made that very clear to the Leader of the Opposition. I met him outside the Assembly and told him that I would keep an eye on the issue, and I can assure the House that I will do so. I act responsibly in my role as Minister for Education and I wish the Leader of the Opposition would start to act responsibly. He knows that raising this matter in the Assembly today will only create further problems with morale in those communities.

Mr Smith interjecting.

Mr HARRIS: And be it on your head. Those people are doing a wonderful job there. It is extremely difficult for them to continue teaching under circumstances whereby the media, Col Young, and the opposition are sniping about investigations not being carried out properly. Those matters are investigated fully and properly by the Department of Education, and I have every confidence in the Secretary of the Department of Education in carrying out that function.

I have done everything possible to ensure that the issues are fairly and properly addressed. I do not interfere in staffing processes other than to ensure that the appropriate inquiries are carried out. They have been carried out, and I can give the Assembly an assurance that the department has investigated all of the matters that have been raised. So much more information is available and so much more support for the government. In closing, let me say that the Leader of the Opposition stands condemned for

his actions this morning. The matters have been fully investigated and, if any other problems arise, those matters will also be investigated by the Department of Education by means of a correct and due process which is in place.

Mr BELL (MacDonnell): Mr Speaker, the clear conflict between what the Minister for Education has told the House this morning and what he said in question time in this House yesterday morning gives the clearest possible indication of why the motion before the House should be passed. Having had the opportunity to look over many of the documents that have been presented to the minister today and having been advised of what he refers to as appropriate departmental processes, processes which in his view give the lie to the allegations which have been made, I am deeply disappointed.

I believe that a situation in which an employee of a department is suspended by the Chief Executive Officer of that department, only to have that suspension subsequently reversed by the Public Service Commissioner, would in itself be grounds for the strongest possible censure of the minister for misleading this parliament yesterday in question time. I direct honourable members' attention to the comments made by the Minister for Education yesterday. He said: 'I believe that the allegations had no substance whatsoever'. What did he have to say this morning? He said: 'I have made no secret of the fact that there were faults on both sides'.

Mr Harris: I said that yesterday too.

Mr BELL: Mr Speaker, the fact is that, at no stage, was the minister prepared to outline the involvement of the secretary of his department and of the Public Service Commissioner, and of the legal advice which the NT Teachers Federation and the teacher concerned had to take in order to correct the situation. I have already mentioned the fact that the decision of the secretary of the minister's department had to be reversed by the Public Service Commissioner. Obviously, it is not getting through to the minister that the most senior member of his department, the Chief Executive Officer of the Department of Education for which he is responsible, made an unjust decision, not in my view, not in the view of the Leader of the Opposition, not in the view of the Secretary of the NT Teachers Federation, but in the view of the Public Service Commissioner.

Mr Poole: Do you want to take him out and shoot him?

Mr BELL: No. In answer to the interjection from the member for Araluen, we do not want to take him out and shoot him, but we do want a faithful, honest, accurate report made to this Assembly by the minister. That is what we did not get yesterday and that is what we have not heard from the minister this morning. That is why the minister deserves to be censured in the exact terms of the motion before the House.

I have said that the Public Service Commissioner had to reverse the decision of the secretary of the minister's department. Just so that all honourable members can be well aware that there are facts and figures, dates and times associated with this matter, I point out that they are covered in a letter. I have no intention of quoting from the letter but I point out that it contains the details of the reversal of that decision and its implications. The letter is from the Teaching Service Commissioner to the Secretary of the Department of Education. I might point out, for the benefit of honourable members, that I am using the titles Public Service Commissioner and Teaching Service Commissioner interchangeably and possibly

not completely accurately and that, in fact, I am referring to the same person in that context.

The fact is that, in his correspondence with the Secretary of the Education Department, the Teaching Service Commissioner pointed out his concerns. He suggested that the actions of the secretary in relation to the suspension 'do not accord with the principles of natural justice'. If the minister thinks that he can get up here today, as he tried to do in question time yesterday, and tell us that there is no cause for censure and that that cause is not exactly his refusal to face these problems head-on, the problems which are the cause of low morale in places like Groote Eylandt and elsewhere, let me tell him that he has another think coming.

The matter did not end there. The decision of the Teaching Service Commissioner not only was to insist on the suspension being withdrawn, but also to require that cautions be given, not only to the teacher concerned, but also to senior officers of the department - the principals concerned and the regional superintendent. That gives the absolute lie to the minister's comments yesterday that there was no basis for the allegations which had been made.

Let us look at the next step in this process. The Teaching Service Commissioner said that a formal caution would be recorded on the files of the teachers concerned. In order to obtain a fair hearing in relation to that caution, the woman concerned had to obtain legal advice under the auspices of the Teachers Federation. Let us bear in mind, Mr Speaker, that the people we are talking about live on Groote Eylandt, an isolated part of the Territory which is about an hour's flying time from the nearest source of legal advice in relation to such matters. In my view, that exacerbates the accusations and the substantiated charges made against the minister in this motion.

Presumably as a result of representations made by counsel to the Teaching Service Commissioner, the caution was removed from the woman's file. There are, therefore, 2 processes involved: the withdrawal of a suspension and the removal of a caution. Nevertheless, the minister has the gall to tell us that there is no basis to the allegations and that there are no further concerns to be answered. I believe that the motion of the Leader of the Opposition has been thoroughly justified and should be passed by this Assembly.

Let me turn to some of the specific comments made by the honourable minister. He referred to the problem of the Quinns. Previous mention has been made of the compulsory transfer of the Quinns from Alyangula to Darwin. That, of course, is absolutely irrelevant to the issues of concern to us here.

The minister also referred to an inquiry conducted by Messrs Cluney and Wauchope. The minister wrote off the allegations which were the subject of the inquiry. He said that some were found to be baseless, some were found to be purely personal, some concerned minor administrative matters, some resulted in mutual apologies and, in some cases, allegations were formally withdrawn. It might be news to the honourable minister that that is not the feeling of many of the people concerned and that is precisely why there are 20 statutory declarations containing 63 specific allegations. We are not talking about a few possibilities. We are talking about circumstances in which people have been prepared to put their names on the line in relation to these accusations. Given the attitude which seems to prevail within the Department of Education, I regard that as a particularly courageous act. I

believe that the teachers and officers of the department who have been prepared to put their names on the line in that regard deserve our support, not the vacuous criticism we hear from the minister.

The minister referred to the actions of the Secretary of the Teachers Federation and derided his activities, saying that he was met with a wall of silence when he went to Groote Eylandt. I wonder whether in fact he was not confronted with a wall of fear. Let us bear in mind that the actions of the secretary of the department, in defending the principals involved, in the face of manifest evidence, would put considerable fear into the hearts of any individuals who were concerned about their prospects in the Northern Territory Teaching Service. I can imagine that anybody would be concerned about the prospect of being confronted by what was termed an 'old boys club'.

Let us just consider this old boys club. What bothers me considerably is that the processes referred to in these statutory declarations and by the Leader of the Opposition in this debate constitute what would be referred to in the army as 'bastardisation'. I certainly do not believe that the army would tolerate disciplinary procedures of this sort. I do not believe that the army, as a hierarchical organisation, would tolerate a person in authority backing up a subordinate officer when confronted with the sort of evidence that has been put forward so convincingly, so articulately and in such a detailed fashion by the Leader of the Opposition. I believe that the government's pretence of smugness in the face of this sort of evidence suggests not only that there are serious problems with this minister who stands up and says that the allegations have no substance whatsoever. I suggest that, when the actions of the Secretary of the Education Department are overturned by the Teaching Service Commissioner, and when a recorded caution is withdrawn as a result of intervention of legal counsel, there are serious problems and that the minister deserves this type of censure.

The particular chain of events to which I have referred brings to mind the question of review of administrative decisions. The Attorney-General will recall that the opposition has endeavoured to prod the government towards a review of administrative decisions bill. The government has so far refused to respond to that initiative, which is now 2 years old. Given some of the government's other knee-jerk reactions, I am surprised that it has not taken the trouble to put something like that in place. It might have addressed this issue at a much earlier stage and it might even have headed off a censure motion of this kind. That, of course, is wishful thinking. It did not happen and, by refusing to be open and honest about these issues, the Minister for Education clearly has left himself open to a censure motion which, on any moral grounds, must be supported.

We have heard protestations about the minister ensuring that investigations were carried out. Early in his speech, he claimed to have carried out the due processes and so on. In the face of the evidence presented by the opposition, that is plainly untrue. The minister's refusal to report on those processes indicates that his assertion is completely untrue. The fact that there is a significant number of people who are prepared to present 20 statutory declarations clearly indicates that the minister has failed in his duty. The processes have not worked. The investigations were not carried out adequately. That is why they have to be given the attention of this Assembly.

In conclusion, let me stress that the minister is deserving of the strongest possible censure in the terms of this motion,. I have briefly outlined the fact that a departmental secretary's decision to suspend a teacher was reversed by the Teaching Service Commissioner.

Mr Harris: Oh, come in, come in.

Mr BELL: The Teaching Service Commissioner's decision to place a caution on a file was reversed ...

Mr Harris: Put it on the record.

Mr Leo: It is on the record.

Mr Harris: That is good, Danny. I want it to be on the record.

Mr BELL: ... as a result of intervention by the teacher's solicitors and I believe that the minister deserves censure in the strongest possible terms.

Mr MANZIE (Attorney-General): Mr Speaker, the motion before us is a nonsense and this has been a time-wasting exercise. I could start off by saying that mention of the old boys club is probably significant in relation to this motion because we have all forgotten about the old boys club of secretaries of the Teachers Federation. I wonder what debt the honourable Leader of the Opposition has to pay to his ex-colleagues in the Teachers Federation because this is indeed the tail from outside wagging the dog inside. I think the old boys club of Teachers Federation secretaries is most certainly operating.

Firstly, we should address ourselves to what has been presented here. We have had talk about 20 statutory declarations presented by 12 people. I believe that the 20 statutory declarations have not been provided to the Department of Education. In fact, the censure motion refers to the minister 'failing to exercise proper authority over his department generally and, in particular, failing to ensure that a thorough and impartial inquiry was conducted by his department into the substantial allegations concerning individuals and the education system generally on Groote Eylandt'. Nevertheless, the evidence in the statutory declarations, which has been relied on so heavily, has not been presented to the department for investigation.

Mr Smith: That is not true!

Mr MANZIE: That is a ridiculous situation. I believe that all the declarations should be submitted for investigation because there has been no evidence that the matters presented have not been investigated and that results have not occurred as a result of those investigations. In fact, there have been 2 investigations in relation to the allegations that have been made.

I have information in relation to 1 statutory declaration. When the department asked the person making the declaration to provide details, the answer was: 'I do not want to know any more about it. Forget about it. I am sorry that I raised it. I do not wish to proceed any further'. I do not know what the Leader of the Opposition suggests should happen under those circumstances. Perhaps we should get the branding irons out and say: 'If you do not proceed to follow up what you said in this statutory declaration, we will torture you until you do'. It is ridiculous to say that, because something has been written on a piece of paper, it will proceed any further than an investigation unless it is substantiated. To suggest that the investigations have not been properly carried out is contrary to what has been provided in evidence by the Minister for Education.

I am informed that the 12 people involved are 12 out of 100-odd staff who have been in Groote Eylandt schools in the last 7 years. In other words, 12 people have come forward and signed statutory declarations. We know that a number of those people are not willing to follow up on those statutory declarations. We know how this has occurred, and nobody can deny this. The Secretary of the Teachers Federation, unfortunately, went around gathering this information. He made phone calls interstate to ex-Territory teachers who had previously been on Groote Eylandt. He canvassed every person he could find who had been a teacher on Groote Eylandt, endeavouring to dig up dirt. He managed to get 12 out of 100 people and even those 12 were not willing to go any further.

The evidence presented was investigated. What members opposite are really talking about is a lack of satisfaction with the end result of the investigation. There will always be some people who are not happy with an investigation. The question is whether it has been done properly. There is no evidence to suggest that it has not been done properly. In fact, it has been done a couple of times. The efforts of the Secretary of the Teachers Federation did not amount to much. I also know that the Secretary of the Teachers Federation visited as many schools as possible and whipped up meetings in an attempt to have all teachers throughout the system back him in his attempts to follow through on this matter. He received no support. In fact, I have heard that he was sent running from a number of schools by staff who had contacted people on Groote Eylandt. When they found out about the situation there, they were quite cranky about what he was trying to do. The fact that he obtained no support from the teachers in the field shows that he was barking up the wrong tree.

Why is he doing it? The answer can be found. I became quite disappointed when I discovered the basis of all this. The Minister for Education pointed out that, in 1989, a group of female teachers on Groote Eylandt formed an affirmative action group. As a result of the minutes of their meeting becoming public, 3 male teachers employed on Groote Eylandt apparently have taken out Supreme Court writs against members of that group. I believe the federation has committed itself wholly and solely to back the defence of the teachers who have been named in the writs. There is a very heavy financial commitment by the Northern Territory Teachers Federation. That commitment has been undertaken by the secretary, obviously without the support of the majority of federation members. He certainly has a problem and he has a vested interest in trying to have the previous secretary of the federation raise the matter in the House. I cannot see any other reason why we continually have these matters raised when they have been investigated effectively, when the majority of teachers on Groote Eylandt are totally satisfied, when the majority of teachers throughout the Territory system are totally satisfied and when the community on Groote Eylandt is satisfied. The school councils at Angurugu and Alyangula have had meetings and they are not following what the ALP is advocating. They are not following what Col Young is advocating. The school communities have come out in support of the department.

The Leader of the Opposition placed much reliance on a petition which he kept talking about. He says that it has been signed by a number of people. However, there are some irregularities in that petition. Firstly, it was organised and circulated by a Mr David Price, who is believed to be the de facto of Helen McCarthy who is a member of the affirmative action group. The other thing is that there are no printed names on the petition. There are many indecipherable signatures. Many of the signatures are from single men who work in the mine. There is also the signature of a fisherman.

These people have nothing to do with education and probably do not even know where the school is.

More importantly, I am informed that Mr Price obtained a number of signatures from Aboriginal people. When they found out what the petition was about, they kicked up a fuss. I am informed that this man then informed those people that he would remove their signatures because they were not satisfied. To me, that is not affirmative action, but manipulative action. The fact that the ALP and the Leader of the Opposition are supporting that type of manipulative action is disgraceful. If petitions are to be signed, people need to know what they are signing.

I have also been informed that a number of people who previously signed the petition have asked to have their names removed. I would like to know if members opposite deny that people have asked to have their names removed from the petition.

Mr Smith: Yes.

Mr MANZIE: I would like to know if the man who collected the petition did not go around saying that he would remove names from the petition. It is not very good, is it? This is what the Leader of the Opposition was relying on. I have been informed that this man, who was collecting signatures on the petition, became very abusive on at least one occasion because somebody would not sign the petition when it was put in front of him.

There have been efforts by the Secretary of the Teachers Federation and by members of the ALP to try to stir this matter up and to keep it on the boil. They have been visiting Groote Eylandt and running around talking to people. They have had a representative of the Teachers Federation running around to all the schools and ringing people all over the country. After all that activity, what do we end up with? A shonky petition and 12 people making accusations. We have heard from the Leader of the Opposition that he knows names have been removed.

What is in the accusations anyway? We are talking about swearing and yelling, sexist jokes, visiting houses after hours, the use of vehicles, and using school property. All those matters have been investigated but, apart from that, I wonder how many times the Leader of the Opposition has enjoyed himself and regurgitated the essence of that enjoyment at a later date. He has done it before, yet it is one of the things he is saying needs investigating. Let him stand up and say that it has never happened to him. What a lot of rot! That is not the sort of incident to have a giant inquiry about. What else are we talking about? The use of school property. I bet the Leader of the Opposition will not stand up here and say that he has never taken home a pen or pad of paper from a school in which he worked or used a gestetner or photocopier for a private purpose. I challenge him to stand up and deny that he ever used Department of Education property for private purposes when he was working as a teacher. Nevertheless, such action is one of the 68 matters on the list read out by the Leader of the Opposition. These allegations contain many matters which are not the basis for an inquiry. They have been investigated twice, and properly.

I can remember when a particular person was the principal of a school in my electorate, and complaints were made about lack of discipline, inadequate dress standards of teachers, children not learning their spelling properly - the list went on and on. Would the Leader of the Opposition suggest that we should have had an inquiry and that we should have removed that principal? It might have been appropriate to do so but it did not

happen because there is a system which allows such matters to be examined properly. They are examined in accordance with a set of criteria which has been set down in accordance with arrangements between the NT Teachers Federation and the Education Department. It is important that those criteria be applied without hindrance and it is wrong to suggest that politicians should become involved and override those criteria, especially when the school community is happy and the teachers are happy with what is occurring. There will never be perfect harmony but, if you do not get it, you do not hold a Royal Commission.

The member for MacDonnell said that the secretary was forced to withdraw his suspension of a woman teacher, and his caution on her file. In fact, I am advised that he himself withdrew the caution because the conduct in relation to her superintendent was but one aspect of a wider and more complex situation with respect to human resource management on the island, a matter which required further and more detailed investigation. For that reason, the secretary decided to exercise his power under section 31(2)(b) of the act to remove the suspension and proceed with a further investigation, which was conducted subsequently by Messrs Wauchope and Cluney. That certainly is at odds with the member for MacDonnell's claim that the secretary was directed to take these actions by the Commissioner of the Northern Territory Teaching Service.

Mr Speaker, before I conclude in this debate, let us look at the Australian Labor Party's platform on decision-making in schools. Territory Labor believes:

(1) School principals have a responsibility to provide the highest standard of educational leadership, sound management, and opportunities for parents, staff and student involvement and participation in their school.

What happens if 95% of members of a school community say that they want to go in a certain direction? What will the ALP do then? Would it agree with the 5% and disagree with the rest? If a school's students and staff participate, obviously notice should be taken of what they say, and I think that is a pretty good indication.

The ALP platform goes on to say that principals 'have a duty to include, at all levels of the decision-making process, those people affected by decisions' and that 'school communities have a right to be involved at all levels of the decision-making process on issues affecting them'. What is occurring in this instance on Groote Eylandt? The school councils say that they are happy, the teachers say that they are happy, and the community says that it is happy. In that situation, and quite contrary to the ALP policy platform, members of the opposition say that a disaster exists and that an inquiry is needed.

Members interjecting.

Mr MANZIE: This is the key, Mr Speaker: 'Territory Labor will ensure the best possible leaders are appointed as principals of schools and are supported in exercising their challenging role'. In other words, it does not matter if 95% of the community, the school and its staff agree with a principal's course of action. If that principal does not toe the ALP line, someone else will be appointed. I believe that that is part of the hidden agenda of the ALP: become involved, from all sides, to politicise the investigative processes, politicise the appointment processes, and

politicise the disciplinary processes. I believe it is an indictment of what the ALP proposes for the Territory.

It is very clear that the matters raised by the opposition have been investigated. The basis for the evidence provided today is actually false and contrived. These matters are old issues. They have been regurgitated. There is no issue which provides any basis for censuring the minister and, actually, I think he should be congratulated for ensuring that this matter has been investigated not once, but twice. It is still an ongoing policy that any evidence of any misconduct that is brought forward will be investigated. I believe the minister deserves to be congratulated for the attitude that he has taken in relation to this matter, and that members opposite should be trying to ensure that the wishes of the community are complied with. They should not seek to create trouble on behalf of a very small minority of people who are dissatisfied with the course of events during their employment.

Mr SMITH (Opposition Leader): Mr Speaker, that was a fairly amazing contribution from the Minister for Lands and Housing. He started by saying that the department and the minister had not seen the statutory declarations and asking how they could know whether there was any substance to them. Then, 2 minutes later, he said that the allegations had been examined and that there was no substance to them. That indicated clearly the depth of the honourable minister's response. Of course, I have some sympathy with him in being sent in to do the impossible, which is to attempt once again to shield the Minister for Education. The unfortunate aspect, and I know that the Minister for Lands and Housing must feel this acutely, is that things would not have been allowed to reach this stage in his own department. The proper processes would have been put in place, and the matters would have been resolved before they reached this public stage. I know that the Minister for Health and Community Services probably feels the same way. Unfortunately, however, we have a minister who once again has demonstrated clearly that he is not on top of his his portfolio. We have a minister who is prepared to allow problems to fester until they reach the stage we have reached today, when the only avenue left open to people with genuine complaints is to ask that the matters be raised in the Legislative Assembly.

I repeat that we would not have raised this matter if only 1 or 2 people, or even 3 people, were prepared to stand behind it in a very public way. However, this matter involves 12 people who are prepared to stand behind what they have said in a very public way. That makes it a very important issue indeed. Quite clearly, those people are not satisfied with what has happened. They want some action. Their call has been reiterated in the petition that we saw yesterday and also in resolutions coming from 20 NT Teachers Federation branches and 2 regional councils.

The people who have raised these matters have done so at considerable personal cost to themselves. One person, for example, has had to separate temporarily from her spouse in order to obtain a job which she considers commensurate with her abilities. Given the choice, she would not have wanted to do that. Her situation has come about as a direct result of the highly principled stand she has taken on this matter. Other people have left the service because of the treatment they have received. They do not want to work in a service which treats teachers in this fashion, which does not support teachers when they make complaints, and which automatically comes down on the side of principals rather than making an objective assessment of allegations. In fact, 2 constituents of mine are former teachers who were involved on the periphery of these matters. Their disgust at the way the department and the minister have behaved is so great that

they have resigned from the education system and are now doing other things. There is a direct relationship between their resignations and their experiences on Groote Eylandt.

There is a festering sore on Groote Eylandt and the minister refuses to lance it. We are prepared to accept that the problem is not typical of the education system which is a good system. However, the minister should be dealing with the problem, not attempting to sweep it under the carpet. This matter could have been resolved quite easily and quickly if the department had gone in at a very early stage and had said to a number of specific people: 'Look, you have done some things which are very wrong and this is the action that we will take and these are the penalties which we will impose'.

The Department of Education has indicated that it is not reluctant to undertake disciplinary action, as the case of Anna Masero indicates. Unfortunately, in that case, the department got it wrong. Whilst it was attacking that poor unfortunate woman, there were other people who probably would have been the more legitimate aim of decisive departmental action. Decisive departmental action at an early stage against some of the people involved in these allegations could have resolved the matter. The infection has become much deeper now. It has become a disease. It is not only affecting education on Groote Eylandt - and that is bad enough - but it is also affecting teachers' perception of their situation in other places throughout the Northern Territory. Do not think for one moment that what is happening on Groote Eylandt is not being talked about in classrooms and school councils right across the Northern Territory and is not a subject of some considerable concern. That is the problem and, until the department addresses the issues in a comprehensive and impartial manner, those concerns will not go away.

Does the minister really expect people who have put their jobs on the line and made formal complaints to him and to his department to say, on the basis of an informal and secret inquiry of which no public report is made and from which no action results, that they are satisfied? Does he really expect that? Those people put their necks out. In some cases, they put their jobs on the line. Their future career prospects in the Northern Territory Teaching Service are right on the line and the minister is telling them: 'We have had a report. It is an informal report from Messrs Wauchope and Cluney. It is a secret report and we are not going to do anything as a result of it'. Does the minister really expect any reasonable person, any person who has had the guts to say that something in the system stinks and to ask for help in fixing it, will be satisfied with that response? Of course he does not. That is the core of the government's problem. It has brave, gutsy teachers who are prepared to stand up when they think that there is something wrong, not out of personal interest but out of a genuine desire to improve the system and make it work, and it will not even listen to them and treat them seriously.

Mr Manzie: Fancy suggesting that teachers are cowards.

Mr Harris interjecting.

Mr SMITH: You will not listen to them and treat them seriously. In effect, you tell them to go away and that this is not an important matter. You hold an in-club, secret inquiry, an informal inquiry. You do not tell anybody what the results of the inquiry are. You say: 'We are not going to take any action as a result of the inquiry'. You then expect the people concerned to accept that. That is what I cannot understand.

Those people, who live in a very small community, have had the guts to stand up and say that they believe that something is wrong. The minister then expects them to accept the results of what he says is a secret inquiry. I do not understand that. The logic of it escapes me. People who have made complaints are still on Groote Eylandt, working side by side with the people whom they have complained against, doing their best to deliver an educational service under those circumstances. They are very brave people indeed. Every day, they hold their heads up. They go off to work and put up with what must be a fair amount of subtle discrimination and subtle contempt from other members of staff, particularly those about whom they have made quite serious allegations. They are not helped in doing their job by the failure of the government and the minister to take these matters seriously. The education product that is being delivered there is not being helped by the failure of the minister and the government to address these matters seriously.

We are not talking only about small things, and I accept the Attorney-General's comment that some of them are small. The disturbing thing is that they form a pattern which, if true, reflects completely unacceptable professional conduct from leaders of the educational community on Groote Eylandt. For that reason alone, they deserve serious consideration. We are not talking only about professional misconduct, including being drunk in the classroom, abusing teachers and so on. We are talking also about very serious concerns that have been raised about the delivery of education to Aboriginal people on Groote Eylandt. We are talking about allegations that the bilingual program and the RATE program - key elements in what this government is trying to do in relation to Aboriginal education - were being purposely run down on Groote Eylandt as a result of decisions taken on the island itself. I would have thought that that was a pretty serious problem as well. However, the government has shown no sign of wanting to face up to it.

There is correspondence that indicates there has been a major conflict between Batchelor College and senior people on Groote Eylandt about what the RATE program is about and the level of support it should be receiving. Many of the allegations in the 20 statutory declarations relate to the RATE program and the difficulty that the RATE lecturers have had in getting RATE programs put in place and properly supported. I would have thought that that matter alone would have demanded that the minister conduct a thorough investigation of what is happening. I would have thought that the honourable minister and the Secretary of the Department of Education would have had the courtesy at least to talk to those people about their problems and to assure them that an impartial inquiry would be conducted into the broad range of the allegations that have been made.

I do not stand behind every allegation, but I think that there is a very good chance that the majority of those allegations have substance. The significant aspect is that they indicate a pattern of behaviour and a set of attitudes which have been evident on Groote Eylandt and which are unacceptable to professional educators. If it has been correctly portrayed, that set of attitudes has contributed to downgrading the Aboriginal education program and to victimising teachers because they do not fit into the network that has been developed, a network which involves inappropriate personal behaviour and misuse of government property.

The allegations we have before us are very serious indeed. They require an inquiry which everybody recognises as impartial and honest. They require that the results of such an inquiry be made known at least to the people who have asked for the inquiry. We cannot expect them to have any sense of

confidence in the inquiries that are undertaken if they are denied access to the results. That is the essential problem that we have.

To conclude, the government and the minister have got themselves into an awful mess in relation to this matter. Prompt and effective action would have resolved it. Instead of taking such action, the government tried to put the matter in a corner, hoping that it would go away. We have seen that it will not go away. There are brave people who are prepared to stand by these allegations. They are prepared to have their claims tested in a public forum such as this Legislative Assembly. That is not easy for people outside this Assembly to do because they face the prospect of finding their names splattered all over the newspaper. These people are prepared to do that because they feel strongly about what is happening to education on Groote Eylandt. The best the government can do is to say that their concerns are irrelevant. It says that it has examined them and has found no substance whatsoever in them. That is what the minister said yesterday.

That is not good enough. This matter will not go away. It will continue to dog the government. The people who have signed the statutory declarations want justice and are prepared to hang in there until they do obtain justice, and I respect them for that. They want those allegations investigated. Given that there are so many allegations that are consistent across the 20 statutory declarations, they have the right to have those allegations investigated.

We have reached this position because, once again, the honourable minister has failed dismally to adequately supervise the operations of his department. He failed to recognise the problem in the first place and he failed to put in place proper procedures to ensure that the problem was adequately addressed. What could have been a small explosion has now become a major minefield as a result of the inadequate responses of the minister. For that reason alone, he should resign. Through his inept handling of this matter, he has brought the teaching profession into disrepute in the Territory, has caused teachers and others unnecessary angst and has created a situation in which it is very difficult indeed to see how the problems on Groote Eylandt may be resolved. For all those reasons, the minister should be censured and should resign.

Motion negatived.

STATEMENT
Sentencing for Violent Crime in the NT

Mr MANZIE (Attorney-General): Mr Speaker, I rise to make a statement regarding sentencing in the Northern Territory. Honourable members would be aware that there has been a growing and widespread concern in our community about the sentences handed down by the courts in recent years for crimes of violence. This concern is particularly strong in relation to sexual assaults. Of course, this is not solely a Northern Territory phenomenon. It is something which has been raised around Australia in recent years. In my experience, the community's concerns fall into 2 general areas.

First, there is a concern about a sentencing regime which imposes significant sentences but then reduces those sentences by handing down much shorter non-parole periods. In other words, the amount of time offenders actually spend in jail is far less than the overall or head sentence. The community finds this system confusing and tends to see it as dishonest. The second and interrelated concern is that the non-parole periods are too short. In other words, regardless of the mix of head sentences and

non-parole periods handed down in particular cases, violent offenders are simply not spending enough time in jail.

These concerns are not, in themselves, strictly accurate. Most people do not have a detailed knowledge of sentencing laws and the reasons why the judiciary must set penalties within a certain range. Nonetheless, the concerns are very real. Speaking both as the Attorney-General and as a local member, I cannot remember a time when concern over a particular issue has been so frequently and so forcibly expressed to me by so many members of the public. I understand that many of my colleagues have had similar experiences.

Before moving into the more specific details of what the government is examining in relation to sentencing, I must make it clear that this exercise and this debate are not, and must not become, some kind of judge-bashing exercise. It is all too easy for the public and members of this House to point the finger at the judiciary when a sensationalised report appears in the newspaper or on the television, saying something like, 'Rapist to be free in 12 months'. We must bear in mind that none of these critics is in the position of the judge, who hears all the evidence, takes all the circumstances into account and, most importantly, must consider the appropriate penalty in light of established legal precedent regarding sentences for crimes of similar severity.

If there is fault, it lies in the system which not only allows those sentences to be handed down, but which also binds judges in a web of precedent from which it is difficult to escape. In simple terms, there is nothing to stop any judge from handing down a sentence which is much tougher than those usually imposed. However, he or she knows full well that such a sentence will almost certainly be overturned on appeal because it is out of kilter. The task of finding solutions therefore rests with this legislature, with the elected representatives of the people.

I turn now to the first issue, which is commonly referred to as 'truth in sentencing'. There is concern in the Territory community that the actual amount of time served by criminals is much less than the time they are sentenced to. For example, a criminal may receive a head sentence of 9 years for a violent crime, but then be given a non-parole period of about one-third to half of the head sentence. This non-parole period is the minimum tine the offender must spend in jail before becoming eligible for parole. In practical terms, it is usually the only time the offender spends in jail unless he breaches the terms of his parole.

Take the scenario where a head sentence of 9 years is handed down with a non-parole period of 4 years. The offender is then back on the streets after serving less than half of the time in jail that the public perceives he was sentenced to. Honourable members should note that, because parole carries with it the threat of return to jail if the conditions are infringed, parole itself constitutes a part of the sentence. It must therefore be recognised that an offender on parole is not a free man. That is because the offender in the example will spend 4 years in jail and a further period under threat of returning if he does not behave himself.

I do not believe that the community accepts that proposition. While none of us should make the mistake of looking at the actual time spent in custody as the only penalty, or indeed of regarding sentences as being purely for punishment, we must still ask if the sentences are adequate. For the offender in my example to have been given a 9-year head sentence, he must have committed a very serious crime. It would have to be something

like armed robbery, a brutal sexual assault or a serious count of causing grievous bodily harm. However, the criminal sentenced to 9 years for one of those crimes would generally be on the street again within 4 or 5 years, possibly less.

Let me make it quite clear that 4 or 5 years in jail is a very serious penalty. However, the public is entitled to question whether or not it is serious enough in view of the actual crime. The public is also entitled to question the honesty of a system which actually puts offenders into jail for less than half the time they are sentenced to. It can be argued that our present sentencing regime is truthful in that the public is always told clearly the actual time offenders will spend in jail - that is, the non-parole period. The Northern Territory sentencing system does not allow remissions of non-parole periods and therefore it is certainly true that the public is able to see the amount of time offenders will spend in jail.

No doubt honourable members are asking why it is that non-parole periods do not generally exceed half of the head sentence. Once again, the fault lies not with the judiciary but with the system, in this case with the remission mechanism. In the Northern Territory, the system provides for what is now virtually an automatic remission of one-third of head sentences. This means that, if judges wish offenders to be subject to parole on their release, they must set non-parole periods of less than two-thirds of the head sentence.

To return to the example of the offender who receives a head sentence of 9 years for a violent crime, if the judge fixes a non-parole period of 6 years - that is, two-thirds of the head sentence - the offender can leave jail as a free man without being subject to parole. However, if the judge fixes a non-parole period of less than two-thirds of the head sentence, say 4 years or less, the offender can be released on parole. If he breaches that parole at any stage, the maximum time he can be brought back to jail for is the remainder of the head sentence minus remissions. The reason for this is that, with one-third remission, the maximum amount of time an offender can spend in jail is two-thirds of a head sentence. In effect, the remission system makes a lie out of head sentences. As I have already explained, non-parole periods must be set significantly lower than two-thirds of head sentences in order to encourage prisoners to take parole rather than to wait for remission. This drives non-parole periods down even further and it is the primary reason that the majority of non-parole periods are closer to one-third of the head sentence than half.

The question is how to address these problems. The solution is certainly not to do away with the provision of parole. It is universally accepted that it is not a wise move simply to release prisoners, particularly those who have served significant terms of imprisonment, without any way of monitoring them. While former prisoners tend to view parole as something of a necessary evil bordering on harassment, the fact remains that parole is a mechanism which allows the authorities to provide protection for the community as well as to support the prisoners returning to it. In this manner, parole acts as a means of supervision, as a stern warning not to re-offend, and as a mechanism through which support can be provided. For these reasons, it is clear that the parole system has a vital role to play in rehabilitating offenders.

Different jurisdictions have tried to address the problems in different ways. The Australian Law Reform Commission has recommended that general remission should be abolished, that, as a general rule, the courts should no longer be involved in setting non-parole periods and that, as a general

rule, the proportion of a head sentence to be spent in jail should be set by the parliament at 70%. Both the Commonwealth and the New South Wales governments have passed new sentencing legislation. Before discussing this legislation, I should point out that it appears that the ALRC, the Commonwealth and New South Wales have all been heavily influenced by the fact that actual non-parole periods can be reduced substantially by the operation of remissions. As I mentioned earlier, that situation does not apply in the Territory, where prisoners serve the full term of their non-parole periods.

Under the Commonwealth legislation, the following conditions will apply to sentencing for federal offences after the act commences. Remissions which presently reduce the non-parole periods of federal sentences in some states will no longer apply. Remissions which reduce head sentences will continue to apply, if available under state laws. In those states where head sentence remissions are not available, as is presently the situation in New South Wales, the courts must take this into account so that federal offenders are not serving longer sentences because of the abolition of remissions for state prisoners. The non-parole period may be set only where the sentence is greater than 3 years. Where the sentence is 3 years or less, and the court considers that the offender should be conditionally released, at the time of sentencing, the court can order the offender to be released on a bond or subject to supervision. Where the sentence is greater than 3 years but less than 10 years, and a non-parole period is specified, release on parole is to be automatic when that period is completed. If the sentence is greater than 10 years, there is a presumption in favour of release on parole when the non-parole period is completed. In general terms, non-parole periods are to continue to be set by the courts.

The Territory government has some significant problems with this legislation. One concern with the Commonwealth legislation is the automatic parole on completion of non-parole periods for sentences greater than 3 years but less than 10. This moves away from the principle that parole should be earned rather than granted automatically. This principle has been adopted by New South Wales and also is favoured by the Territory government. Further, the Commonwealth legislation still allows courts to set non-parole periods. Under the recently-commenced New South Wales legislation, the following conditions apply. The court must fix a minimum term of imprisonment which must be served by the prisoner without any reductions. The court must fix an additional term to be added to the sentence during which the prisoner may be released on parole. Except in special circumstances, the additional term must not exceed one-third of the minimum jail term. This means that the minimum jail term must be at least 75% of the total sentence. The court may decline to use this system and may instead set a fixed term of imprisonment that the offender must serve in jail without any reductions. All sentences of 6 months or less are fixed terms. The court must specify the date on which the maximum, or fixed term of imprisonment begins, and the date on which the offender will be eligible for release or parole. Remissions have been abolished. In the case of sentences of 3 years or less, prisoners will be released on parole as soon as they become eligible and, in the case of sentences of more than 3 years, there is no presumption that the prisoner should be released on parole as he or she becomes eligible.

There is much which the Territory government supports in the New South Wales legislation. To my mind, a new sentencing regime which sets out clearly what offenders have been sentenced to and exactly how long they will remain in jail, and which does not give automatic parole to prisoners convicted of serious crimes, is to be supported. Also, I understand that

custodial terms in New South Wales have increased by approximately 20% to 25%, which is something else which this government supports in relation to crimes of violence.

In considering the question of who should fix non-parole periods, the ALRC concluded:

> In the interests of certainty and of ensuring that a significant portion of the period of custodial order is spent in prison, the proportion of the custodial order to be served in prison should be specified in legislation, and there should be no longer any discretions to fix the length of the non-parole period. Truth in sentencing demands that the proportion of the custodial order to be spent in prison should be significant ... Accordingly, the general rule should be that 70% of a custodial order should be spent in prison.

In view of this recommendation and the specific problems now being encountered in the Northern Territory, this government proposes to make a number of changes to the sentencing system. These proposals have been developed in close consultation with the Department of Correctional Services and the Minister for Correctional Services will be expanding on the detail later in this debate. In general terms, it is proposed to make the following changes; abolishing automatic remissions; legislating to ensure prisoners serving terms 12 months or longer will not be eligible for parole until they have served a set proportion of their sentences; introducing a merit point system so that prisoners have to earn the right to parole; and restructuring prisoner working arrangements so that all prisoners undertake worthwhile work during their time in jail.

The benefits of this system should be apparent to all honourable members. It removes the difficulties caused by the present remission system and introduces a regime whereby non-parole periods are a set percentage of head sentences. It will ensure that prisoners have to earn the right to parole. It is proposed that the merit point scheme would operate by granting points on a monthly basis for work performance, good hygiene, good behaviour and overall conduct. Release on parole will remain at the discretion of the Parole Board which will decide whether or not the prisoner has earned the right to conditional release. It is intended that the home detention program - electronic surveillance in particular - will be used in some cases to ensure that prisoners on parole are rigidly supervised and comply strictly with the conditions of their release.

The restructured working arrangements are aimed at having prisoners contribute to the high cost of their imprisonment and, at the same time, instilling the work ethic in them. The incentive for prisoners to work will be a wages system to be created out of funds presently used to purchase tobacco and other luxury items for prisoners. Under this system, prisoners would be expected to make restitution payments to their victims, contribute to their board and upkeep, pay for their own tobacco and luxury items and save towards their release.

These proposals are simple and easy to put in place and undoubtedly will receive community support. Unfortunately, they do not necessarily solve the second of the problems that I raised earlier: the community's concern that violent criminals are not spending long enough in jail. Before proceeding further, I believe that it will be helpful if I outline briefly the way in which judges and magistrates approach sentencing at the moment. However, I

stress that sentencing is not a precise science since very few judges and magistrates go through exactly the same thought processes.

While opinions vary in terms of exactly how head sentences and non-parole periods are arrived at, it is generally understood that the following processes take place. Firstly, the court fixes an objective notional starting point which takes into account the maximum penalty as set by parliament and which reflects the general seriousness of the actual offence. Secondly, the court fixes the appropriate head sentence for each offender. The head sentence is what the court considers to be an appropriate quantum of punishment given the objective factors - which might include such things as the severity of the offence, the degree of harm suffered and the culpability of the offender - and the subjective factors, which might include such things as the age of the accused, prior criminal convictions and other aggravating or mitigating circumstances. The third step, the setting of the non-parole period, is in a very real sense a separate rather than a progressive step in the sentencing process. The sort of question the court asks is: having regard to the fact that the period is to be regarded as both a punishment and a deterrent and taking into account the subjective features of the case, what is the minimum period the offender should spend in custody?

In simple terms, the process appears to be one of starting at the top and working down to the minimum time to be spent in jail. I have already explained the need to streamline this process in order to make it more truthful and easier to understand and I have outlined the government's proposals to achieve this. However, this does not in itself answer the problem of low sentences because it does not require the judiciary to increase the length of custodial sentences. Indeed, it has the potential to give the impression that sentences are actually being decreased.

This can be illustrated by the example that I used earlier of an offender sentenced to 9 years with a non-parole period of 4 years. Under the new system, assuming a benchmark figure of 70%, a judge who wished an offender to spend 4 years in jail would fix a head sentence of about 5 years and 9 months. This effect would occur across the board and would be easy for the public to misinterpret as a sizeable cut in sentencing.

In simple terms, if we wish to increase custodial sentences for violent crimes, we will need to find other ways of doing so. No doubt, some honourable members will question whether or not it is necessary to increase custodial sentences at all in view of the proposed changes to sentencing and the parole regime. I can best illustrate the government's concern about actual custodial sentences by making reference to those being handed down for sexual assaults, which is also the area attracting the most public criticism. My department's research indicates that the average non-parole period for rape, without any aggravating or mitigating features ...

Mr BELL: A point of order, Mr Speaker! I would like to seek your guidance. I thank the Attorney-General for passing across to me a copy of this statement before it was delivered and I heartily endorse that process. I am not raising a point of order in order to score points. I seek your direction. At the end of the statement, the Attorney-General refers to a particular case involving German tourists. That case has received a great deal of publicity prior to an appeal in the Court of Criminal Appeal. I seek your direction, Mr Speaker, as to whether it is appropriate for this Assembly at this stage to be discussing, in specific terms, sentencing levels for the crime of rape.

Mr MANZIE: Mr Speaker, I can assure the honourable member that a great deal of care has been taken in framing this statement to ensure that it does not do what he has suggested. For obvious reasons, I was very concerned about the appeal which is being heard in Alice Springs. For that reason, the statement has been worded in such a way as to ensure that no inferences are made which may influence any of those proceedings.

Mr BELL: Mr Speaker, I seek to inquire of yourself whether the Attorney-General sought your advice in the preparation of this statement.

Mr SPEAKER: He did not, but it is none of your business whether he sought it or not.

Mr BELL: The comments of the Attorney-General indicated that he believed that the statement was not offending against the sub judice rule.

Mr SPEAKER: Order! There is no point of order.

Mr MANZIE: Mr Speaker, I will at least commend the member for MacDonnell for expressing concern in this regard. I can assure him that I had that same concern and took great care to ensure that those problems would not arise.

My department's research indicates that the average non-parole period for rape without any aggravating or mitigating features is just over 2 years. I do not believe that the community accepts that this is a reasonable sentence in view of the seriousness of the crime. It simply does not protect the public through being a significant punishment or deterrent. The traditional method for governments to increase custodial sentences is simply to lift the maximum penalty for the offences in question. This option is not open to the government on this occasion because the maximum penalties for violent offences are already high. Indeed, in the case of rape, the maximum penalty is life imprisonment, which cannot be increased.

One avenue available to the Crown is to appeal in certain cases against sentences handed down. Quite often, the appeals have not succeeded because appeals against sentences are not based on whether or not the judges hearing the appeal believe that the sentence is lower than it should be. It is only if they believe the sentence is so low that it could be outside the range of sentences which could be reasonably handed down for that particular case that an appeal will succeed. For example, in the case of a man who twice raped his 12-year-old daughter at knife point on the bonnet of his car, the Crown succeeded in having the non-parole period doubled from 2½ years to 5 years. Unfortunately, while the first sentence received media coverage, the successful appeal did not. The Crown has not been so successful in other appeals.

Unfortunately, in general terms the judgments of Australian courts are not particularly helpful in finding ways to increase penalties. It has been said that, if the prevailing standard of sentence for a particular offence is too low, 'it can be raised after due warning, but by steps and not by leaps'. Similarly, it has been said by one of our own judges that, if the view is taken that past penalties have been too light, the position should be corrected by an upward trend in penalties rather than by an abrupt increase. In commenting on these statements, the High Court has said that, whilst they do not state a binding principle, nevertheless they provide useful guidance which should be always kept in mind.

There are certainly significant problems in trying to achieve an increase in custodial sentences. Lifting maximum penalties is out of the question and so too is appealing every rape case. The simplest answer would be, of course, to introduce minimum penalties. This is not a move which I favour, simply because the variable factors in sexual and violent crimes are so numerous that it is virtually impossible to foreshadow them in legislation. As a matter of fairness, judges must have available to them a high degree of flexibility in the penalties that they are able to impose.

In searching for solutions to these difficulties, I have considered the so-called 'guideline' cases in the English courts. These are a modern development and may relate to the type of offence, type of offender or type of penalty. Guideline cases exist in the United Kingdom in relation to offences such as armed robbery, causing death by dangerous driving, drugs and rape. An example of these guideline cases is the 1986 appeal of the Billam case which resulted in guidelines for rape offences. In that case, the Court of Criminal Appeal was considering a number of cases in which there had been convictions for rape or attempted rape in order to allow the court to restate principles to guide judges on sentencing and what the court describes as 'this difficult and sensitive area of the law'. The court noted that, in its experience, 'whether or not the number of convictions for rape has increased over the years, the nastiness of the cases has certainly increased and what would 10 years ago have been considered incredible perversions have now become commonplace'. Before issuing its guidelines, the court cited a passage from the Criminal Law Revision Committee's 15th Report on Sexual Offences which reflected the views of the court in relation to rape. The passage also reflects this government's view in relation to rape:

> Rape is generally regarded as the most grave of all the sexual offences. In the paper put before us for our consideration by the Policy Advisory Committee on Sexual Offences, the reasons for this are set down as follows: 'Rape involves a severe degree of emotional and psychological trauma; it may be described as a violation which in effect obliterates the personality of the victim. Its physical consequences equally are severe: the actual physical harm occasioned by the act of intercourse; associated violence or force and in some case degradation; after the event, quite apart from the woman's continuing insecurity, the fear of venereal disease or pregnancy. We do not believe this latter fear should be underestimated because abortion would usually be available. This is not a choice open to all women and it is not a welcome consequence for any. Rape is also particularly unpleasant because it involves such intimate proximity between the offender and victim. We also attach importance to the point that the crime of rape involves an abuse of an act which can be a fundamental means of expressing love for another and to which as a society we attach considerable value'.

The court noted that the variable factors in rape were so numerous that it was difficult to lay down guidelines as to the proper length of sentence in terms of years. However, the court also noted there were many reported decisions which gave an indication of what current practice should be. The court issued the following guidelines:

> For rape committed by an adult without any aggravating or mitigating features, a figure of 5 years should be taken as the starting point in a contested case. Where a rape which is committed by 2 or more men acting together, or by a man who has broken into or otherwise

gained access to a place where the victim is living, or by a person who is in a position of responsibility to the victim, or by a person who abducts the victim and holds her captive, the starting point should be 8 years.

At the top of the scale comes the defendant who has carried out what might be described as a campaign of rape, committing the crime upon a number of different women or girls. He represents a more than ordinary danger and a sentence of 15 years or more may be appropriate.

Where the defendant's behaviour has manifested perverted or psychopathic tendencies or gross personality disorder, and where he is likely, if at large, to remain a danger to women for an indefinite time, a life sentence will not be inappropriate.

The crime should in any event be treated as aggravated by any of the following factors: (1) violence is used over and above the force necessary to commit the rape; (2) a weapon is used to frighten or wound the victim; (3) the rape is repeated; (4) the rape has been carefully planned; (5) the defendant has previous convictions for rape or other serious offences of a violent or sexual kind; (6) the victim is subjected to further indignities or perversions; (7) the victim is either very old or very young; (8) the effect upon the victim, whether physical or mental, is of special seriousness. Where any one or more of the aggravating features are present, the sentence should be substantially higher than the figure suggested as the starting point.

The Territory government believes there is merit in the courts themselves setting starting points and guidelines, as has been done in Billam, from which the penalties can be increased or decreased depending on the circumstances of the case. I believe that the setting of starting points with guidelines by the courts would lead to greater consistency in sentencing and, at the same time, enable the courts to properly take into account aggravating and mitigating factors.

As was stated in 1986 by the Lord Chief Justice, Lord Lane, the guidelines were precisely that and were not meant to be applied rigidly in every case. They were for assistance only and were not to be used as rules never to be departed from. Such starting points and guidelines could be laid down for a variety of offences, not only for rape or sexual assaults. I believe it is important to stress also that such a system will have the considerable advantage of being easily understood by the public. If introduced, and allied with the government's proposal to streamline the sentencing and parole processes, I believe such a system would be applauded by the community and relieve much of the existing concern.

The setting of starting points with guidelines is new in Australia. Some may argue that it may turn the sentencing process on its head because the court would focus on the starting point, which did not take into account either aggravating or mitigating factors, and from which the court could either go up or come down, depending on the circumstances of the case. This is opposed to working down from the maximum penalty as appears to be the case at the moment - a process difficult for the public to understand.

There are a number of options which could be examined in relation to introducing similar guidelines to those outlined in the Billam case. These include: the court itself adopting such guidelines and setting appropriate

starting points; the government introducing the guidelines by legislation and providing for the court to determine the starting points; or the government passing legislation which would both introduce the guidelines and set the starting points. Obviously, the government would support the first option as being the most preferable way of addressing these concerns. However, I place all of these options before the House for consideration by honourable members.

We should also consider whether such guidelines should be across the board or only in respect of specific classes of offences. In this regard, we must take into account the fact that the courts operate on the basis of the relative seriousness of criminal conduct between offences - that is to say, there is a general relationship between the sentences handed down for various offences. It may not be appropriate for parliament to intervene in relation to sentencing for a particular type of offence unless it can be clearly demonstrated that existing sentences for that offence are out of step with relative sentencing for other offences. If this were not the case, such a move would have the potential to disrupt sentencing across the board. This is an issue which has to be carefully considered by honourable members.

Some of the options being raised by the government are new, and I make no apology for that. This is a particularly difficult question to resolve, involving as it does the complexities of the law and the emotiveness of public concern. What is not at issue is that public concern is very high and that, as the elected representatives of the public, it is our duty to seek solutions to these problems. In making this statement, I am asking all honourable members to make a contribution and to debate these issues on their merits. I will also be seeking responses from the legal profession and the general community.

In concluding, I must remind honourable members the Crown has lodged an appeal in relation to sentences handed down for the pack rape of 2 West German tourists near Alice Springs last year. That appeal has still to be heard and, as such, is subject to the sub judice convention of this House.

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

Mr BELL (MacDonnell): Mr Speaker, in his concluding remarks, the honourable minister said that 'what is not at issue is that public concern is very high and that, as the elected representatives of the public, it is our duty to seek solutions to these problems'. The difficulty that I have with the minister's statement is that he has not told us what the problems are, beyond saying that he is getting a message from the electorate that sentences are not tough enough.

My concern strikes at the extent to which people are able to understand what sentences are being handed down. The minister's statement has not done much to enlighten us in that regard. He has taken as an accepted premise the contention that sentences are too low. I am not prepared to accept that as a blanket statement. I believe that we need to have more information before we can come to that conclusion. As the minister suggested towards the end of his statement, and as I indicated by calling a point of order, there has been considerable public disquiet in relation to the question of sentencing. In that context, I have considerable concern to ensure that I execute my responsibilities as a member of the Legislative Assembly to ensure that the community is protected. I also have a great deal of reservation about leaping on a law and order band wagon and simply demanding

higher sentences for people, certainly in a context where so little information is provided in the minister's statement.

The minister commenced by fleshing out the assertion that, in the public view, sentences are too low. In a moment, I will return to some Australian Institute of Criminology research as to what public perceptions actually are in that regard. Secondly, he referred to measures taken in New South Wales in the area of so-called truth in sentencing. Although he referred to those measures, he dismissed them before referring to some possible reforms in the Northern Territory, to which I shall also return. The only comment I will make about them at this stage is that there is nothing revolutionary about them. I saw that they were met with a great deal of interest by the press, but the only concrete proposal involved legislating a percentage of a head sentence as a non-parole period. That was the so-called reform that the Attorney-General was talking about. He then discussed Billam's Case as one of the so-called guideline cases from the UK, and I will return to the general question of rape sentencing and so on in due course. I have taken a keen interest in this issue for some considerable length of time. Honourable members will recall the introduction of the home detention process and will be aware that I had a question on notice in that regard that I will also return to in due course.

I am very surprised that the honourable minister has not referred to any of the Australian Institute of Criminology material in this regard. As I mentioned in another context during the weekend, the Report of the National Committee on Violence, which the Minister for Education has apparently not bothered to read, provides an important contribution to our understanding of possible policy directions. The evidence supports the contention that Australian society has become more violent in recent years and, in fact, that is one bit of local information that is available. I was surprised that the only information that the Attorney-General was able to find came from the United Kingdom, where social circumstances are dramatically different from those in the Northern Territory and probably in most of Australia. Since we have that sort of information available from Australian sources, it should not be ignored in a debate like this.

I draw the attention of honourable members to 2 articles produced under the auspices of the institute. The first, published in September 1989, is entitled 'Prison Sentences in Australia'. The second is called 'How the Public Sees Sentencing - An Australian Survey'. Unfortunately, I do not have its publication date because this material was faxed up from my office. However, I commend the whole series of articles published by the institute which, I am sure, has come to the attention of other honourable members. I believe that the articles provide a very useful source of information in a debate such as this.

If we are looking generally at the question of sentencing policy, we can do worse than consider the work done by the institute. In order to inject a little interest and energy into this debate, let me just go through the survey. I would like all honourable members to think in terms of numbers of years between 1 and 50 and to tell me what sort of sentence they would consider appropriate for persons convicted of each of the following 13 offences. If honourable members will participate, this might be a useful exercise.

Let us consider the first offence. A person breaks into a home and steals $1000-worth of personal goods. What is the appropriate sentence? A jail term? In the second offence, a doctor cheats on claims he makes to a Commonwealth health insurance plan for patient services for an amount

of $5000 - jail? Incidentally, many people surveyed thought that the doctor should pay back 3 times the amount he gained through cheating. In the third offence, a parent beats his child with his fists. The child is hurt and spends a few days in hospital. In the fourth, a person smuggles heroin into the country for resale. What should the penalty be - 5 years in jail, 10 years, 20 years? I will give honourable members some information about responses to that question. Of 100 respondents, 18 advocated the death penalty, 36 wanted life imprisonment and 42 wanted prison terms.

In the fifth offence, 2 adult males willingly engage in a homosexual act in private. 72 out of the 100 people surveyed considered that no penalty should apply. In another offence, a factory knowingly gets rid of its poisonous waste in a way that pollutes the city water supply, resulting in the death of 1 person. What penalty should apply?

Mr Hatton: Come on, you are telling the story.

Mr BELL: All right. It is the old chalkie coming out in me.

A person cheats on their Commonwealth income tax return and avoids paying $5000 in taxes. A person steals $5-worth of goods from a shop. A man beats his wife with his fists and, as a result, she spends a few days in hospital. A person stabs a victim to death. A person illegally receives social security cheques worth $1000. A person armed with a gun robs a bank of $5000 during business hours, but no one is physically hurt. An employer knowingly fails to provide required safety measures and, as a result, a worker's leg is broken after being caught in an unsafe piece of machinery. That was the test, Mr Speaker.

There were some interesting correlations in the responses to those questions, and I will now go through some of the conclusions drawn from the research. Less-educated people were more likely to opt for more punitive punishments. For 10 of the 13 offences, significant trends occurred across educational groups with respect to sentencing preferences. Of particular interest is the fact that, for the offences involving cheating in social security, Medicare or taxation, there was a consistent trend of high-education groups imposing fines, with a slightly lower propensity for imprisonment. This is interesting. Males were usually more punitive than females. Males were more inclined to favour the death penalty than females for both the stabbing and heroin trafficking offences. Males were also more punitive than females for the offences of burglary and male homosexuality. The lower income groups were more punitive. Income is positively correlated with educational level and the results confirm that, generally, the higher one's income, the less likely it is for imprisonment to be advocated.

Here is an interesting conclusion. Virtually no difference exists between ALP and Liberal voters. National Party voters were more punitive of heroin trafficking than homosexuality, but less inclined to advocate prison terms for employer negligence. There are no surprises there. The research explores a wide range of issues and I am very surprised that, in the context of this statement, the minister did not bother to refer to that sort of very current and very topical research. In the introduction to the study report, David Biles, the acting director of the institute said:

> In Australia, the systematic collection of comments and attitudes on crime and punishment is a rare event. Media polls often trivialise and sensationalise public opinion on criminal justice matters, and this is very clearly seen directly after a horrendous crime when views on the death penalty are sought. In order to obtain a more

> balanced overview of public opinion on crime and punishment, the institute has commissioned this survey.

The first issue which arises from those remarks, in terms of the systematic collection of comments and attitudes on crime and punishment, is that the minister's statement is not a systematic comment on punishment for crime in the Northern Territory. It is very much a response simply to heightened publicity. I believe that the media could serve us better in this regard. David Biles concludes by saying:

> The complexity of a sentencing process, often unrecognised by thunderous editorials in tabloid newspapers, is apparently acknowledged by the public at large.

In fact, the institute's survey shows that the community has a greater understanding of the complexities of the sentencing process than our newspaper editors and some vocal minorities will often suggest, and I suggest that the research material is worthy of study. The Attorney-General will recall the debate during the last sittings during which the opposition voiced its concern about an editorial in the NT News expressing a very simplistic attitude towards the Supreme Court bench, and I suggest that the same is true in this regard.

Turning to the second publication that has been produced by the institute, the minister's statement ignored the fact that most people in our jails are not violent offenders. The fact is that most offenders sent to prison are burglars, thieves and motorists. The figures indicate that.

Mr Manzie: You are not advocating that we increase penalties for burglars, thieves and motorists?

Mr BELL: No, I am not advocating that penalties be increased for burglars, thieves and motorists.

Mr Manzie: Neither am I.

Mr BELL: What I am saying is that the debate should be kept in context. If the minister wanted to contribute to public debate, he would be tabling papers like this, with an accompanying statement. I think that would do far more good.

Mr Manzie: We are asking you to address a community issue here.

Mr BELL: Mr Speaker ...

Mr Manzie: What is your response to the issue proposed?

Mr Hatton: Rather than the one you want to talk about.

Mr BELL: I apologise to the Minister for Health and Community Services if I have done so at length, but the point I am making is that the minister has not set his concerns in context.

Another matter associated with the sentencing issue is the question of home detention. I am surprised that home detention received only a passing reference in the minister's statement because I believe that it is important to consider the variety of sentencing options that are available and that are being used. The Attorney-General may be aware that I have a written question in respect of the use of home detention. As he will be aware, some

85% of people sentenced to home detention in the Northern Territory are sentenced for drink driving offences. However, I noticed that, in addition to people who have been convicted for drinking while disqualified or drink driving, the following were placed on home detention: 3 for dishonesty offences, 3 for assault, 3 for justice procedures, 1 for armed robbery and 1 for incest.

I want to raise a concern. I indicate to the Assembly my intention to seek an explanation of the circumstances under which somebody is sentenced to home detention for armed robbery. I think that home detention is an innovation that has some merit. My indications from those people who are working in the crime field is that home detention is operating as an appropriate sanction. However, I wonder about the circumstances in which somebody is sentenced to home detention for armed robbery.

Incidentally, the answer by the Minister for Correctional Services to my written question begins: 'The Northern Territory is the only jurisdiction in Australia where home detention is used as an alternative to imprisonment'. For the benefit of the Minister for Correctional Services, that is not the case. Home detention also applies in both South Australia and Queensland and I look forward to his correcting the public record in that regard.

Mr Reed: I am happy to do that.

Mr BELL: Mr Speaker, to turn to some of the comments in the minister's statement, I must take exception to his comment that the remission system makes a lie of head sentences. I am not sure that the Attorney-General explained it particularly well in this statement but, at the moment, we have a system of courts awarding head sentences with minimum non-parole periods. In addition, there is a process of remission under the Correctional Services Act. There is an automatic remission period of one-third of the sentence. I do not believe that the minister has made a particularly good case for saying that that system needs to be changed. Although he has mentioned it in other contexts in this House, he did not indicate that parole is not automatic and that the Parole Board takes into consideration various issues before it grants it. Because a non-parole period is set by the courts, it does not mean that the other period of the sentence is to be served under parole and that the person walks out of jail.

Another point which should be made, and the minister did so in his statement, is that parole is not a cakewalk. People know that they will continue to be under scrutiny and may be returned to jail during that period. The minister said that the remission system makes a lie out of head sentences. I think it is worth pointing out that the remission system should be used - and is used in the jails as I understand it - as a process for maintaining order in the jails. I believe that that process is not well understood by the public and, unfortunately, the minister's statement has not in any way assisted the media to explain that to the public. My general point is that more information about the way being in jail works would help allay some of those concerns in the community.

The honourable minister made 4 specific proposals: abolishing automatic remissions; legislating to ensure prisoners serving 12 months or longer will not be eligible for parole until they have served a set proportion of their sentences; introducing a merit point system so that prisoners have to earn the right to parole; and restructuring prisoner working arrangements so that all prisoners undertake worthwhile work during their time in jail. The third and fourth proposals - the merit point system and the prison working

arrangements - are not innovations. In relation to prison working arrangements, I am not sure what is envisaged, but there are prison working arrangements at the moment. Those of us who visit jails would be aware of things like the number plate printing operations etc which are carried out by prison labour. As for the merit point system, I find it difficult to believe that there is any difference between that and the deliberations of the Parole Board. The minister certainly has not explained in his statement how that is to be a significant improvement on what is being done at the moment.

The minister says that he is abolishing automatic remissions. That is unclear. He indicated that New South Wales is abolishing remissions altogether whereas he is saying that the government is abolishing automatic remissions. There was no detail in the minister's statement about what is proposed and perhaps the Minister for Correctional Services will inform us in that regard.

As to the final proposal, legislating to ensure prisoners serving terms of 12 months or longer will not be eligible for parole until they have served a set proportion of their sentences, I am not particularly sure what effect that will have, and this is where I conclude. The minister's statement gives no indication of the effects that will have or the effects that might have. As I say, I think the statement falls far short of giving us the sort of information we should have.

To turn to the very topical question of sentencing for rape, I note that the minister referred to the Billam case in the UK, and I note that various comments were made in respect of that case. I am not satisfied that that matter relates to circumstances in the Northern Territory, nor am I satisfied that this legislature ought to be in the business of doing anything other than legislating. I do not believe that the status of the Billam case is anything other than an authority not binding on courts in the Territory or Australia. Whether or not it is persuasive would need to be considered in the context of the overall sentencing practices of the courts, and I think that a much more thoroughgoing consideration of that issue is merited. Unfortunately, the minister's statement has gone no way towards providing that sort of more thoroughgoing advice to members of this Assembly.

In conclusion, I do not see that, by reviewing the New South Wales proposals and then rejecting them, and then quoting an English case that is, at best, of marginal relevance in the Northern Territory, the Attorney-General has particularly advanced the public debate on what is undoubtedly a serious issue. We are of one mind with the government that it is a serious issue, but I am not satisfied that this statement achieves much. In the context of the Attorney-General's previous comments on crimes compensation matters, I can see that he wishes to climb back into the good estimation of the community, but I am not satisfied that this statement will help him to achieve that in any way.

Mr PERRON (Chief Minister): Mr Speaker, I found the member for MacDonnell's criticism of the Attorney-General's statement rather disappointing. The Attorney-General is attempting to foster debate on the subject of the acceptability or otherwise of current levels of sentencing or, more particularly, the practices that are adopted in sentencing. The honourable member skirted all around that subject and then criticised the manner in which the Attorney-General addressed it. The member for MacDonnell made the statement that he does not accept that sentences are too low, and of course this is a matter which ...

Mr Bell: That is not quite what I said. I said that there is no evidence for that.

Mr PERRON: ... I guess is very personal. We are all entitled to have our opinions in that regard and, as politicians, I am sure that we are all sensitive to the mood of the community in terms of whether the sentences which it is aware of are too low. When we hear of a sentence handed down by a court, we all take into consideration the fact that we were not there during the whole of the trial. Usually, anybody with whom we discuss such a sentence was not there either. We therefore need to be somewhat careful about how firmly we express our views, bearing in mind that we did not hear of the circumstances surrounding the particular incident.

I point out, however, that I have received advice on the subject of sentencing for rape in the Northern Territory, a subject addressed in some detail in the minister's statement. I am advised that the Senior Crown Prosecutor has carefully examined all rape cases in recent years and has confirmed that the average non-parole period for rape, without any aggravating or mitigating features, is just over 2 years. The question that raises, of course, is whether such periods are sufficient for what is generally regarded as the most grave of all the sexual offences. Mr Speaker, I can certainly assure you that at least the past members of the Women's Advisory Council would not think it was a very acceptable level of penalty. I say past members because the terms of appointments to the council are staggered and, as a result, 50% of the council's membership has recently been replaced. I have yet to receive the views of the current council. I am sure that they will be forthcoming to me, because I have provided the council with a copy of the Attorney-General's statement. I accept that one would not necessarily turn solely to any one given body of women to determine, on behalf of the whole of society, an acceptable level of penalty for rape. However, they are certainly entitled to express their view.

If we are dissatisfied with the levels of sentences, there are some important principles which, as politicians, we should take into account in considering what action we should take. The judiciary, as I am sure we would all agree, is not to be interfered with. Judges exercise their discretion without fear or favour. I think that is the term and it sounds entirely appropriate. A judge is not to be swayed in his weighing up of a matter by riots outside the court, community outrage about particularly brutal offences, or the fact that some offences receive much more media coverage than others. A judge obviously has to weigh up the matters placed before him and try to put other matters out of his mind. I am sure that judges do a pretty good job of that, but how does the community, on whose behalf we politicians draft and pass laws and on whose behalf judges enforce those laws, convey its views to the judges? That is a very important question.

In the absence of any other advice from the Attorney-General about forums from which judges gather information about public opinion, I presume that parliament is an important source of such information. Members of parliament are the representatives of the people. If they do not keep at least a majority of the people relatively happy, they are soon out on their ears. Presumably, parliament exists to respond to the community's needs. In this instance, we as politicians seem to have our hands tied somewhat. From the minister's statement, we are led to believe that, if we believe sentences are light and consequently decide to increase them, perhaps by doubling the maximum penalties under the act, that need not necessarily have

any influence whatsoever on judges' decisions in relation to sentencing. It may have no effect at all.

We could say that we will abolish parole entirely. I think some people have called this 'truth in sentencing'. A felon serves whatever sentence the judge hands down and that is the end of it. What would happen then? If a judge was inclined to hand down a 10-year sentence with a 4-year non-parole period, he would simply hand down a 4-year sentence. This is what I mean by saying that it seems that our hands are somewhat tied. The same would apply, of course, if we were to set a minimum percentage of the head sentence as the non-parole period. If the judge is to hand down a sentence of 10 years, the non-parole period might be no less than 5 years. The judge would hand down a sentence which is twice the non-parole period that he would have set. Again, we are thwarted in trying to get that message through to the judges.

That brings us to the question of the options that are available. Personally, I tend to favour minimum sentences in certain instances. In fact, we may even have minimum sentences in some of our laws relating to serious drug offences that we have passed through this Assembly in the past.

Mr Manzie: Drink driving.

Mr PERRON: Yes. For such an offence, there is a mandatory loss of licence.

For some serious drug trafficking offences, there are minimum sentences, particularly for repeat offences. It is not a principle which has scared us off before and it is a principle which I am prepared to consider in the future if I get the feeling from the community that people are incensed at the level of sentences handed down in some instances. However, I acknowledge that it can be a dangerous game to play because, clearly, we would be tying the hands of the judges. I am sure that most extraordinary circumstances are revealed in court as reasons why people have committed some terrible offences. Mercy killing is an example where one may want a judge to have a degree of discretion even though the charge would be murder. Someone may have terminated the life of somebody very close in order to put an end to awful suffering. For those reasons, we need to be very careful if we are to consider minimum sentences.

However, there is a possible step which might help to alleviate some of the community's concern by at least allowing people to understand sentencing policy a little better. The minister referred in his statement to the Billam case. Guidelines are established by the courts and certain means are put into those guidelines whereby the judge adds or subtracts from the mean, having regard to some of the peculiarities of the particular offence. If that system was introduced and reasonably understood by the public, I am not saying that it would remove all the community's concern but it would remove much of the bewilderment experienced by the community when confronted with some sentences handed down by the courts for particular crimes.

I commend the minister for making this statement. I think that it is entirely appropriate. This matter has been the subject of general community debate for quite some time. I think that anything we do to foster further debate in the community can do nothing but good.

Mr SMITH (Opposition Leader): Mr Speaker, I begin by congratulating the Attorney-General for bringing on the debate. It is fair to say that the Northern Territory government has a pretty reasonable record in relation to

appropriate penalties for serious and heinous crimes in the Northern Territory. This is an ongoing debate. It will never go away because community attitudes towards crime and particular types of crime change. There has been a very definite change in the community attitude to sexual assault or rape and most people would believe that the average time of 2 years in prison for rape is inadequate. Certainly, I have no hesitation in saying that a sentence of 2 years for rape is very inadequate indeed.

In passing, I would like to know what mitigating circumstances there can be in a rape case. I can see quite clearly that there are aggravating circumstances, but I find it very difficult to work out what is a mitigating circumstance. As someone put it to me very simply and bluntly, a rape is a rape is a rape. It is difficult to envisage what mitigating circumstances there could be. I know that they are not the Attorney-General's words, but are part of a quotation from a British source. Frankly, Britain does not have a tremendous record in terms of wise judgments on rape cases. Some of the most appalling judgments in recent times in relation to rape cases have occurred in Britain. Perhaps because of that, we are seeing some action in Britain in terms of handling these matters sensitively and properly, and information about that action is flowing to other places. In the past, the British judiciary has been very hidebound indeed in its attitudes.

In a broad sense, I have no problem with the ideas expressed in the Attorney-General's statement. I support the prospect for certainty which he outlined when he said: 'We need a sentencing regime which sets out clearly what offenders have been sentenced to, exactly how long they will remain in jail and does not give automatic parole to prisoners convicted of serious crimes'. I think that is a very sensible approach. There are 1 or 2 minor problems. If we are to have a merit system or a points system for parole in prisons, we will need to build in some safeguards to ensure that that system is not abused, either by the prisoners themselves or by the prison officers. I can also foresee a difficulty in relation to work. I thought it was a pretty cute statement that work by prisoners would be financed by money that we presently spend on tobacco and other luxuries. Frankly, I would not have thought that there was all that much money in that regard. If we are serious about providing work for prisoners and paying them for that work, we probably need a bigger sum of money than is available in the tobacco vote at the moment.

Obviously, the Minister for Correctional Services will deal with that matter. Hopefully, he will indicate what type of work prisoners will be involved in, where that will cut across activities normally conducted outside prisons and how it relates to the general concerns which the unions have been expressing in the last few days. I make the point that I am not critical of the proposal. I simply would like some more information and, hopefully, the Minister for Correctional Services will provide that. I believe that guidelines for the length of sentencing require serious consideration. Certainly, it is something that we are quite happy to support in principle whilst the discussion takes place in the community.

Having made those general comments about the minister's statement, it was interesting that all the emphasis was on the end product, on what happens when a serious crime has been committed, and what sort of penalties we impose. Equally, we need a statement relating to how we go about preventing crime and, in particular, reducing or eradicating the crime of rape. I do not think we can argue any longer that it is an unavoidable crime. I do not think we can argue that it is a biological crime where the innate urges of a small number of men get out of control and they find it necessary to commit rape. That is not true. For the thankfully few people

who do it, rape is the product of some of our institutional values. The cure for rape lies, not particularly with the individual, but in the school, the home and the community in general where sexist attitudes prevail.

We still have a view adopted by some men in the community - and thankfully it is diminishing - that women are in fact the property of men. If you are the property of someone else, that person can do whatever he wants with you. That is something that no one here would accept, but it is certainly the view of many people who are convicted of the crime of rape. Unless he has been the victim of rape, no man can really understand the emotions that women feel after having been raped or that women feel about the potential for being raped. I freely admit that I cannot understand the strength of those emotions, but they are certainly very real. Women who have been raped have been forced by a stronger person to do something that they do not want to do. To use the strongest word that I can think of, they have been violated.

We find that, as a result of fear of rape, women limit their options and have their freedoms restricted. They are advised not to walk down streets at night, not to go into certain areas and to lock their doors and windows. In effect, that is part of the problem because, in a real sense, it is male authorities telling females how they should protect themselves from this problem. It was put to me that, if we were to place restrictions on men, and tell them that they could not go out at night or enter certain areas, perhaps that might be a more effective means of reducing rape than placing restrictions on women.

There is still a view in the community that women ask for rape. In the late 20th century, some people still say that women should not hitchhike and that they should not go to certain places. I think that it is time we changed that attitude and approached the matter from a different basis, working from the principle that women, like men, should be able to go wherever they wish and do what they wish to do in our society. We have something in our society which prevents them doing that and it is time we addressed the underlying issues involved in that.

The answer to rape is to stop it. That involves a massive change in this society's attitudes. It involves, for example, making it easier to report rape. It involves governments and members of parliament, who make the laws, taking decisions which clearly portray our attitudes. That is one very important reason why anti-discrimination legislation is so important. It gives a clear signal that we are not prepared to put up with discrimination against women, ethnic groups, the disabled or any other group in this community. It demonstrates that we, as a government or as a parliament, are committed to a structural review of attitudes which will ensure that attitudes change and that people are not stereotyped by their sex, race or their disability. The evidence indicates that that approach succeeds. It indicates that, if anti-discrimination legislation is put in place, attitudes change over a period of years.

It is important to remember that, whilst we can demonstrate our attitudes by legislating in the Northern Territory, we equally need to change attitudes. As a society, we need to say that rape is not acceptable. As a society, we need to change the attitudes which indicate to a small section of our community that rape is acceptable. Perhaps I should withdraw the word 'acceptable'. We need to change any perception that we do not really frown on rape as a very serious crime. I believe that many people who commit rape still have that perception. In my view, the answer to problems such as rape lies in attitudinal change. Penalties can be

increased, but penalties apply after the crime has been committed. Attitudes have to be changed so that one group in society does not believe that it is stronger than, has more rights than, or has the right to dominate, another group in society. When we reach that stage, antisocial acts such as rape will disappear. That would be a very positive development.

Having said that, I support the Attorney-General's move in making this statement to the House. He has raised a number of very important issues which should be widely discussed in the community. I believe that he has wide support for putting more certainty into sentencing and that he has wide support for the lengthening of sentences in particular areas. Members on this side of the House will certainly continue this debate. It is important and it will be interesting to see where it leads.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to give my support to the Attorney-General and congratulate him on opening this subject up for discussion at a formal level. There are some of us in the community who have been agitating for some time for a hardening of attitudes in relation to penalties for serious crime, and I do not think that it is at all inappropriate that we hold this debate today. When we want to address issues like this, we have to deal always with the opposition of the bleeding hearts. Whilst I think that the bleeding hearts quite often have a very good argument to put forward about how offenders are victims of their circumstances, victims of society or unwitting victims in some way or other, the reality is that, generally, they do people a great deal of harm. In these days, it is hardly a reasonable excuse to say that the poor fellow was a victim of his parents, his teacher, his circumstances, poverty or whatever. People want something to happen.

In a small community like the Northern Territory, everybody has close contact with people involved in the administration of justice and the running of prisons, and with offenders. We come into contact with them because they are members of families whom we know or whatever. One of the great flaws in our situation is that any perceived weakness or unfairness in sentencing people to periods in jail very quickly becomes a matter of public discussion or a community topic. Everybody knows who did it or who should not have been treated leniently etc.

I would cite the case of a young fellow in Tennant Creek who was charged with a sexual offence, taken to Alice Springs and committed for trial but was not sentenced to any term of imprisonment. Within a week of returning to Tennant Creek, he committed a similar offence and was taken back to Alice Springs. An uproar ensued because it was proposed to let him loose a second time. Fortunately, that did not happen but, in a small community like the Territory, when that sort of thing occurs, it demoralises people's confidence in the system of justice. It is therefore very important that, if we have rules for detaining people who commit serious offences, everybody should know what the rules are and that the rules are complied with.

I have also heard judges complain, and I will cite one instance where a judge complained at a social gathering. He was given a bit of a beating. When talking about the sentencing issue, he said: 'You know, it is all very well for people to pick on the judges, but I sent a bloke up for 10 years with a non-parole period of 4 and, within 18 months, he was walking the streets'. He said: 'I can tell you that I did not let him out. Not only that, he should not have been let out. How do you think I feel as a judge, taking all the aggro for giving him a tough sentence and then finding out that, within a short period, he is out on the streets?'

It has a serious effect on police morale too. We all know 100 police officers because we have met them over the years. They say quite openly: 'We work very hard and diligently to do the right thing and to get offenders behind bars, and it is pretty disheartening to see them walk free after a very short period, following sentences for very serious offences. It makes you wonder what you are doing here or why you even bother'. That reaction is quite understandable, given the environment in which police officers work. There is also the aspect of the offenders themselves. I have had the situation brought to my attention of a person who committed a murder in Western Australia when he was fairly young. He received 13 or 14 years for his trouble and served 6 or 7. He came to the Northern Territory and started what appeared to be a relatively new life. He then bounced a cheque for $700 or so and is now back in Western Australia serving out the other 7 years. That all seems to be pretty weird to me, and is an indication of how people are confused about what occurs in the sentencing system.

As the honourable minister said in his opening remarks, the public attitude has hardened. People in the community have become vociferous and are demanding that something happen because many Territorians have been involved in some way. People become vitally interested when they are directly affected by violent crimes or have friends, relatives or neighbours who are affected. When they dispassionately observe some of the sentencing procedures that we adopt, they find it very hard to understand how the system works. Some of the short periods of imprisonment given as sentences simply do not seem fair.

Prison officers comprise a large group in our community and they speak quite openly about their perceptions of the unsatisfactory early release system which we have. People in all these groups in our community are not concerned with the details of sentencing procedures; they simply have a perception that the system is not working too well. In a nutshell, people want offenders to serve their time. They want parole to be limited to certain circumstances, and they want the options and alternatives that are available to judges defined pretty clearly in law.

Several speakers before me today have mentioned the issue of rape, the penalties that the courts hand down, and the actual sentence times that people serve for rape. It is fair to say that Territorians generally find abhorrent the sort of sentences people are serving for rape. A few people in the community commit rape but 99.99% of the community absolutely detests it. The mood of the community, as communicated to me, is that people want rapists to serve long jail terms without parole. People regard the offence as absolutely heinous and there is no doubt that the concept of early release for rapists has no public support. Many people in the community, both female and male, believe that amputation ought to be an option available to judges in sentencing people for the crime of rape. That sounds pretty way out and this male-dominated parliament would probably find it a pretty objectionable proposition. However, if the numbers in this parliament were 23 females to 1 male, amputation could be on the statutes as a penalty for rape before you could blink an eye. Certainly, women in the community are looking for a much stronger stand against the offence of rape, much longer sentences and adherence to the sentences when they are handed down.

I accept the premise put forward by women, that they should not have to go about the community living in fear of having their persons violated by some crackpot or maniac. Why should they? We are living in fairly civilised times when we consider the history of this country and the history

of other places in the world. I fail to see any reason why women in our community should have to live in fear and trepidation.

Several speakers have also addressed the issue of minimum sentences. I consider that the question of minimum sentences is a double-edged knife. If there are minimum sentences for some offences, and judges feel that they are not appropriate in the circumstances, mistrials can result or the accused 'walk', so to speak. I do not think that the minimum sentence is always the best way to go. Certainly, where it has been used in relation to driving offences and drug offences, it has not come in for a great deal of criticism and scrutiny, and it is something which should be considered in the Territory in terms of protecting people, particularly against the crime of rape.

The least that the parliament can do is say to the women of the community: 'If you are raped, we can tell you that your assailant, if convicted, will serve a minimum of 7 or 10 or 15 years inside a Northern Territory prison'. Whilst the victim may not obtain any consolation from that, it would provide much more satisfaction to the general population than knowing that the average jail term served by a rapist today is a mere 2 years. Minimum sentences could reasonably be introduced for some aspects of the abhorrent and heinous crimes that we have been discussing today. Whilst the way in which those crimes are committed varies, nevertheless they have a serious impact on the community.

Mr Bell: Where does the 2-year period come from?

Mr TUXWORTH: To pick up the member for MacDonnell's interjection, as I recall, the Chief Minister stated that the average stay in jail for a person convicted of rape in the Territory is 2 years. If I have that wrong, I am quite happy to be corrected.

At the end of the day, the whole issue will come back to dollars and cents. We have devised some pretty interesting schemes to ensure that people who commit minor offences do not go to jail and impose enormous cost burdens on the taxpayer. The home detention program has been mentioned. The community service order program is another Territory innovation, and both have a place in dealing with people being sentenced or punished for minor crimes. At the other end of the scale, if we are going to be serious about punishing people and making sure that they stay in jail, at the end of the day the answer is dollars and cents. It may even mean an expansion of jails. It may mean a different way of providing appropriate occupation for the people in jails. Either way, it costs money.

It would be foolish to pretend that prison administrators are not tempted to see that people are let out of jail regularly so that there is room for the incoming population. Undoubtedly, the use of the system for letting people out early varies. Nevertheless, it grates on the community. It is time for us to tell the people of the Territory that people convicted of serious crime will do their time, that in some cases they may not be granted any parole at all and that, if they are granted parole, it will be hard-earned, well-deserved and in the best interests of everybody concerned, not simply parole which serves as a relief valve for an overpopulated prison system. If those parameters can be laid down, many Territorians would receive comfort and reassurance in terms of staying in this community.

In our daily lives, we all come across people who are leaving the Territory for one reason or another. There is no doubt that the incidence of lawlessness and the administration of penalties for people who are

convicted of breaking the law are an issue with people who leave the Territory. They think that they have had enough, that the situation does not look like getting better and that there must be other places where they could live. It is unfortunate that people view things in that light.

The minister's statement today is a good first step in reassuring the community that lawlessness and suitable punishment for offenders is foremost in the minds of everybody in this Assembly and that it is a matter which will be addressed seriously so that people can be assured that the perpetrators of very serious crimes will serve their time, that they will not walk early and that the community will be secure as a result.

Mr REED (Correctional Services): Mr Speaker, in opening my comments, I would like to take up the final point made by the member for Barkly. It typifies his approach which is often emotive. I suppose that he hopes to grab a bit of attention. However, to suggest that people might be leaving the Territory with this issue hot in their minds, and to go so far as to suggest that it might be a reason for people leaving the Territory, is extremely emotive.

If the member for Barkly has not been interstate in recent times, it is time he went. If he thinks criminal activity in the Northern Territory is bad, he will have another think coming when comparing it to crime in certain parts of Sydney and other places where syringes are discarded in the street with gay abandon - pardon the pun! All manner of crime happens before one's eyes in the street in those places and I do not think those circumstances can be compared with our life in the Northern Territory. It ill becomes the member for Barkly to make suggestions that people are leaving the Northern Territory with at least those thoughts in mind. It is emotive talk that we can well do without, especially from members of parliament.

I would like to comment on a number of the issues raised by members opposite. The first concerns remission. The member for MacDonnell raised the subject and suggested that the remission system should be used to encourage better behaviour in jail. I would not disagree with the suggestion that there should be a process in place to achieve that. In fact, that is the very aim that we are pursuing. However, the problem with the current remission system is that it operates in 2 parts. The first part is automatic. It is in place and cannot be used as an incentive to encourage prisoners to behave or to encourage them to take part in industry within the prison system, and that is the difficulty with it. That is one of the problems that we hope to be able to address either by abolishing or changing the remission system as it now stands. One-third remission is automatically granted to every prisoner serving more than 28 days, and that is what we hope to abolish. Under the new scheme, merit points will be awarded to prisoners for hard work, good behaviour and achievement. Personally, I would like to take the next step and suggest that, whilst merit points could be earned for a period of good behaviour, demerit points could apply for periods of misbehaviour.

It would be necessary for prisoners to have earned 70% of the awardable merit points before they could be considered for release on parole at the expiration of 70% of their sentence. The Attorney-General has already put forward the suggestion that a minimum of 70% of the head sentence should be served. Merit points would be awarded on a monthly basis or, if it came to pass, the same would apply to demerit points. There might be an adding or subtraction of points for good behaviour or misdemeanours.

These measures should not be considered only in the context of the penalty itself and general public awareness of the terms of imprisonment which apply, but in the context of the management of the prison system. A merit-based approach could be used to encourage prisoners towards better behaviour and greater industriousness and, by so doing, contribute to the better operation of the prison system as a whole. Hopefully, prisoners might also have an opportunity to learn some useful skills which they could apply on release. I believe that such benefits are possible, in addition to those resulting from truth in sentencing or sentences which are more in keeping with what the public considers appropriate in terms of the severity of crimes committed.

In the Northern Territory at present, prisoners are entitled to an automatic remission of one-third of their total sentence, subject to their serving a minimum of 28 days. Although current legislation allows for a reduction in remissions in cases of poor conduct, that provision is difficult to utilise. There is also an ability for up to 7 days per year of the sentence being served to be accrued as a reduction. That is also difficult to apply. Through the measures which have been placed before the House today, we are seeking to simplify the remission system, to have it operate more effectively in the context of the overall sentence and, of course, in its effects on the behaviour of prisoners and the overall operation of the prison system.

The member for MacDonnell raised the question of home detention as an alternative to imprisonment. I think that he said that I wrote to him in relation to that matter.

Mr Bell: It was a question on notice.

Mr REED: He suggested that I was wrong in suggesting that the Territory is the only administration which applies home detention as an alternative to imprisonment. The Northern Territory is the only administration at this time which uses home detention up front as an alternative to imprisonment. Other jurisdictions use the system. In fact, it has been introduced in South Australia quite recently, and I quote from a newspaper article relating to that introduction. The article quotes Mr Berinson, the state Attorney-General:

> Home detention is an alternative to imprisonment where the offender is confined to home under strict conditions. This program will provide the courts with a tough alternative penalty to imprisonment, and help to contribute to the reduction in the imprisonment rate while protecting the community and maintaining family support and employment.

The article goes on to state that only prisoners who have served a minimum period of a month or a third of their head sentence, whichever is greater, would be eligible. In the Northern Territory, and it does not apply elsewhere in Australia, the Home Detention Scheme operates as an alternative to imprisonment and the entire sentence can be served at home. Of course, the benefits of that are numerous. Obviously, it decreases the number of people in our prisons and that has a very beneficial financial result as far as the operation of our prison system is concerned. It ensures that the person concerned can maintain his or her employment and continue family relationships. It is not as disruptive to the community as otherwise might be the case. I believe that system has worked well in the Northern Territory and, certainly, it has attracted considerable interest from interstate. The Western Australian authorities have been to the

Northern Territory to have a look at our home detention program. Like many of our other Correctional Services programs, it has been used as a model for interstate programs.

The Leader of the Opposition referred to the ability for prisoners to undertake work in prison industries and questioned the Attorney-General's comments in relation to the financing of such an approach. I can advise honourable members that, at present, the cost of supplying tobacco, sweets and other comforts to prisoners is in the order of $200 000 per year, a fairly substantial amount. The proposal under consideration is to dispense with the free issue of tobacco, sweets and other items and put in place a prison industry system in which more prisoners could be employed.

Honourable members are aware that, at present, prison work schemes include the vehicle number plate factory and some farming activities, including animal husbandry and the cultivation of small crops. Consideration is being given to the expansion of operations of that nature so that a larger allowance could be paid to prisoners, who would have to pay for luxuries such as sweets and tobacco and perhaps contribute to a victim's fund and meet certain other expenses. The fact that that is being investigated indicates the progressive nature of our system. The diversion of the moneys currently spent on the allocation of tobacco, sweets and so forth will hopefully enable a broader prison industry scheme to be put in place and for that to be used as an incentive for prisoners to partake in prison industries and earn a few dollars to buy some luxuries within a structured system. That will be of overall benefit to the operation of the prison system.

The member for MacDonnell indicated that he was not particularly in favour of increasing penalties or sentences for some crimes. He did not see that as necessarily the way to go. In fact, he suggested that he had not picked up any general desire in the community to see stronger sentences applied. I have to disagree with him on that point. I think there is a very strong feeling in that regard. The public is calling for stronger and longer prison sentences, particularly for crimes against the person. Although some amendments were passed earlier this year in New South Wales, prisoners serving life sentences throughout Australia are generally considered for parole after serving 10 years. In the Northern Territory, we currently have a policy of not reviewing such sentences until 15 years has been served. That gives an indication that we are responding to some of the community's desires.

I am not surprised by the stance taken by the member for MacDonnell. His party's platform states: 'The Australian Labor Party in the Northern Territory sees imprisonment as a last resort and intends to promote programs which will provide alternatives to imprisonment'. I will not put too fine a point on it. People can make up their own minds in relation to how they see this policy being interpreted. It is not particularly definitive. Item 3 states: 'Expand existing facilities for probation, parole and programs for work release'. That indicates to me that, if in government, the opposition would go fairly soft on the matters before us today. I am not sure that that is the response that the community is looking for. In fact, it is my personal view that, in the case of particularly heinous crimes, capital punishment might well be appropriate. I am of the belief that, if a person can take police to the scene of a violent crime and describe what he did and - if one can believe some reports in the press - do so with some enjoyment, and if the evidence against him is overwhelming, there is a place for capital punishment. I believe that, in some rare cases, capital punishment may well be warranted.

I think I have covered most of the points raised by the honourable members opposite. I can understand the difficulties that the public has in coming to terms with penalties and prison sentences set by courts and its confusion in attempting to understand the remission system. It cannot understand how a person may receive a 12-year sentence and be virtually free on the streets after a few years.

The member for Barkly referred to a case in which someone in Western Australia was sent to prison for an offence. After a period, he was released and came to the Northern Territory on parole. He committed another offence and was returned to jail in Western Australia. That might help to explain to the public what parole does. When you are on parole, you are not really a free agent. A parolee has to comply with certain conditions of the parole and, if those are infringed, he is sent back to jail. I can understand the confusion in relation to those matters. It is compounded by such things as the remission system.

Hopefully, the course of action that this government is currently embarking on, and the public debate that will follow, will result in a resolution of some of these problems and we will see 'truth in sentencing' in practice. I am not sure that that really applies to the Northern Territory because we are already a little ahead of the sentences applied in the states. Certainly, I hope that the outcome of the government's action will ensure that sentences in the Northern Territory are more in keeping with the crimes committed. In fact, I hope that the offenders serve the sentences imposed by the courts, as obviously is the desire of the public.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, to my mind, the cornerstones of democratic society are: firstly, the individual vote; secondly, the privacy of that individual vote to ensure that it is cast without pressure of any kind from anybody else; and, thirdly, the rule of law. We do not subscribe to a system of pay-back which is common in many parts of the world and in Aboriginal society. If a member of tribe A commits a crime against tribe B, there is a pay-back within family groups. That could continue for many years. In some of the Arab countries, there is always a fear that someone may come out of the night and commit a pay-back crime. The boot will then be on the other foot and so it will go on.

In our society, we do not have the right to avenge crimes committed against us. It is left to the state and the legal process to impose punishment and nip this repeated pay-back system in the bud. As I have said in the Assembly many times, the punishment imposed by the courts must be seen at least to be reasonable by the group that has been sinned against - the person or persons and family and friends. The problem with our system is that our courts seem to have become softer and softer over the years in terms of sentences imposed. I agree that neither I nor many of the people in the community know much about the cases other than what we read in the newspapers. The newspapers occasionally get things wrong. Perhaps we should not make judgments unless we actually sit through the trials on which we are commenting so that we know exactly what was said. In general, however, there is a very strong perception in the community that the rule of law is breaking down.

If the rule of law is breaking down and people are not satisfied with the punishments handed out, the temptation is for people to take matters into their own hands and mete out punishment themselves. In effect, that would be a return to the pay-back system. I have been told by parties very close to the judicial system and even in the judicial system that there is evidence that, in the past, people have taken the law into their own hands

because they did not believe that the courts had punished the offender appropriately. I believe that this is a very serious matter which the public in my electorate and the town of Alice Springs feel very strongly about. I am sure that people in Darwin also feel that the courts are not being tough enough.

I certainly believe that, in a sense, there should be a barrier between the judiciary and the parliament. We set the laws and the maximum sentences. The non-criminal element in our society looks at sentences and does not realise that they are maximums. A sentence of 15 years with hard labour sounds quite severe, but the concept of 'hard labour' does not really apply in jails these days. Certainly, it is not much of a deterrent. The criminal element in society certainly knows that the maximum penalties and the sentences offenders are likely to receive in the Territory are poles apart. It has even been suggested that criminals will have a tendency to come to the Northern Territory on the basis that, if they are caught, they will not cop it as hard as they would in some other places. I have read, however, that people in the states are also starting to feel quite strongly that the sentences being imposed by their courts are not sufficient.

Of course, there is a problem in all of this and it is the matter of finance. I am sure that it is a matter which the government has to wrestle with. Many people believe that people convicted of certain crimes should be locked up for the term of their natural life. We all know that keeping someone in jail is an expensive exercise and I certainly agree with the sentiments of the minister when he said that prisoners should all be engaged in meaningful work and should be making at least some contribution to the cost of keeping them in jail. I think that that will be well received in the community. I imagine that, if I were ever in jail, and I certainly have no aim in that direction, I would rather be working than sitting around twiddling my thumbs. I am sure that such an approach would also be well received by prisoners. Meaningful work would provide them with something useful to do and they would feel happy about it.

I have some concerns about the situation referred to by the Minister for Correctional Services in which good behaviour in jail can lead to remissions of sentences. I know that it is, in effect, a reward system for good behaviour. It makes looking after prisoners easier but it also contributes to the overall early release of people when society often feels very strongly that they should be spending much more time in jail. I recall raising this matter in the media in Alice Springs on one occasion. Subsequently, Justice Nader commented from the bench that no politician would ever influence his deliberations in relation to sentencing. I had been told by a former prosecutor that he believed that justices were going to extraordinary lengths in summing up in relation to murder trials - the one situation in which judges have no discretion in sentencing; there is a mandatory sentence of life imprisonment - to persuade jurors to find defendants guilty of a lesser charge than murder.

The good Justice Nader may have been the justice in the particular case to which I referred. I did not bother to find out because I have no interest in attacking individuals. I believe, however, that I have a right and a duty - a particular duty as a member of the Legislative Assembly - to convey to the judiciary how the public feels about these matters. I did that, and the good justice made a statement from the bench, saying that he did not intend to be influenced in any way at all by members of parliament, especially by myself. He thought about the matter overnight and, on the following day, he stood down from the bench to make a statement, which was certainly a very decent statement. I cannot lay hands on a copy of it at

the moment but, basically, he said that he did see a role for members of parliament and the community in at least conveying the message to the courts. I have since met Justice Nader and I find that I have quite a deal of empathy with him. Most of us will occasionally say something in the heat of the moment, insisting that we will not be shifted from that view. Often, having sat down and thought about the matter, we become more reasonable. That is a good position to be in.

When the Minister for Correctional Services spoke about good behaviour and remission of sentences, I was reminded of a story I read years ago in the Sunday Mail. It concerned a con man who applied for and was given a job supervising prisoners at work back in the days of hard labour, the ball and chain, sledgehammers, rock-breaking and the whole works. The con man told the prison officials that he wanted to talk to the men alone. After he had spoken to them, the men suddenly bent their backs and started to work like mad. The con man was apparently well rewarded for having got them working. He grabbed his reward and shot through. Of course, what he had done was to promise the prisoners that their sentences would be remitted if they got to work on the jobs assigned to them. I dare say that there is no difference between that and schoolteachers using rewards and punishments to achieve the behaviour they want from students. However, I must say that remissions are not well received by many people in the court system. Perhaps, if non-parole periods were considerably longer, there might be some point to remissions and they might be understood and be accepted.

Mr Hatton: Automatic remission has no value at all.

Mr COLLINS: I strongly agree. Automatic remission is of no value at all. Parole should be earned within the system and should be enforced most rigorously outside jail. In fact, I recall legislation in this House on that very issue. I think it was debated late last year. Honourable members felt most strongly that anybody who contravened the terms of their parole or committed further crimes should go back to jail not only to complete any non-parole period but for the term of the entire head sentence. With that type of sword of Damocles hanging over their heads, many people would get themselves on the road towards doing the right thing and adjusting to society so that, when they have served the full term of their head sentences, they will be rehabilitated and, hopefully, will take up their role in society as decent citizens, as I am sure we would all wish.

I welcome the minister's statement. I think he has outlined the situation for us very well. Certainly, as the Chief Minister said, we could double the maximum sentences without necessarily making an iota of difference. I have often been tempted to accept the minimum sentence approach but I am prepared to accept that we cannot legislate for every case, nor should we try to do so. We have to give the courts some considerable latitude. However, above all, the message I have for the courts is that, in general, the grassroots people of our society are far from happy with the sentences that have been handed down, particularly in relation to violent crimes and most particularly in relation to violent crimes against women. A sentence of 2 years for rape is crazy.

That reminds me of a story I read in some literature relating to the United Nations Convention on the Rights of the Child. If we debate that subject in the Assembly, as I hope we will, I will check out the details of this matter. Apparently, a fellow was convicted recently of rape and was set free. I believe a good behaviour bond was entered into and a few other limitations were imposed on him. When imposing the penalties, the judge said that it is very hard to sentence anybody to jail for this crime when

society tends to accept this type of behaviour, laughs at it and thinks it is one hell of a joke. I do not agree with the judge, but the sentiment he expressed contains some truth.

I sometimes feel that that applies to our society to a degree. The X-rated and R-rated videos circulate pretty freely. Not only are they available to adults, who may be able to handle that sort of thing - although one wonders what sort of people want to watch that type of material on a regular basis - but they are also reaching the kids. It is easy enough for young people to observe that dad has put the forbidden video in a cupboard and to grab it when he is out and have a look at it. I think our society is regressing. A comparison of television programs broadcast by the ABC nowadays with what was shown 10 years ago shows that. Much of what is screened now would have been found unacceptable then. We tend to accept it and make jokes about subjects and activities which do not add to the decency of our society. I think that is another area we should look at very closely. It is all very well to say that any adult person should be able to do this, that and the other. However, if the United Nations Convention on the Rights of the Child proceeds, as I see it and as many others see it, children will also be free to see, do and watch whatever they wish. It is a vexed area and something which needs to be considered most seriously.

When a judge deems that certain forms of behaviour have become accepted by society and hands down a weak sentence on that basis, I think we should look at that situation very carefully for the sake of our children. Indeed, we should look at it quite selfishly and think about our own daughters and sons and how the community can look after them and afford them a measure of protection. One's response to a consideration of the subject in those terms will enable one, as a result of selfish motivation, to serve the community well.

It may well prove necessary to ban certain things for the sake of some members of the community. Some other people may protest strongly because they are not free to see this or that legally. However, I think that may be the price that we have to pay. If we have to give up the right to drink alcohol on Sundays so that, for 1 day of the week, society can be reasonably alcohol free, I do not think that is too much of a sacrifice for the community to accept.

A member interjecting.

Mr COLLINS: There will be those who oppose it. There is nothing more certain but, when we look at the seriousness of what alcohol does to people, I think we should consider it very seriously and impose some restraints on its availability.

I welcome the Attorney-General's statement which offers us considerable food for thought and raises many matters for our consideration. The general tenor of what the Attorney-General has suggested the government is likely to do will receive considerable support from the community.

Mr SETTER (Jingili): Mr Speaker, there is no doubt in my mind that community standards have been declining over the last couple of decades. That view was endorsed by an earlier speaker who indicated that the severity of crimes and the frequency of violent crimes is becoming greater and greater as time goes by. I recall that, in the days prior to the advent of the Whitlam government in this country, the standards, principles and philosophies, advocated by the conservative side of politics at least, entailed a much sterner approach to the enforcement of law and to sentencing

than exists today. I know that times have changed. Prime Minister Whitlam and his government, and Lionel Murphy, the Attorney-General in those days, changed the face of this nation forever. Regrettably, it has been forever because a subsequent conservative government did not do much to reinstate the previous status quo. I believe that Attorney-General Lionel Murphy changed the legal face of this country for the worse and, regrettably, we are still sliding down the track which he began.

There has been much talk in the last few years about truth in sentencing, which is something of a catchphrase these days. I am one of those who has stood in this House on previous occasions and indicated that I thought it was high time that we came around to interpreting the concept of truth in sentencing. One interpretation was offered by the Attorney-General when he said: 'It can be argued that our present sentencing regime is truthful in that the public is always told clearly the actual time offenders will spend in jail - that is, the non-parole period'. That is true, and perhaps it is true that the community knows the actual time that offenders will spend in jail. At least, that is what the Attorney-General indicated. I have what may be a different interpretation of truth in sentencing, and I believe that the community at large believes that truth in sentencing means that the person who is convicted receives a sentence which is appropriate to the crime that has been committed.

Mrs Padgham-Purich: That the punishment fit the crime.

Mr SETTER: Exactly. That the punishment should fit the crime. I for one do not really endorse the interpretation that the public is always told clearly the actual time that offenders will spend in jail. Whilst it is not my place to disagree with comments made by the Attorney-General, I wonder whether there is a different interpretation, that interpretation being that the sentence should fit the crime. By saying that the sentence should fit the crime, I do not mean that the head sentence should fit the crime. I mean that the time that the convicted person spends in jail should fit the crime. That is the important point, and that is what the public expects to happen.

At another time in this House, we were debating the Parole Orders (Transfer) Amendment Bill and the Parole of Prisoners Amendment Bill. That was some 12 months ago. On 23 August 1989, in the second-reading debate, I made these comments, and I will repeat them today because they are relevant to this debate:

> These days, the community demands a couple of things. First of all, it demands truth in sentencing. In other words, the sentence imposed by the courts must reflect the seriousness of the crime. I know that the Attorney-General currently has the situation under review and, doubtless, he will be coming back to this place at some time in the future with amendments to the relevant acts.
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> The second thing that is very important is that the parole granted to these offenders must also reflect the sentence for the crime. In other words, if the judge or the magistrate has imposed what he considers to be an appropriate sentence, the non-parole period imposed by the judge or the magistrate must also reflect the gravity of the crime.

I went on to say:

I further refer to determination No 5 under the Prisoners (Correctional Services) Act, section 3(b), which says: 'The maximum amount of remission that may be earned shall not exceed one-third of the maximum length of the sentence'. I am told that one-third remission is automatic in the Northern Territory'.

Mr Speaker, I would like to refer you to page 6 of the minister's statement. He says: 'In the Northern Territory, the system provides for what is now virtually an automatic remission of one-third of head sentences'. That is what I drew attention to on 23 August. He went on to state, at page 7 of his statement: 'With the one-third remission, the maximum amount of time an offender can spend in jail is two-thirds of the head sentence. In effect, the remission system makes a lie of the head sentences'. I agree totally with the Attorney-General. It does make a lie of the head sentence. The reality is that people in the community expect the offender to serve the sentence handed down by the court. In reality, the offender serves far less than the head sentence and, in most cases, this is much less than 50% of the head sentence. When we talk about 'truth in sentencing', the community expects that the time spent in jail should be appropriate to the gravity of the crime.

The Attorney-General made another point when he said that most people 'do not have a detailed knowledge of sentencing laws and the reasons why the judiciary must set penalties within a certain range'. Most people in the community do not understand that. They do not understand the ramifications and implications of how the legal system works.

The Attorney-General went on to say that judges are bound 'in a web of precedent from which it is difficult to escape'. That is very true and, from what I can gather, it is part of the problem. Precedent plays such an important role in the determination of sentencing that the judiciary is caught up in a web. It finds it very difficult to move outside that web and to exercise discretion beyond the limitations of precedent.

The Attorney-General went on to say that 'there is nothing to stop any judge from handing down a sentence which is much tougher than those usually imposed, but he or she knows full well that such a sentence will almost certainly be overturned on appeal because it is out of kilter'. Out of kilter with what? Out of kilter, of course, with the precedent to which I referred earlier. If the judge exceeds the limitations of precedent, his or her determination will be found to be out of kilter and, on appeal, that determination is most likely to be overturned. Like most others caught up in that type of scenario, the judiciary is loath to bite the bullet and to step outside the limitations of precedent.

The Attorney-General said that the parole period itself constitutes a part of the sentence. Indeed, it does. I do not believe that the general public understands that that is the situation. The community expects that a person who has been convicted should serve a term in prison that is appropriate to the gravity of the crime. After the non-parole period has been served, the person is placed on parole and is expected to be an upright citizen for whatever the period of the parole might be. I do not think the community believes that the parole period is part of the sentence. I think the community believes that it is over and above that, that it is something additional. The general expectation in the community is that, if a person has served a sentence for a crime, that person should be on good behaviour for a reasonable period afterwards. Mr Speaker, when you and I and others in the community are expected to be on good behaviour for all of our lives, I do not think it should be any different for people who have been jailed.

Whilst I agree with a parole period, I have difficulty in coming to grips with the fact that that parole period is part of the head sentence and I think that my view would be supported by the community at large.

In closing, I would like to say that I am pleased that the Attorney-General has presented this statement today. It indicates to me that there has been ongoing action in relation to this matter. It follows on from what the Attorney-General said in this Assembly 12 months ago. It is good to see that we are moving further down the track. I support his initiatives and the initiatives of the Department of Law in this regard. I will be looking forward to seeing what amendments to the legislation come before the House as a result of the action taken so far and the community input which will occur as the result of the debate today.

Mr FLOREANI (Flynn): Mr Speaker, I believe that this debate is the first of many that we will have in the future on this question of law and order. In general, I support the Attorney-General's statement. I think it is a sign of what is happening in our community. I would like to read a short extract from an article in the Centralian Advocate of about a year ago: 'Sex crime convictions in the Territory have skyrocketed 600% in the 12 months to June 1987. The news came on the heels of figures from the Australian Police Commissioner portraying the Territory as the most violent and crime-prone area in the country'. It went on to say that our murder rate, for example, is nearly 4% of every 100 000 people compared with roughly 1% in New South Wales, Western Australia, Queensland, Tasmania and Victoria. The attempted murder rate, 2.56%, is also the highest in the country, along with housebreaking and assault rates. The article went on:

> Needless to say, violent crime has become a significant element in the decline of the quality of life in Australia. Over the years, we have witnessed a deterioration in the safety and security of law-abiding individuals, their families and their property. Figures reveal that, since the 1970s, the incidence of rape, serious assault, break and enters and car theft has doubled per head of population.

As politicians, what we are doing is responding to the concern in the community about these sorts of figures. Certainly, I have had many representations from my constituents who are most concerned about what is happening in our community. Without exception, they are saying that penalties need to be increased. Recently, petitions were presented to this House relating to sexual assaults in Alice Springs. A number of Alice Springs women organised these petitions. I note there have been a few others recently in Darwin. Certainly, my constituents have signalled to me that something must be done in respect of this problem.

One of the problems in the Territory and elsewhere is the public confusion in relation to sentences. It is ludicrous to think that a person can have a sentence of 9 years imprisonment and be out of jail in 4 years. The public finds that quite difficult to understand and no form of explanation will adequately explain it to them. The first time I heard that there are automatic remissions of one-third of the head sentence, I could not understand the rationale. Even today, I do not understand why that occurs. The difficulty is trying to explain these sorts of things to the public. Another problem is the never-ending argument as to what is an adequate sentence. All we can do is sneak them up or down and wait for public reaction. I do not know how you go about these things. It was interesting to hear the member for MacDonnell putting forward hypothetical

circumstances and offences and asking us to determine appropriate sentences in each case. Such matters will never be easily settled.

It is also important to remember that sending people to jail is a very serious matter. I have a small experience that I might share with the Assembly. Some years ago, I was asked to prepare a tax return for a prisoner. I did not tell any of my staff where I was going. I simply had the man's name written in my diary. I knocked on the prison gates and I was let in. The gates were shut. I went through a second and third set of doors and the doors were locked behind. I experienced an incredible shiver down my spine.

Mrs Padgham-Purich: Haven't you ever been to boarding school?

Mr FLOREANI: No, it is far worse than boarding school.

I felt at the time, Mr Speaker, that sentencing any human being to jail is a very serious matter. You take away all the rights and freedoms which we take for granted. If we increase sentences from 1 year to 2 years or from 2 years to 3 years, that is a very serious move. We should never lose sight of that. Along the same lines, I am happy to see that the home detention program is an alternative to jail under certain circumstances. Being a relatively recent innovation, the scheme is strictly supervised. I believe that it is a step in the right direction. I do not envy officers of Correctional Services who have incredibly difficult jobs. I think that home detention is probably a step in the right direction as far as they are concerned.

I also want to make a point about the degree of flexibility which the judiciary must have. I have been involved as a jury member in a number of court cases and that has given me an understanding of the incredibly different circumstances which apply in any number of different cases. It is vitally important that judges and magistrates have discretion. Such things as age, circumstances, prior record and so on all have an impact on decisions made by judges. We must ensure that any new legislation in this area retains that flexibility.

I would like to turn now to the statement on Alice Springs and add a couple of thoughts which may be of interest to the minister. Page 4 of the statement says that:

> The Aboriginal who winds up in protective custody often lives in sorry circumstances and full public view in the Todd River bed. He or she is the most obvious one to blame when offences occur in and about the environs of the Todd River, the local bottle shop and the Mall. From local police, local residents and parliamentary colleagues, I am led to believe that much of the vandalism and violence can be sheeted home to Alice Springs residents, often wandering in loose gangs around late night drinking spots, much as similar people with similar lifestyles and motives are causing similar problems in Sydney, Adelaide and Port Augusta.

Mr Speaker, I think that is very relevant. We tend to consider that tribal Aboriginals and the people who live in the Todd are causing the problems. A very good friend of mine, a person whom I have known for many years in Alice Springs, is a part-Aboriginal. He tells me that he believes that all the serious crimes, bashings, rapes and break-ins which are occurring in Alice Springs are probably carried out by part-Aboriginal people. I proceeded a little further in my discussions with this person and

he told me that he believes that the home circumstances of some young part-Aboriginals are part of the problem. I am simply repeating some things which he told me. He said that the parents are often alcoholics themselves. When the kids open the fridge at home, all they find is green cans. There is no food for them. These kids do not have a home life. They have nowhere else to go and that is why they are on the streets. Often, they commit break-ins because they need the money to service their drinking habits, their drug habits or simply to eat. Whilst I do not have the answers to this problem, I think that it needs to be considered.

The question of the reduction in trading hours of takeaway outlets is also important. I have not finalised my thoughts on the matter. When I was asked to speak to the Tangentyere Council some time ago, I was asked about my position in relation to the matter. To this day, I am not convinced that reducing trading hours is the answer. However, I believe that the problem is becoming so grave that anything is worth a shot and I am leaning towards favouring the introduction of reduced trading hours for the sale of takeaway liquor.

The statement does not mention what I would call treatment centres. If you are an Aboriginal person, a part-Aboriginal person or a white person and you realise that you have a drinking problem, what do you do? Who understands what is happening to you? I know that the experts say that alcoholism is a disease and, if that is indeed the case, who do people go to for assistance? In the context of the overall plan which the government is envisaging in terms of the problems in Alice Springs, I believe that we have to start talking about treatment centres, or perhaps education centres, to raise people's awareness of what might be happening to them in terms of alcohol abuse and to address the question of rehabilitation and treatment.

In general, Mr Speaker, I support the statement and I believe that there will be ongoing debate in relation to this matter.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to support the statement by the Attorney-General on sentencing for violent crime in the Northern Territory, my first observation is that the honourable minister must be very pleased that everybody is agreeing with his statement, because this does not often happen. It seems that we have more than bipartisan support. It could be called tripartisan because it involves the independent members as well as the 3 parties. Perhaps 'quadripartisan' would be the word.

There are not too many grey areas in my perception of the subject of sentencing for violent crime. It is all black and white. If you commit a crime, you pay for it. Speaking very generally, the trouble is that not enough women are in positions which have responsibility for the sentencing of people who commit crimes, especially the types of crimes we are talking about. I believe that, if there were more women ...

Mr Collins: They are on juries.

Mrs PADGHAM-PURICH: I do not know whether I am advocating more women on juries, more women judges or more women in parliament but, if there were more women around, I am sure that sentences would certainly be made to fit the crime. There would be no mucking about with women. That has been demonstrated by the actions of the Aboriginal women who marched in Alice Springs to express their views in relation to reduced trading hours and the destruction grog has wrought on their way of life and their families. There was no mucking around. They stated their case. They want the problem of

alcohol-related crime addressed and they want it stopped. A similar thing would happen if women were in a position to hand down sentences. There would not be a great deal of violent crime in the community today.

It is a pity that it has taken all this time for the CLP government to come to the understanding that something has to be done to make certain that people pay for the crimes that they commit against society. It should have been apparent even to blind Freddy that something had to be done. People in the community, especially the women, are crying out for heavier sentencing. As I said earlier, in speaking about this subject, I have been very interested to hear that, in cases involving violent sexual crimes even women much younger than myself want retribution. They want the men who commit those heinous crimes to pay for them. I thought that statements in line with the old biblical view of an eye for an eye and a tooth for a tooth were only made by women of my age and were to be made in private rather than in public these days, when we are surrounded by so many darned do-gooders in the community that one wonders if it is worth while talking about punishment at all. However, the wheel is turning in the direction of common sense, and women want justice. I believe that this statement is a start.

The Attorney-General has raised the matter of sentences which fit the crimes but I wonder where he will go from there. I would like to be advised by the Attorney-General as to whether this will be a stop-start process and whether he will eventually wring his hands and put it in the too-hard basket because some of his advisers say that it is too hard.

Mr Manzie: Tell me what I should do, Noel.

Mrs PADGHAM-PURICH: If the Attorney-General wants me to tell him what he can do, I will tell him to go full steam ahead. I imagine that he will probably do that, having regard to the fact that an election is imminent and the government is going all out on law and order, in respect of which it has my support.

To be quite honest, I have not been able to fully comprehend the proposals put forward by the honourable Attorney-General in relation to the new views on heavier sentencing as proposed by the Commonwealth and the state of New South Wales. I will seek advice from the Attorney-General's officers or those of the Minister for Correctional Services so that I can become informed on the subject.

The Attorney-General strongly deprecates the fact that people who commit crimes such as rape are freed after serving jail terms of 12 months or so. He states that the 'task of finding solutions therefore rests with this legislature'. I believe that that is an admission by the Attorney-General that something is wrong. In a way, I believe that he should have done something about it before admitting to it so blatantly. I have to admit, however, that he is starting to do something.

The Attorney-General went on to talk about the parole system. He said that 'parole carries with it the threat of return to jail if the conditions are infringed' and that 'parole itself constitutes a part of the sentence'. I do not have any figures with me now but, having read newspaper accounts of serious crimes which have been committed here, particularly serious sexual crimes, I know that it is not unusual for men to commit these crimes when they are out on parole. A particularly appalling example was the murder of 2 young girls at Berry Springs Nature Park by some mongrel. I am only sorry that, together with a few other women in the community, I did not have a

hand in sentencing him because, if I had, he would not be alive today. I believe that we have to bring a little sense into sentencing.

That brings me to a related subject, which also comes within the portfolio of the Attorney-General. I refer to the enthusiastic portrayal of violence in videos and in the media generally. I am not a spoilsport by any means and I am prepared to look after myself. I am not a pacifist at all. However, I believe that there is a need to curb the extent to which images of violence and crime are disseminated by the media, and the Attorney-General is in as good a position as anybody to start doing something about it.

In his statement, the Attorney-General said that the fault in relation to light sentencing does not lie with the judiciary but with the system, in this case the remission mechanism. I find it very unusual that the Attorney-General has let the situation come to this sorry pass before he has done anything about it. He has done something about it only when everybody has been pressuring him about doing something. I presented a petition from some 600 persons, mainly women, to the Attorney-General asking that he do something about the situation, and other honourable members have done the same. I think he has to brighten up his ideas and get cracking because, if he does not, more and more serious crimes will be committed whilst people like the Attorney-General are wringing their hands and saying that we have to do something about the system. It is not a matter of thinking that we have to do something about it, but a matter of actually doing something about it. I still do not understand very clearly how our parole system has evolved and how the remission system has evolved. If a prisoner is ...

Mr Manzie: If you find someone who can, you could tell us.

Mrs PADGHAM-PURICH: I think it has grown a bit like Topsy, and Rafferty's rules were thrown in on the way. When a prisoner is sentenced to a term in jail, I have not objection to a remission being granted if he or she behaves, works hard, keeps the peace and does all the things which people are supposed to do in jail. I believe that they should be rewarded for that, but not to the ridiculous extent to which we have gone in terms of our present reckoning in relation to parole and remissions. The Attorney-General said that, in effect, the remission system 'makes a lie out of head sentences'. I could not agree more.

The Attorney-General says that he is talking about a system which the Australian Law Reform Commission is recommending and that the parliament should determine that 70% of the head sentence should be spent in jail. I believe that even that is a bit low.

Mr Collins: The non-parole period.

Mrs PADGHAM-PURICH: I am sorry, that is right. It is the non-parole period of the head sentence which would be set at 70%. If the Attorney-General is considering legislating, I would like to see draft legislation introduced in relation to this serious subject. I think we need to look at more than 70% even though this proposal is an improvement on the current system.

I agree with the Attorney-General that a merit point system should be introduced so that prisoners have to earn the right to parole. I also agree with the idea of restructuring prisoner working arrangements so that all prisoners undertake worthwhile work during their time in jail. I was told about this system when I visited the Beatrice Hill Rehabilitation Project a

couple of months ago. The Beatrice Hill project and the Gunn Point Prison Farm are both in my electorate. I visit them from time to time to check the situation and also because I am very interested in what they are doing agriculturally. I was told about this system and I have spoken of it previously. The prisoners work for a wage while they are in jail. This wage is used to make restitution payments to their victims, to contribute to their board and upkeep, to pay for their tobacco and luxury items, and to save for the time of their release. It sounds as though they are to be paid a fortune. However, I believe that the amounts involved would not be very large. The Minister for Correctional Services would be responsible for implementing any scheme of this kind and, before he does so, it will be necessary to consider the unions' attitude to this form of employment of prisoners. It would not be appropriate for conditions to be applied to terms of employment that involved long service leave and benefits like that. That would be rather ridiculous. Common sense has to prevail.

The minister mentioned that the money that the prisoners will work for will go towards making restitution payments to their victims, and I would like to pick him up on that point. Why wait until the prisoner goes to jail to take money out of what he earns to make restitution payments to his victim? I have said before ...

Mr Collins: They are mainly men of straw.

Mrs PADGHAM-PURICH: I know that they could be men of straw.

I have said before that I have no philosophical objection to victims of crimes being paid sums of money by the government but, before the government pays out anything to the victim of a crime, I believe that the perpetrators of crimes should be made to pay and pay and pay. They should pay through the assets that they have or the jobs that they have. They should have their wages garnisheed even before we talk about restitution payments taken from jail wages.

This system may go some way towards a better rehabilitation program. I understand that many rehabilitation programs are undertaken with prisoners, with the best intentions in the world, but I think the people who undertake them wear rose-tinted spectacles. I have talked about such schemes to prison officers who have been in the game for a while and they are pretty cynical about their efficacy. They are not awfully successful and I believe the system of prisoners working in jail and being paid for that work would be much better than the present system. The prison farms will become more important in this scheme because, whilst working on a prison farm may not be every prisoner's idea of an exciting and interesting time, it can be pointed out to the prisoner that he has to work somewhere. It is possible that we may find that many prisoners who work on the land during their terms may wish to continue doing so after their release. I am all in favour of people taking an interest in agricultural matters and ...

Mr Collins: And horticulture.

Mrs PADGHAM-PURICH: ... and horticulture, and continuing with that interest.

I would like to comment on the minister's remark that, in cases of light sentencing, the Crown has the option of appealing. The fact is that, over the last few years, such appeals have rarely succeeded. We cannot look at imposing heavier sentences in isolation. We have to look further into the court process. It is a bit of a closed book to me but, for the life of me,

I cannot understand why ordinary men and women cannot go to court and state their case, and why they always need legal experts to speak for them. I believe that the whole court system involves intricacies that are difficult for most of us to understand. The current system of administration in this country allows the legal profession to look in on itself too much. Legal personnel often forget the purpose of their work, which is to represent people, to consider the processes which apply in particular courts. The Attorney-General said:

> It has been said that, if the prevailing standard of sentences for a particular offence is too low, it 'can be raised after due warning but by steps and not by leaps'. Similarly, it has been said by one of our own judges that, if the view is taken that past penalties have been too light, the position should be corrected by an upward trend in penalties rather than by an abrupt increase.

Mr Speaker, we make the law in the Assembly. Why don't we stop wringing our hands and get on and do it? The judges only administer it. I wish the Attorney-General would recognise that. He has the power to do it. He should get on and do it. The judges and the courts only administer the law; they do not make it.

It was very interesting to hear the Attorney-General talk about the setting of starting points with guidelines for sentencing as compared to the current system of setting penalties by working down. I would like to hear the Attorney-General make further statements on that. I found it a very interesting comparison. I would like to hear more about it.

In conclusion, I believe that the statement by the Attorney-General will occasion more study if one is to understand the whole situation of sentencing for violent crimes in the Northern Territory. I agree with the thrust of the statement. I wish the minister the best in his efforts to bring more justice to the community in relation to current light sentencing and to make the perpetrators of crimes pay more adequately for those crimes. In conclusion, I express the sincere hope that the Attorney-General will get on with the job.

Mr LANHUPUY (Arnhem): Mr Speaker, I will be brief in my comments on the statement delivered this morning by the Attorney-General. Personally, I welcome the statement because a great deal of concern has been caused in the Northern Territory in relation to the penalties given to people who have been convicted of crimes ranging from the trivial to the very major. As the Northern Territory community develops and as our multicultural population grows, there will be occasions when this Assembly has to review existing laws to meet the changing needs and requirements of the community. I certainly welcome the statement by the Attorney-General. It gives us the opportunity to address what I believe is a very sensitive issue in the Northern Territory.

I would like to speak about the types of offences, including sexual assault, which occur in remote communities in the Northern Territory. When people live in remote communities, particularly when they lack the support of a family network, the fear of God is often put into them. I have seen many examples and often the law is the only source of support for these people. We need to ensure that their lives and well-being are protected. In this context, I was amazed at a particular situation. A person from a remote community was taken into custody by the Nhulunbuy police at one stage for an alleged rape. I heard later that he was transferred to Darwin, although I cannot give the exact date when that occurred. However, I

understand that, after about 6 to 8 months, the person who committed the crime was walking the streets in the community. It is not hard to imagine the fear such events create for unmarried people who are living on their own in remote communities. Naturally, their reaction is to say that they will not continue their employment on the remote community because there is no protection for them. They are single people who do not have families to depend on for protection. Certainly, in the context of the minister's statement, the Assembly should look very closely at the type of support required for people living in those communities.

On a personal basis, I have expressed concern in relation to non-parole periods. Some 2 or 3 years ago when Aboriginal Legal Aid was established in the Northern Territory, the elders at Yuendumu made an outcry about the fact that they were sending people to court only to find that they were not receiving the heavy penalties which the community had expected would apply. Kids were being sent back to Yuendumu after committing offences because lawyers were finding legal loopholes and there was dissatisfaction in the community because it was felt that the young people had gone to Alice Springs to be punished and to be jailed. They might have committed minor offences, but it was a matter of what penalties the community felt were appropriate for those crimes.

Another case was highlighted by the findings of the Groote Eylandt Task Force. The people had become sick and tired of their children breaking and entering, sniffing petrol, breaking into clubs and visiting the town of Alyangula. One old man came to the task force and said: 'I would rather you put them in Fannie Bay Jail or Berrimah Prison and threw away the key, because all they are doing is making a nuisance of themselves, disrupting the community and setting up peer groups to attract younger and younger people to follow suit'. I received that very clear message during my time as a member of the task force. I guess those are the sorts of things we might be looking at in the future, as the Northern Territory grows.

Certainly, we will have our misunderstandings in terms of how to interpret legislation in its own right. However, as legislators, I believe that we must come to a common understanding to ensure that we take a closer look at the needs and the requirements of our future generation and the generation after that and to ensure that people's rights are protected, not only in the major cities, but also in remote communities. Certain government members seem to be placing great emphasis on protecting the rights of people who live in towns like Alice Springs and Darwin, but we must remember the large number of people in remote communities who look to the government and to this legislature to ensure that their rights are protected under the present system.

I would like to comment on some of the proposals outlined by the Attorney-General, such as the question of legislation which would ensure that prisoners serving terms of 12 months or longer will not be eligible for parole until they have served a set proportion of their sentence. I spoke briefly about this earlier. Certainly, I would like the government to ensure that the matter is looked at properly to ensure that the community at large is satisfied that people convicted of crimes serve appropriate periods in jail. I am sure that the recent outburst which occurred in Alice Springs was related to this matter.

I support the introduction of a merit point system so that prisoners have to earn the right to parole. I believe that such a system will encourage prisoners to ensure that the standard of their behaviour in prison is observed and assessed. They may have bad habits when they enter the

jail, but I hope that those proposals will ensure that such behaviour will improve. I also support the restructuring of prison working arrangements so that all prisoners undertake worthwhile work during their time in jail. I was pleased when the Alice Springs Prison took the very interesting step of assisting the Conservation Commission with environmental work and so on.

I would like to make another point which relates particularly to people from remote communities. When a person from a remote community such as Groote Eylandt commits an offence which is not too serious and is sent back to that community to work on a community service order, taking into account the restructuring of the system which the Attorney-General has spoken about, the effect is that the person is both effectively punished and seen to be punished. He feels some positive embarrassment and the community can actually see that he is being punished for his crime. Embarrassment is offensive to the person concerned and may have the result of changing his attitude in terms of not committing the same crime again. What we are talking about is strengthening that person's ability to withstand any further criminal temptations that he may meet in the future. Certainly, in Aboriginal communities, I think it would go a long way towards achieving that if prisoners were sent from the jails to their own communities to perform work of the type required under community service orders on a weekly or monthly basis. A whole range of options could be considered by the Attorney-General and the Minister for Correctional Services.

As I said in my opening remarks, as legislators we can look at a whole range of possible actions. I expressed the view that we live in a multicultural society. It is up to us to ensure that we come up with the best possible solutions. I understand that we are not bashing our judges around the head, but I certainly commend the Attorney-General for making this statement. It is a timely effort to ensure that people start to discuss the issues. It is sensitive. Certainly, it will raise a few concerns. I hope that it does so because I believe that is its purpose.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, in rising briefly to indicate my support for the Attorney-General's statement, I want to put on record only one or two points. First of all, in my view, the punishment should always fit the crime. Unfortunately, the general perception in the community these days is that the punishments do not necessarily fit the crimes. That is unfortunate because I think the perception is accurate and reflects the actual situation. Currently, many punishments are not adequate for the crimes committed. Whilst I stop short of advocating capital punishment, because of the obvious problems associated with it - there are clear indications that capital punishment has in the past been inflicted on people who were innocent - I certainly believe that there are instances in which it is appropriate to lock up a person for the rest of his or her life.

I am not talking about people who might be confined to a mental institution. I am talking about people who have no moral basis whatsoever to their make-up, people who do not look on vicious crime and murder as a serious matter at all. Crimes have been committed in the Northern Territory by people in that category and, frankly, I will be horrified if they are ever released from jail to walk freely in this community. We all have families and we all care about their safety and, frankly, there are people who should never be let loose on society. They are less than human, not necessarily bodily, but certainly in their make-up. Certainly, they should not have the opportunity to repeat the crimes that they have committed.

I am rather disappointed that we do not have hard labour available in our prisons. There are times when only hard labour will work, when only the experience of being physically tired and worn out will make one realise that there are other things to life. Many people who end up in prison have never done a really hard day's work in their life. They have had too much time on their hands and they do not know what hard work is. Obviously, hard labour is not appropriate for all prisoners. There are some who cannot physically tolerate hard work and there have to be other ways of bringing the light to them. However, I believe that hard labour has a lot going for it. Whilst I do not necessarily suggest that prisoners should be sent out with hammers to break rocks, there are other forms of hard labour which would be appropriate.

Prisons must be a deterrent. Unfortunately, our prisons are not a deterrent for many. For some, they are a way of life, and I do not refer only to Aboriginal people. On previous occasions, honourable members have referred to the fact that many Aboriginal people like to go to prison because it is something of an initiation for them. I know that to be a fact. I have seen young people deliberately break the law in order to go to prison. They give themselves up immediately to the police because they have been told by their peers that jail is a great place and part of the growing up process. Of course, it is not a very good experience for them. There need to be deterrents in such situations and there need to be alternatives to jail. When people want to go to jail because they perceive it as an initiation or because somebody has told them that it is a great idea, alternatives are needed. In the Northern Territory, we have alternatives of which I am proud. However, those people who must go to prison ought to have something worth while to do when they are there and not just have an easy time of it. Unfortunately, many do have an easy time.

I am very keen on the idea of outside work schemes in which prisoners work in the community under supervision, doing many things that need to be done. I know that there is opposition from unions and many other people. However, it is a way of making the prison system pay. It gives society the ability to get something back in return for the upkeep of prisoners and, frankly, I do not agree with the unions in this regard. They believe that they are protecting jobs but the majority of prisoners eventually have to return to the community and take jobs. It is a good thing that they gain experience in the form of outside work. I am very much in favour of it

Turning to matters relating to Aboriginal people, the member for Arnhem raised the matter of light sentences being handed down and of lawyers being able to get prisoners off too easily. I have a real problem with that as well. I have seen it happen. I have seen the glee expressed by Legal Aid lawyers when they have come up with a loophole which has resulted in genuinely guilty people getting off lightly. This results in great anger in communities because they believe that the persons concerned should be punished. Unfortunately, lawyers too often are able to get people off on technicalities. I do not know how to get around that but we certainly have to find ways of doing it. When, because of technicalities, we can have murderers walking away from crimes such as the horrific killing which occurred some years ago on the Barkly Highway ...

A member interjecting.

Mr McCARTHY: I am not blaming the judges in relation to this. I am not blaming them at all. Whatever the technicalities relate to, including faults which may occur in police investigations, people found guilty of committing horrific crimes should be punished for those crimes and should

suffer the full penalty regardless of any technicality. There is no excuse at all for those sorts of people to be walking free. Nobody in the community wants it and, except for lawyers, nobody in the community supports it. There is a real need for judges to be able to deal flexibly with differing circumstances. When a matter comes before a judge, he needs some flexibility, and it is impossible to get every judge thinking the same way. Part of the solution to the problems in relation to sentencing may be a system which has set penalties for certain types of crimes. However, the need for flexibility remains because crimes differ. Some judges are more lenient than others and I do not know how we can get around that completely.

I think that the Attorney-General's proposals will make a contribution. I support his action in bringing this matter before the Assembly today. I trust that the matter will be followed through with vigour and that the result will be a better system with the imposition of more appropriate sentences, longer terms being served for serious crime, and a better means of rehabilitating prisoners through work so that society as a whole can be improved. I commend the Attorney-General's statement

Mr MANZIE (Attorney-General): Mr Speaker, I thank honourable members for their contributions to this debate. However, I must express my extreme disappointment at the contribution of the opposition. I believe that members opposite have a role in this parliament, especially in relation to matters such as this. The fact that only 3 of their number made nominal contributions is indicative of the attitude which apparently they display towards many matters which are considered pretty important in our community. I commend the Leader of the Opposition for his support for my comments and I find it rather ironic that the member for MacDonnell took an opposite view. He stated quite categorically that there was no evidence of any community concern in relation to the level of sentencing. I find that quite amazing. I believe that either he has divorced himself from the community or is not listening to it. Certainly, he has failed to represent the community's views. I do not know why he took that attitude but I find it rather disappointing.

Mr Collins: The member for Arnhem was good.

Mr MANZIE: The comments of the member for Arnhem were quite interesting. In fact, I have some sympathy with the views that he expressed about the concerns of senior Aboriginal people in relation to the punishment of offenders who may well have suffered the ultimate penalty under traditional law but, under the European law, return to their communities a very short time after committing offences. This not only causes concern but creates embarrassment for some of the senior men who, on some occasions, advocate that the European system be used to deal with offenders.

I believe that the ALP's party platform demonstrates why members opposite could not quite come to terms with the subject of this debate and seemed to have differing opinions. It is important that the community be made aware of what the Northern Territory Branch of the Australian Labor Party proposes in relation to correction and sentencing. Page 15 of its platform says: 'The Australian Labor Party in the Northern Territory sees imprisonment as a last resort and intends to promote programs to provide alternatives to imprisonment'. That is fine. However, the platform also proposes 'to expand existing facilities for probation and parole, programs for work release, periodic detention and community service orders and similar arrangements'.

In terms of serious crime, this government is proposing to do away with remissions and to limit the non-parole period to a set percentage of the head sentence. Obviously, that is contrary to Labor Party policy and I can understand why members opposite expressed different views and why the Leader of the Opposition contradicted the member for MacDonnell. The member for MacDonnell is probably the only member of the opposition who followed his party's platform. The member for Arnhem and the member for Millner either contradicted the platform or did not know what it said. I am sure, however, that they will sort the matter out behind closed doors.

It is important to understand that, contrary to the member for MacDonnell's assertions, we are not talking about minor offences such as motoring offences or minor theft. We are talking about the feeling in the community that people who commit serious crimes need to serve a reasonable period in jail. That feeling is being expressed not only in the Northern Territory but throughout Australia and overseas. Many people believe that the perpetrators of serious crimes are not being punished sufficiently.

As I pointed out in my statement, the matter is quite complex. I would like to ensure that honourable members understand that the statistics show that offenders convicted of the offence of rape have been sentenced to an average of a 2-year non-parole period during the last few years in the Northern Territory. This is very similar to the sentences throughout Australia and is not unique. Nor is the reaction of the Territory community unique in the Australian context. I have referred also to the position in which the judiciary finds itself. I believe that, with the right attitude, the concerns of the community can be met and that the criminal activity of undesirable elements in our society can be curtailed or, even if it is not curtailed, those who offend will spend reasonable periods in prison.

I thank honourable members for their comments and, hopefully at the next sittings, both myself and the Minister for Correctional Services will be introducing legislation which will go some way towards extending terms of imprisonment.

Motion agreed to.

STATEMENT
Increasing Levels of Crime and Violence in Alice Springs

Mr PERRON (Chief Minister): Mr Speaker, in recent months, my government has been concerned about increasing levels of crime and violence in Alice Springs. Much of this criminal and antisocial behaviour is alcohol related as, indeed, is the case throughout the Northern Territory and, from recent reports, the same problem exists throughout Australia.

The law and order issue came to a head in recent months with an upsurge in the numbers of Aboriginals camping in the Todd River bed and, coincidentally, an upsurge in drunken people congregating around the northern end of Todd Mall, down Wills Terrace, around the takeaway outlet of a local hotel and down to the Todd River itself. In a short space of time, windows were kicked in in acts of mindless vandalism in the Mall, the incidence of general harassment of passers-by by drunken people increased and there was also an increase in crimes of violence such as assault, robbery and sexual offences. Among the victims were 3 police officers who were injured in the line of duty.

I caution all those who would opt for quick, easy and - to them at least - obvious answers. Some say that, if the government cuts back on

liquor licences and trading hours, this will put a stop to the antisocial behaviour fuelled by alcohol. It will not do so unless the cuts are so severe that the lifestyle of every Centralian is affected and the job-creating tourist industry is put at risk. Some say that saturation policing and hardline confrontation in the streets and the courts will solve the problem. It will not and, apart from being prohibitively expensive, it is unfair to ask our police to act like an army of occupation or to expect them to act as baby-sitters for alcoholics. There are town-based Aboriginal organisations which are asking for more town leases for transient Aboriginals and for Aboriginal drinking clubs so that Aboriginal people can learn to handle alcohol. There are traditional Aboriginal leaders who are vehemently opposed to this course and who want laws prohibiting any Aboriginal from drinking liquor anywhere, at any time.

The statistics from the police and the Liquor Commission are quite frightening for a community the size of Alice Springs and quite confusing when you try to match accessibility to liquor with liquor-related offences. Drunkenness was decriminalised in the Northern Territory about 20 years ago so those found intoxicated in public are taken into protective custody by police and either given a night in the cells or at a sobering-up centre, depending on the person's conduct and the availability of suitable accommodation. - In recent years, approximately 11 000 people per year are taken into protective custody in Alice Springs alone. Imagine joining the Northern Territory Police Force to get into the business of law and order and being asked to spend a good part of your working life in a particularly unpleasant form of basic welfare work. The numbers suggest that half of the Alice Springs population is found drunk on the streets at least once a year. The fact is that the figures from the Alice Springs sobering-up shelter show that 97% of those admitted in the 12 months to June last year were Aboriginals. 75% were male, with an average age of 32 years. One can see why Aboriginal women marched against grog in Alice Springs last Saturday. 129 people were each admitted 10 times or more during the course of the year. One individual spent 123 nights in protective custody during the same year.

These figures sound pretty horrifying but they increased 35% in the first 4 months of this calendar year compared to 1989, with 5438 protective custody cases logged up to the end of April. Why is this happening? Despite popular opinion, there has been no great growth in the number of liquor outlets in Alice Springs in recent years. Although takeaway outlets were granted an extra 3 hours trading per day in 1987, there are 3 fewer takeaway outlets in Alice Springs than there were 10 years ago.

I stress the point that, in the great majority of cases, those being taken into protective custody are not the same offenders indulging in vandalism, violence and general criminal behaviour, although alcohol often fuels the pattern of behaviour in both cases. To put it crudely, the drunken Aboriginal is numerous and visible on the streets of Alice Springs from time to time, especially during the summer months. The Aboriginal who winds up in protective custody often lives in sorry circumstances and in full public view in the bed of the Todd River. He or she is the most obvious one to blame when offences occur in and about the environs of the Todd River, the local bottle shop and the mall. From local police, local residents and parliamentary colleagues, I am led to believe that much of the vandalism and violence can be sheeted home to Alice Springs residents, often wandering in loose gangs around late night drinking spots, much as similar people with similar lifestyles and motives are causing similar problems in Sydney, Adelaide and places like Port Augusta.

While the mall area has been targeted in recent times because of the increase in both protective custody and criminal behaviour, it would be wrong to concentrate on the mall at the expense of law and order in Alice Springs generally, particularly with the frightening growth on a town-wide basis of offences ranging from criminal damage to assault and break-and-enter of suburban houses. The deterrent factor in the courts will be addressed by the Attorney-General in this debate and overall liquor problems are now under review on a number of fronts.

A number of government initiatives are either in place now or are on the drawing board and I will spell out some of them. The provision of extra police from time to time on an as-required basis is being considered, along the lines of the contingent of 10 extra police which was sent to Alice Springs from Darwin on 10 April. Consideration is being given to providing additional and more intense lighting in the Todd Mall and identified related areas, and the government is currently awaiting engineering recommendations from the Alice Springs Town Council. The Northern Territory government is considering reducing the trading hours of existing takeaway liquor outlets in Alice Springs. The proposal is to reduce hours back from 10 pm closing to 7 pm Monday through Sunday.

Mr Speaker, I pause to indicate that there was a mistake in the copy of the speech circulated to honourable members which indicated that consideration was being given to putting back opening times from 10 am to noon.

Such an alteration to trading hours would see a reduction of quite a number of hours per week in takeaway liquor trading times. If the government moves to reduce the hours of operation of takeaway outlets in Alice Springs, it will be done on a trial basis and not implemented as a permanent measure in the first instance. Consideration of tighter legislation and enforcement of the 2 km drinking law will be considered, whereby police could have the authority to empty or confiscate all liquor in the possession of a person consuming alcohol within 2 km of licensed premises.

The Northern Territory government will initiate pressure on the federal government to bring in more work programs in both the Alice Springs town area and on bush communities. Tighter conditions regarding persons opting out of such work programs should exist to reinforce the work ethic. I refer there to programs such as the CDEP. The Commonwealth is to be approached with a proposal that recipients of social security payments be compelled to collect their cheques in their home communities to reduce the availability of money for drinking binges that last for months.

A Fight Crime Committee has been established in Alice Springs to consider and offer suggestions on the current problem. Many prominent Alice Springs identities are represented on this committee. Some initial recommendations from the committee have been referred to the police and the Department of Law for further consideration. It was announced on the weekend that a further 10 police aides will be employed, some of whom will be located in the southern region. The successful Neighbourhood Watch scheme will shortly be introduced into the Alice Springs suburb of Old East Side.

The government has moved to crack down on liquor-related offences. The Liquor Commission, the police and the Motor Vehicle Registry people are currently working together on this initiative. The Alice Springs Town

Council has been asked to enforce camping by-laws on council or Crown Land and to remove personal effects which are abandoned in similar places.

There is disagreement in relation to what should be done to alleviate the problems in Alice Springs. Tribal elders and women from remote communities assert that the provision of Aboriginal licensed clubs and transient camps will only exacerbate the trouble by encouraging more problem drinkers to come to town. The Tangentyere Council claims that this is not so. The government believes that some of the answers lie in a combination of the measures that I have outlined. The real cure, however, lies with the Aboriginals themselves. Alcohol will always be available and all of our citizens have to come to grips with its sensible use or abstain altogether. No one can do this for them. Fortunately, we have seen a clear demonstration that the problems are recognised and that the search for solutions has begun. It is the government's responsibility to assist Aboriginals to come to grips with the problems in any way we possibly can.

Mr Speaker, I look forward to the contribution that honourable members opposite will make to debate on this statement, particularly those from central Australia. The member for Stuart has written to me seeking a bipartisan approach on this matter. I will be responding to that letter very shortly.

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

Mr BELL (MacDonnell): Mr Speaker, I read the Chief Minister's statement with interest. At the outset, I want to enumerate the large number of issues which are involved in matters touched on by the statement. There is an issue of alcohol use and abuse and access to alcohol. There is a question of employment and occupation and there is the other side of that coin: the access to social security benefits in the absence of employment. There is a public health question and a public law and order issue. That makes 5 different issues. I want to address each in turn and, in the time available to me, to refer to the significant shortcomings in the Chief Minister's statement in respect of each.

As I said yesterday, and I will not dwell on the point, I welcome the more constructive approach that the CLP has taken to this series of issues in recent days. I assure the Chief Minister that, albeit with constructive criticism, I will undertake to work with him towards the resolution of the many difficult issues that all of us who live in the Territory are in touch with in one form or another. I find it very heartening that the more divisive issues which characterised debates such as this a few years ago are no longer present. Turning to the 5 issues, I will start with the question of alcohol use and abuse that is the subject of inquiry by a sessional committee of this parliament. I have already addressed that particular issue at least once in these sittings. In yesterday's adjournment debate, I referred to the interest shown by the Chief Minister last weekend.

It is probably worth mentioning that, in his statement, the Chief Minister referred to restricted trading hours. I noted that the women who were speaking on Saturday were encouraging him to close hotels on Sundays. I believe that there may be some merit in that proposal but I do not believe that any decision in that regard should be taken lightly or without full consultation with the holders of off-licences. All honourable members will be aware that there is tension between the holders of hotel licences and the holders of supermarket liquor licences. The takeaway licences in supermarkets do not allow liquor sales on Sunday and the holders of those licences want that to change. The holders of hotel licences want to keep

their monopoly on Sunday because they believe that it is helping them to keep their heads above water. It is not a simple issue.

The proposal in the circulated copy of the Chief Minister's statement was to cut hours back. However, the government has indicated its intention of keeping hotels open between 10 am and 7 pm, from Monday through to Sunday. I am disappointed that that decision has been made. I do not believe that it is any concession to the groups concerned.

Mr Deputy Speaker, you will recall the time when the CLP government dramatically increased the trading hours of takeaway licences. At present, they are open from 9 am on most days. The proposal outlined by the Chief Minister would concede a relatively short time and I do not believe that it is acceptable. On what basis does the Chief Minister rationalise the various changes in trading hours that CLP governments have introduced in the years since self-government? That is the question that I would like him to address in responding to this debate.

Mr Manzie: What would you propose?

Mr BELL: In response to the interjection from the member for Sanderson, I have simply this to say. He has been a member of this Assembly for 7 years. The CLP has been in government for 12 years. There have been various chops and changes and I want to hear the rationale for them.

Let me move on to the second issue - that of employment. The problem with issues of employment is that this government has done so little to address them. On numerous occasions I have addressed those questions in this Assembly. The federal government has gone a considerable way in that regard with its Community Development Employment Projects which have encouraged employment opportunities in many communities. I believe that this Assembly, and the government in particular, ought to be monitoring their success or otherwise. Like all programs, they depend on the hard work and goodwill of all involved as well as government dollars and policy decisions. I believe that this Assembly ought to be addressing these matters. In that context, the Chief Minister's proposal that the Commonwealth compel recipients of social security payments to collect their cheques in their home communities is, at best, the approach of a Johnny-come-lately.

My third point relates to social security benefits and the other side of the coin. In last night's adjournment debate, I mentioned an inquiry into exactly this issue. I did so only briefly at the behest of the member for Katherine. Incidentally, there really does need to be a bipartisan approach on these issues. As I said last night, every state government in this country made a submission to the Review of Income Support for the Unemployed. The Social Security Review Issues Paper came to my office on 28 December 1989. It was presented by the Minister for Social Security, Brian Howe, in November 1989. In fact, I made a submission to the committee developing that report.

The story of that submission is interesting. I have been making representations on this issue since I have been a member of the parliament. In fact, my first representations go back to the time when Fred Chaney was Minister for Aboriginal Affairs.

Mr Collins: Red Fred?

Mr BELL: I am sure that, from the point of view of the member for Sadadeen, Fred Chaney is known as 'Red Fred'. That is because most people regard the member for Sadadeen as being somewhere to the right of Genghis Khan.

I wrote to Don Grimes when he became Minister for Social Security. It is worth reading that letter into Hansard. It is dated 6 June 1983:

> Dear Don,
>
> Please find enclosed a draft of a letter that was on its way to Fred Chaney when the election was announced. There are really 2 problems here: (1) the administrative problem of servicing a small scattered population that follows fairly traditional imperatives to move from place to place; and (2) the much wider socioeconomic problem of the long-term effect on communities of rates of unemployment between 50% and 80%. It is my feeling that constructive solutions can be found to (1) and that a lot more consideration could be given to (2) even if immediate action is not possible. I will look forward to either hearing from you in due course or discussing the issues personally.
>
> Regards,
> Neil Bell.
>
> P.S. Congratulations on a great win.

Mr Speaker, I have to report that I made persistent representations in relation to this issue and, when the review was advertised, I presented a submission. There were 2 focal points in my submission. The first concerned access to social security and the second concerned the need to reduce the demand for dependence on social security and to find strategies for doing so. What bothers me about the statement that the minister has put before the Assembly now is that he gives the impression of being interested only in cleaning up problems in Alice Springs and not in addressing the needs of all Territorians in the way that I have by stressing these 5 different points.

I want to make one other point before I leave the question of social security benefits. I must stress the need for a bipartisan approach in this regard. As all honourable members are aware, as far as the federal government is concerned, we are regarded as pretty small beer. We do get neglected as far as federal instrumentalities are concerned. In fact, I concluded my submission by referring to an issues paper. The advertisement calling for submissions appeared in the Weekend Australian. It gave a couple of phone numbers in Darwin. My office rang Darwin and it turned out that there were only 2 copies of the paper in the Northern Territory. Thus, I concluded my submission in this way:

> The advertisement calling for submissions on possible directions for reform of the unemployment benefits system referred to a Social Security Review Issues Paper. It is adequate commentary on the difficulties to which I have referred that, in spite of detailed inquiries in Alice Springs and in Darwin, it has not been possible to obtain a copy of this document. My office has been advised that there were only 2 copies in the Darwin office and these were not for distribution.

In other words, anybody in the Territory who wanted to find out about the terms of the debate had to sit in the Darwin Office of the Department of Social Security in order to read the issues paper. Fortunately, in an action which was one of the fruits of my experience over the previous 9 years, I took the bull by the horns and wrote to the relevant officer in the department. When I received a copy of the report, I was very disappointed to see that the Northern Territory government had not bothered to make a submission. Every state government had made a submission. I want to know why the Northern Territory government did not bother. I do not think that it is fair dinkum when it says that it wants Aboriginal people to collect social security benefits in the bush and not in Alice Springs. If it were fair dinkum, it would have done something about it, as I have. Before I leave that subject, let me say that I have a vision of the communities around my electorate having high rates of employment and occupation - occupation which not only includes introduced activities such as building, teaching and so forth but the traditional activities of hunting and gathering that are such a wonderful part of life in the bush.

Let me turn now to the question of public health. This question is not raised in the statement yet it is a matter of some sensitivity. I believe that it needs to be considered. I understand that there have been public health concerns because of people camping in the creek in Alice Springs. I will not be specific in that regard. That is a very real issue and I am not seeking to duck it. A constructive approach has been taken by the Tangentyere Council. It has talked about facilities for visitors. In fact, it has circulated to all honourable members some constructive proposals about social behaviour and the relevant issues in that regard. There needs to be some open debate on that. Aboriginal people regard the riverbed as a place where their people have stayed for generations, in the process of moving around the country. However, let me say that what is an acceptable place for a dinner camp is not necessarily an acceptable place for a stay of a week or 2 weeks. Consideration needs to be given to this. The Chief Minister's comments and the approach of the Tangentyere Council have been positive.

Let me turn to the final vexed question - the question of law and order. I bemoan the fact that travelling around Alice Springs is not as safe as it was 10 years ago. I am aware of the situation which is associated with the takeaway outlet at the Riverside Hotel or the Alice Springs Tavern. The establishment changes its name occasionally and I do not always keep up with the changes but I am sure that honourable members know what I mean. I would point out that there have been improvements in that regard.

Mr Speaker, you will recall the spate of what came to be known as the Todd River murders, which are no longer such a regular occurrence as they were 10 years ago. I put that down to sobering-up shelters. The shelters have made a constructive contribution although they certainly are not the be-all and end-all. I am already on record in debate in this House as saying that the sobering-up shelters are providing humane circumstances for people but I think we are reaching the stage when, as a society, we ought to be saying: 'Wait on. You have been fronting up to the sobering-up shelter every night for the last fortnight, or 5 times in the last month. We want to know how long this is going to continue. We want to know what your family thinks about what is going on. We are not happy about it'. I am not sure of exactly how the process should work. I have already raised matters such as this in the Sessional Committee on the Use and Abuse of Alcohol by the Community which, I believe, is the appropriate forum for them.

The second paragraph of the Chief Minister's statement contained a passage which really bothers me:

> The law and order issue came to a head in recent months with an upsurge in the numbers of Aboriginals camping in the Todd River, and coincidentally an increase in drunken people congregating around the northern end of the Todd Mall, down Wills Terrace, around to the takeaway outlet of a local hotel and down to the Todd River itself. In a short space of time, windows were kicked in in acts of mindless vandalism in the mall, the incidence of general harassment of passers-by by drunken people increased, as did crimes of violence such as assault, robbery and sexual offences. Among the victims were 3 police officers who were injured in the line of duty.

That passage gives the impression that the occurrences described are a consequence of people living in the bed of the Todd River. I do not believe that that is true, certainly not in the majority of cases. I believe that we must make a different response to the question of people camping in the bed of the Todd. For all of the 5 reasons I have tried to address here, I think that the problems of those people need to be addressed. I think that there is an ancillary problem of juvenile order which also needs to be addressed.

One of the reasons I became so cranky with the member for Braitling when he leapt into the press recommending all sorts of proposals was the fact that I am sick and tired of the way this government never follows anything through. Honourable members will recall that a juvenile justice committee was set up in Alice Springs. It reported in 1986 and there has been no follow-up.

Members interjecting.

Mr BELL: I hear the member for Braitling and the member for Araluen interjecting. They have been very quiet on the issue for 3 years. I have heard nothing from them and let me tell you, Mr Speaker, that neither has the board of management which is referred to in the Juvenile Justice Act. Do you know why, Mr Speaker? It is because the board of management has never been set up. I would not be surprised if the Northern Territory Council of Social Services issued a writ of mandamus against the Minister for Correctional Services because of his failure to perform his statutory duties under the act.

Members interjecting.

Mr BELL: I suppose the minister has just thought of that. He is 3 years overdue.

Mr Vale interjecting.

Mr BELL: If the member for Braitling wants to interject, I suggest that he pull out of the back drawer of his filing cabinet the report which he did at the time, a report which resulted in much publicity and very little action.

Mr Speaker, let me say that I welcome the more or less constructive attitude which the government has taken. Before I conclude, however, I will briefly address the subject of Fight Crime Committees. The Fight Crime Committee in Alice Springs needs to be more representative. If the Chief Minister and the Attorney-General are simply interested in paying sitting

fees to a few members of the CLP, that is fine. They can go ahead with their Fight Crime Committees in their present form. That is quite okay. If they want to say to Inspector Gary Smith, 'Here is $50 to sit on the Fight Crime Committee', that is fine. However, if they actually want to achieve something and want the Fight Crime Committees to be forums for diverse interests in the community, I suggest that they diversify the membership and make those Fight Crime Committees ...

Mr Manzie: What are you suggesting? You are outrageous.

Members interjecting.

Mr MANZIE: A point of order, Mr Speaker! The member for MacDonnell has just suggested that Inspector Gary Smith was given $50 to sit on the Fight Crime Committee. In fact, the Fight Crime Committee was appointed by the Mayor of Alice Springs.

Mr Bell: I got the figure wrong, did I?

Mr SPEAKER: Order! There is no point of order. The Attorney-General will have an opportunity to pick up the matter when he replies.

Mr MANZIE: Mr Speaker, I ask the honourable member to withdraw his imputation that the government is paying a member of the CLP to be a member of a Fight Crime Committee when, in fact, the mayor appoints the committee and no money is paid to anybody.

Mr Bell: Sit down, Daryl. I will withdraw it.

Mr SPEAKER: There is no point of order.

Mr BELL: If it makes the Attorney-General feel better, I will withdraw the remark.

Members interjecting.

Mr Bell: I presume that I will receive an extension of time ...

Members interjecting.

Mr SPEAKER: Have you finished on not?

Members interjecting.

Mr BELL: I presume that I will receive as extension of time.

Members interjecting.

Mr SPEAKER: Have you finished or not?

Mr BELL: No. Mr Speaker, I ...

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

Mr POOLE (Araluen): Mr Speaker, obviously I have to correct the member for MacDonnell's misapprehension that the Fight Crime Committee in Alice Springs was appointed by this government. As everybody else in this place knows, members of Fight Crime Committees are appointed by the mayors of the towns in which they are formed.

Mr Bell: She is a party member too!

Mr POOLE: The Mayor of Alice Springs is not a member of the CLP and never has been to my knowledge.

Mr Bell: Never has been?

Mr Collins: I thought she was on your side.

Mr Bell: Did you? I think she is really just on her own side.

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

Mr POOLE: Thank you, Mr Speaker.

The member for MacDonnell made a number of points which were not indicative of a particularly constructive attitude towards the problem of law and order in Alice Springs. That probably indicates that he spends a lot of time in his electorate. If he spent a lot of time in the town of Alice Springs, as I certainly do as I move around in the community, he would rapidly become used to the idea that, in Alice Springs, one almost lives in a closet because of the problems associated with alcohol in the town. I have said in this place before that the themes of law and order and alcohol abuse are so integrated in Alice Springs that they probably result in one of the worst attitudes in Australia in respect of racial prejudice. It is a great shame that people in Alice Springs tend to reflect on the character of Aboriginal people in and around the area by simply looking at a number of problem drinkers within the community.

I am sure that any honourable member who takes the time to visit the sobering-up shelter in Alice Springs and to talk to some of the people who work there would be very surprised by the statistics. The Chief Minister has already mentioned that about 11 000 people went through the sobering-up shelter and the police cells in Alice Springs during the last 12 months. I was very surprised, on talking to the people at the Alice Springs Sobering-up Shelter, when they told me that only about 48 repeat offenders came into the shelter more than 20 times per annum. The number of people who attend the shelter between 10 and 20 times per annum is much higher and the number who make 3 or 4 visits per annum is surprisingly high. That would indicate to me that the majority of people who visit the shelter stay in their communities for about 3 or 4 months a year, coming into town to go on binges which last for a number of days or even weeks and attending the shelter almost on a daily basis.

The member for MacDonnell is quite incorrect when he says that the shelter does not offer a counselling service. It already provides that service. I certainly do not want to misrepresent the staff of the shelter and I acknowledge that they believe that they do not have the financial resources or the numbers of counsellors available to actually visit people in communities. Obviously, that is a matter which we will have to look at.

In the context of proposals which will be put to the government by the Liquor Commission, I was interested to hear the Chief Minister's comment about cutting back trading hours for takeaway outlets by stopping sales after 7 pm instead of after 10 pm. I discussed this possibility with more than half of the off-licence traders in Alice Springs to see what their thoughts were. Whilst none of them welcomed the idea, by far the majority accepted it and that included the big supermarkets. They commented that they did not like the idea but that they believed that something had to be

done. One of the supermarket managers told me that he had to send senior staff members to the car park to collect the shopping trolleys. The younger members of his staff were too scared to go outside because of drunks wandering around the place.

There are 2 separate sources of problems in Alice Springs. One relates to a very small percentage of the people who camp in the bed of the Todd River. Among those people, and I guess it is fair to say the same of all sections of society in the Northern Territory, there are a number of heavy drinkers who become a nuisance to the community when they become drunk. I personally believe that the number is reasonably small. The other source of problems is the younger juveniles and problem drinkers who live in urban or fringe camp areas around Alice Springs.

It is indicative of the way the Alice Springs lifestyle has changed that the majority of locals would not walk up and down the mall after about 7 pm. I do not think people ever did that very much during the winter but, during summer a few years ago, one would regularly find quite large numbers of people walking along the mall. Now you are inviting a problem if you go there during the hours of darkness. It staggers me that it has taken the council this long to work out that it should have trimmed the trees and installed a few brighter lights when the Todd Traders Committee have been calling for that action for more than 2 years. It is quite funny that, within 2 or 3 days of receiving a report from a consultant expert on mall management, somebody from the council was out there with a pair of shears trimming back the trees and bushes, obviously in order to eliminate places where people can hide. That is crazy. Something should have been done a long time ago.

I take the opportunity to commend the police for their efforts in Alice Springs. I really cannot understand why anybody would want to be a police officer in the circumstances they have to work in. They spend 90% of their time physically carrying drunks around. I regularly see television footage depicting 2 police officers, one holding the arms and the other the legs of someone who has drunk himself into oblivion, and carrying him down the side of a hill. I am sure that members of the police force must become really fed up with having to do that sort of thing.

It is interesting that more and more assaults seem to be occurring in Alice Springs. A young fellow was assaulted in Alice Springs 4 or 5 weeks ago, and received a fractured cheekbone after arresting somebody who was affected by alcohol. He returned to work only recently and I note that he is off duty again now because he suffered a dislocated shoulder doing exactly the same thing a couple of nights ago. It is really quite incredible that, in a town with a population of 23 000 or 24 000, the average citizen cannot walk around and behave as he would in any other small country town in Australia.

Having lived in Alice Springs for what I suppose is a relatively short period - since 1979 - I am amazed at how much the town has changed in that time. Almost every day, one is accosted by or forced to walk around people who are affected by alcohol. It becomes a bit of a battle to take your wife and children to the local supermarket without having people swearing at you in the vilest language from time to time, regardless of whether you are with young children or not. Going out anywhere in Alice Springs on foot after dark can occasionally be a pretty interesting experience. I have neighbours who have had groups of people suddenly appear and set up camp at the bottom of their garden fences. When they have woken up in the mornings wondering

what caused all the noise during the night, they have found groups of 20 or 30 people camped outside. That is unfortunate.

To some extent, the government has probably played a part in creating the current situation in respect of fringe camps and transit areas. My understanding of the land allocation process is that the fringe camp areas were originally granted for the express purpose of setting aside areas of land for transient people to camp on. Of course, those transit areas have now become fully-fledged communities. I know quite a few of the people who live there and the majority of them are very nice, law-abiding people. They too are fed up with people who come to town to go on drinking sprees and who then want to camp alongside them in their fringe areas. The result is that we then receive calls for the release of more areas. I think that there are already 10 such areas around Alice Springs.

There is also the clash between what I call the urban drinker, be he white or Aboriginal, and the more traditional non-urban person who comes in from a property. I pick up the point that the member for MacDonnell made in respect of opening and closing hours. I believe that there is some support in the community for restricting the trading hours of liquor outlets, perhaps setting back opening time from 10 am to noon, particularly on the basis that, simply by doing that, we would give women an opportunity to use cheques to purchase food for themselves and their children before the men vanish with the cheques to spend all the money on alcohol. I have discussed this matter with the police in Alice Springs and I do not believe that that measure would make much difference from a law and order point of view. The police feeling seems to be that the result would be to postpone until later in the day their encounters with people committing alcohol-related offences.

I believe that a curtailment of opening hours in the evening would have quite positive repercussions in the community. It would certainly assist with those people who drink fairly heavily during the day, go back to sleep in the riverbed, wake up at about 8 pm in the cool of the evening, buy another cask in town and get stuck into it again. I will be interested to see the recommendations of the Racing, Gaming and Liquor Commission which, I understand, is looking at those aspects at present.

I accept some of the points made by the member for MacDonnell in support of his argument that many of the problems relating to the use of alcohol arise from lifestyle, lack of employment opportunities in communities and so on. However, I also believe that this is a time for self-help. I think the time is rapidly drawing to a close when everybody can regularly blame the government for their predicament.

Mr Collins: Black or white.

Mr POOLE: Most certainly. I pick up that interjection by the member for Sadadeen. That relates to all cultures in the Australian community. I do not believe that government help should be any more reliable towards the Aboriginal people than it should be to others in the wider community.

There are some excellent examples around the world of indigenous people, Aboriginal people for that matter, trying to do things for themselves. It is interesting, in light of the amount of money which governments spend on health systems, to realise that 25% of hospital beds in the Territory are occupied by patients suffering from alcohol-related conditions. The opportunity is there if people want to get out and do things. If they want to form their own companies and tender for building contracts on stations,

there is nothing to stop them doing that. The Canadian experience is such that the Eskimos and the Indians are doing it right across the country. They are making a real effort to combat their own problems. I think that some of the Aboriginal organisations here should look at the examples they are setting, glean some of the positive things which have happened in those communities and try to apply them within their own communities ...

Mrs Padgham-Purich: They are not Eskimos. They are Inuits.

Mr POOLE: They were always Eskimos to me.

Juvenile offenders and the problem they create will always be around. They will always be a problem. It is not because of a lack of facilities. I suggest that, in Alice Springs, we have the finest facilities in the country for young people who are growing up. There is not one sport that you cannot play. There is nothing that you can do in Sydney that you cannot do in Alice Springs.

A member: You cannot go to the opera.

Mr POOLE: You can go to the Totem Theatre. Operas have been staged at the Totem Theatre. However, from the point of view of getting out and about and seeing and doing things, the facilities are there in Alice Springs.

It is a matter of people working together to address the problems. It was very pleasing to see the efforts which Aboriginal women and a number of traditional elders made during the weekend. They attended meetings in an endeavour to start some dialogue aimed at improving their community's standard of living and to lead their people out of the problem areas associated with alcohol. Unfortunately, I do not think anybody knows the real answer. The answer relates to long-term attitudes, community self-help, and education of the younger people. It is not an answer that will be found tomorrow. No wizard will pop out of the wall, say the magic word and fix all the problems. Unfortunately, the fixes will all be long-term. However, I support the Chief Minister's statement as a step on the way to solving the problems of law and order in Alice Springs.

Mr COLLINS (Sadadeen): Mr Speaker, although there have been a few gentle shots across the Chamber in this debate, as is normal, I think it has been one of our better debates in many ways, because constructive suggestions have come from all honourable members who have spoken so far. I think it would be well worth reviewing the debate and picking out the grain from the chaff. I think we will find that there is quite a degree of agreement. Certainly, everybody is very sincere about the problems.

It is not simply a matter of problems in Alice Springs. Similar situations occur across the nation. Port Augusta has been mentioned twice tonight, by the member for Flynn and the Chief Minister, and there is an article in today's edition of The Australian, headed 'Port Augusta Considers A Child Curfew'. The Mayor of Port Augusta, Mrs Baluch, is certainly very hot under the collar about juvenile misbehaviour in that town. The article in The Australian quotes her as saying: 'The state government has done four-fifths of bugger-all towards clearing up this problem and no political party or government department is going to deter me from this'. She went on to say: 'The little mongrels should be hung'. I met the lady several years ago and she is obviously very upset about the state of affairs in Port Augusta.

I note that the article in The Australian was written by Carolyn Collins. I have a daughter of that name. This Carolyn Collins is not related to me, but her father and I graduated at Adelaide University together and her father's brother is my brother-in-law. The same Carolyn Collins wrote an article in 'Affairs of State', 3 or 4 weeks ago. It was about a roving gang of Adelaide youths who are abusing people, attacking people and generally making great nuisances of themselves. I note that the Premier of South Australia, Mr Bannon, is reintroducing a bill to make parents more responsible for their children.

I know people in South Australia who put some of the blame on an action of Mr Bannon's government. Students are able to travel free of charge on buses and trains in Adelaide. This applies not only from 7.30 am to 4.30 pm, as one might expect, but 24 hours a day 7 days a week. I am told that they have been using this free travel to congregate and create a nuisance which is becoming a real problem in that city. Alice Springs is not the only place where there are problems.

I would like to make quite a few comments on what the Chief Minister had to say. All members will know that a task force was sent to Alice Springs to reinforce the local police. This was well-accepted because members of the task force attacked the problem head-on. In no uncertain fashion, they sorted out many people who were creating a problem. A local police officer whom I have known for some time told me that it was one of the best things that had happened because it increased the morale of local police officers. There was a real fear, and it was not only ordinary people in the town who felt it. For example, the council could not get its workers to clean up the bed of the Todd because the workers were fearful of the people who were staying there. They could not do their job because of attacks by people there. The council has the legal powers to stop anybody from camping in the Todd. However, it has not had the courage to use those powers. There has been a real fear and the bad elements have had the upper hand. Since the arrival of the police task force, the morale of the local police officers has improved. They are arriving at the trouble spots and sorting things out on the spot. They feel much happier about life now. It has been a real morale booster.

Much has been said about how the problems would be reduced if clubs were established to train people to drink a little less and more socially. I am dubious about whether that would work. If it does work, I will be the first one to say that that is great. However, I am not alone. The Aboriginal women who marched last weekend certainly feel that these measures would not help.

In order to overcome the problem of people camping in the bed of the Todd, the town council has called on the government to establish some additional town camps. We have 19 already. These were established originally for the purpose of camping. They were to provide water, shelter and a place for washing and cooking for itinerants. However, that concept has changed dramatically. In a sense, what we have are ghettos operated on a tribal basis. In essence, it is a separatist arrangement.

I was supportive of the town camps. When I first came to Alice Springs 20 years ago, there were few camps. The Aborigines virtually had to go into a person's yard for a bucket of water because there were no taps for them. It was an iniquitous situation. However, town camps have now become a base for permanent residents. The people who come into town stay with their relatives there. Social problems arise from the fact that those who do not drink or who drink very little are very much opposed to those who drink a

great deal. This creates tension and leads to fights. On occasions, the Alice Springs Hospital looks like a battleground, with many people attending for treatment after being injured in fights. I do not know whether more camps would be the answer. How many would we have?

In Ti Tree, somebody said to me: 'Have you heard of the move to get people in the town camps to camp in the bed of the Todd in order to increase the pressure?' I said that I had not heard that. Only 2 days later, a woman asked me the same question in Alice Springs. At one stage, I looked at one particular camp as I drove past and there was not a soul to be seen. I do not know whether someone was playing politics. However, it certainly seems to have made the council decide that the way to solve its problem is to demand that government establish more camps for transient people.

I agree with the Chief Minister that the police are sick of being baby-sitters for alcoholics. They pick these people up night after night. I was delighted to hear the member for MacDonnell say that we should be asking those who turn up in protective custody on 5 nights out of 10 why they are there and why they are not looking after their families. That ties in with my idea of recriminalising drunkenness for such repeated occurrences. Magistrates should be given power to deal with these people by moving them out to dry areas to undertake community work. The member for Arnhem reinforced what I was told by people at Tangentyere - that one of the best forms of punishment is to make people clean up their own towns in front of their own people. They are seen to be punished rather than let off because of the efforts of smart lawyers.

I will seek to word my private member's bill in such a way that a smart lawyer from Legal Aid cannot get a person off on the technicality that the fact that a person is placed in protective custody does not prove that he is drunk. I believe that this Assembly is capable of doing something which will be of great assistance to Aboriginal people. Of course, the law will apply right across the board. If I offended, I would be punished by being required to undertake a community service order in my area, something which I would find most embarrassing.

Not all of the problems in Alice Springs are the result of drunkenness. Quite a gang of young people in their early teens have been creating havoc and causing fear in the town. I reckon that I could handle 2 or 3 of them, but I certainly could not handle 20. A few months ago, for the first time in my life, I recall feeling very uncomfortable walking at the northern end of Todd Street at about 8.30 pm because of this larrikin gang of young people.

I have spoken to some of the youth workers in Alice Springs and they have been able to name the ringleaders. Their concern was that good kids were being attracted into this group of ratbags which was developing into quite a large gang. I will give the House an example of their behaviour. They asked one of the shops in town for some rubber bands and were given a large number. The following night, 3 steel ball-bearings were shot at the upstairs windows of the Centre Centre, in which the government has an interest, causing $2500-worth of damage. A few days ago, I discovered a similar hole in my window with the Territory flag. It was hidden by the curtains. It is only a crack but, at some stage, a large sum will be required to replace it.

These days, conservation issues are to the fore. People are told that, if they produce products that result in the pollution of the air or rivers, they will have to pay the cost of cleaning it up. It is my contention that

the cost of alcohol to the community outweighs the value of the industry. People say that, when someone is killed in a motor accident, the cost in terms of lost earning capacity and in caring for widows and children etc is in the vicinity of $1m. There is the loss in the private sector, with people not doing their work properly as a result of the effects of alcohol. I do not think it is too much to ask that 1 day a week might be free of alcohol sales. That does not necessarily mean that the day is free of alcohol consumption, because people who can organise their lives and drink responsibly can arrange their supplies of alcohol during the 6 days when it is available for sale, and can consume it on whatever days they choose. I think the prohibiting of alcohol sales on Sunday could be seriously considered.

I support the comments of the member for MacDonnell and the member for Araluen regarding a reduction in trading hours for alcohol outlets in the morning as well as in the evening. At least it would give people a couple more hours to get over the binge of the night before and, as the member for Araluen said, it might create an opportunity for the kids and the women to get hold of some more money to buy some proper food.

Another suggestion is that the 2 km law be tightened. At the moment, there must be a very long list of people supposedly paying the $20 on-the-spot fine, which is imposed on the spot but not paid on the spot, and mostly not paid at all. I would think that the list of those who have not paid must be about 5 km long. Basically, it is a waste of time to try to get that $20 fine from offenders. The emptying out of grog containers is a very salutary move. However, the law says that a container may be emptied only if it is already open and the contents have been broached. I support the Chief Minister in his suggestion that the contents of containers should be able to be emptied even if the containers have not yet been opened. Of course, there would have to be some limitations. As the Leader of the Opposition said, it would not be appropriate to empty the contents of a carton which had just been purchased from a takeaway outlet. If people have purchased alcohol and are taking it away, that is all right. However, if they are sitting down and are asked to move beyond the 2 km limit, they should leave and, if they have no intention of moving ...

Mr Perron: Proving all this in a court of law will be the problem.

Mr COLLINS: You do not go to the court of law. We have to ensure that it is pretty clear to our police officers that they have the right to empty it out.

I recall a story which I was told by a policeman who, unfortunately, has passed away now. Frank Gibson said that, on one occasion after the 2 km law was enacted, he came across a group of people who were drinking within 2 km of a licensed premises. A full carton was there. Frank asked each individual, one by one: 'Do you own the carton?' Nobody said that they owned the carton. Frank said that, in that case, there was no problem. He ripped open the carton and emptied each container. I don't think a police officer could be caught out if he went about it in that way. That is one of the interesting stories arising from the 2 km legislation.

It has been put to me in recent days that Imparja Television - which is Aboriginal television transmitting to Aboriginal communities and which we all enjoy watching - is having an impact on Aboriginal people in respect of the problem we are discussing. They see the nice advertisements and so forth, and they are reminded of the attractions and facilities which exist in towns. That creates a tendency to move. I would certainly like other

honourable members to make inquiries to determine whether there is a tendency for television and reminders of the bright lights of the city to encourage people to move to the towns, where they succumb to the local temptations, particularly drink.

I want to make a point relating to Aboriginal Legal Aid. Recently, a friend of mine saw someone who appeared to be trying to break into a car in Kittle's car yard. My friend saw a police car coming and he pointed this out. The police grabbed the offender, who had broken into a car. Later, I heard from the police that, within 1½ hours, Aboriginal Legal Aid had the man bailed. He went straight back to Kittle's yard, broke into a car, broke the lock and drove it into another vehicle. That is the sort of thing that Aboriginal Legal Aid is doing.

I recall the Alice Springs High School situation. Shortly after I left teaching, I was told that officers of Aboriginal Legal Aid went to Alice Springs High School and told the Aboriginal and part-Aboriginal children that, if they got into trouble, Aboriginal Legal Aid would get them off. I believe those children should have been told that Aboriginal Legal Aid would see to it that they got fair treatment but, if they did the wrong thing, they would deserve to be punished. However, that was not the attitude. I think of the advertisements on Imparja Television for Aboriginal Legal Aid. They show 2 hands shackled with chains, and the chains being broken. If someone has done something wrong, they should be punished. If they have not, then they should get off.

Mr VALE (Tourism): Mr Deputy Speaker, I would like to speak in support of the Chief Minister's statement concerning law and order in Alice Springs. In commencing, I can state that the incident referred to by the member for Sadadeen, which took place in Peter Kittle's car yard, was the third break-in on those premises. Of course, the problem is that Aboriginal Legal Aid is morally obliged, if not legally obliged, to represent its clients. It is a case of being between the devil and the deep blue sea.

Last month, I outlined a number of measures that the government proposed to implement in central Australia to combat problems associated with alcohol abuse and crime. I did so on behalf of the Chief Minister, and I will come back to those points later. First of all, I want to go back 27 years, when a group of residents in Alice Springs was headed by a fellow called Brian Kirk, who was an older brother of Dr Kerry Kirk, a very eminent doctor in the town. Brian Kirk headed an organisation called the Cross-cultural Group. In the early 1960s, the group decided that there was a problem in that Aboriginal visitors to town did not have toilets, showers and camping facilities. The group recommended that 2 camps be established, one to the north and one to the south of the town. That proposal was accepted by most residents in central Australia as being reasonable, well within budget limitations and something which would probably work.

Today, of course, we have 19 camps occupying 250 ha of land in Alice Springs. As residents of Alice Springs know, when some Aboriginal organisations - though not all - want to obtain a block of land, they set up some Aboriginals with a few basic facilities on the land in question and then dare the world to move them on. That is exactly what has happened in a number of those camps. Whilst the best of the Aboriginal camps are well run, and there are a number of them in town, properly policed by their own people and kept pretty clean, a number of the camps are a disgrace, littered with beer bottles and beer cans from one end to the other. Drunks come into town, push the locals out, take over a camp, go on binges and then head bush. The best camp in town, the one with the nicest trees, lawns, gardens

and everything else happens to belong to Mr Geoffrey Shaw, a very prominent figure on the Tangentyere Council in Alice Springs, and I just wonder who does all the gardening up there.

There are now 19 camps on 250 ha of land and, immediately I went public with the government's proposals for the clean-up of the town area, the first thing that the Tangentyere Council said was that it needs more camps. The fact of life is that, if people decide to get turped up on the river side or in the riverbed, it does not matter if there is a camp 20' away or 20 miles away. People will not go home. They will camp where they are, and that is why additional camps are not the answer to the problem.

The 2 km law was introduced as the result of considerable pressure being brought to bear on the government, not from whites in the town but from Aboriginals in the bush who said: 'Enough is enough. In the old days, we would come into town to do our shopping and see the doctors, we would camp overnight and then we would go bush again. We can no longer do that because the river is full of drunks from one end to the other. It is our request that you crack down'. Of course, we did crack down. Originally, it was proposed that we limit the drinking to within 5 km of town. Then we moved it back to within 2 km of an outlet. Let there be no false accusation that the legislation was racist, as some ALP people tried to make out at the time. It had its origins in the Aboriginal communities in the bush, where people are very concerned about the problem. For every drunken Aboriginal anyone can show me in town, creating havoc, embarrassment, mess and nuisance, I can point to 20 or 30 Aboriginals out in the bush who are thoroughly ashamed of the behaviour of their relations or their fellow tribespeople. I guess that enough is enough.

If this problem is to be solved, it will be solved only by the community working closely with the government. The member for MacDonnell made some gratuitous statements about all of his proposals. I suppose that the Australian Labor Party would like to line up a dozen committees, stretching all the way from the top end of town to the Gap. Even if it did that, it would be unable to work with the community to solve the problems, because it cannot get its own act into gear to move in a single direction. For example, when I made a statement relating to these matters on a previous occasion, the Leader of the Opposition said that he did not have any argument with the actions being taken by the government. However, the ALP member for MacDonnell said that a war on drunks was absurd. Because members opposite cannot agree on what steps could or should be taken, how in the heck could they work with Alice Springs residents on this problem?

In its policy platform, the Australian Labor Party proposed the abolition of the 2 km law. Honourable members from Alice Springs would remember only too well what it was like in Alice Springs prior to the 2 km law coming into effect - drunks all over the footpaths and on vacant blocks of land around town, broken beer cans, and people urinating in public places in full view of vehicles and the public. It was a mess! The town was slowly pulling itself apart. Certainly, the 2 km law is not ideal legislation, but it is the best that we have to work with. Provided that it is policed severely and fairly, it will have a great effect in helping to reduce the problems associated with alcohol in the town.

Like you, Mr Deputy Speaker, I would like to pay tribute to the police officers who came down from Darwin a few weeks ago. They achieved 2 things. Firstly, they improved the morale of the police officers in Alice Springs who were operating under extremely difficult circumstances and doing an excellent job in a situation in which they are called on to perform some

terrible tasks. Secondly, they provided a great morale boost for residents in Alice Springs. People have had their cars stolen not just once or twice but, in some instances, 3 times. For these people, enough is enough. The town, in essence, has had a gutful of loutish behaviour.

Let me make this point, Mr Deputy Speaker. If I visit Yuendumu, some local rules govern my behaviour. For example, I am not allowed to carry alcohol. I accept that. That is a law made by the Yuendumu community for its own people and for visitors. The same must apply in reverse. When residents from the Aboriginal communities come to Alice Springs, they must accept that the law of the Alice Springs town must be observed. That means no drinking in the riverbed, no drinking on footpaths and so on. The old Aboriginal men, and some them are not so old, constantly talk to me about the need for the 2 laws, black and white, to work together. They make a sign to signify that.

I do not want to pick on Yuendumu constantly but, to use it as an example, the senior people crack down on the young blokes. They say: 'No booze'. They smash bottles and empty out their contents. I have seen women at Yuendumu take car loads of alcohol and smash every last container. The young men then go to Alice Springs, where they stay until the European law cracks down on them, when they bounce back to the bush. They are caught between the 2 laws. Senior Aboriginals are saying that the 2 laws can work together and I believe that this problem will be solved only when the Aboriginals themselves start to become actively involved and recognise that there is in fact a problem.

I believe that last weekend's march by Aboriginal women in Alice Springs was more important to the Aboriginal race in the Northern Territory than the advent of land rights legislation because, at last, Aboriginal people have said that enough is enough. Certainly, they will need government assistance but they finally realise that, if Aboriginal culture and the Aboriginal race as we know it are to be preserved, Aboriginal people will have to become very involved in solving the problems associated with alcohol.

I said earlier that, for every drunken Aboriginal in town, there are 20 or 30 or more in the bush who do not drink or who do not cause problems when they do drink. I was out at Napperby a few weeks ago. Some years ago, I got Roy Chisolm to put a football ground in there. It is pretty rough but there are goalposts at each end. Roy is probably a rugby fan. The oval is supposed to be for Australian Rules but the goalposts seem to be about a kilometre apart. That point aside, there were close to 3000 Aboriginals in attendance on the day that I visited. They had come from as far afield as Harts Range, Willowra, Mount Allan, Napperby, Ti Tree, Alcoota, Anningie, and Stirling. People had been playing football for 2 or 3 days and there was no booze. They had picked up fresh fruit on the way, probably from Ti Tree. There were no problems. People were going about their everyday life and having a heck of a lot of fun doing so.

The proposed reduction in trading hours, at least on a trial basis, will have 2 beneficial effects. The reasonable residents of Alice Springs will accept some restriction in access to alcohol if it assists in solving the problem. If it does not, they will ask why they should have their access to alcohol restricted as well. I remember that, when the 2 km law came in, the federal Minister for Social Security was Fred Chaney. Following discussions with Aboriginal women, I phoned Senator Chaney and said: 'I have a problem. The women tell us that, if you can get your cheques out through the office early at about 8.30 am or 8.45 am, they will cash the cheques and they will get a lot of tucker. At present, the blokes blow the money on

alcohol virtually in a matter of hours'. I believe that, by restricting opening hours again, we will bring about a return to the previous situation. Just as importantly, the police are operating under extremely difficult circumstances. We will take some pressure off them by restricting the number of hours during which alcohol is available from takeaway licences. I think that the police will be appreciative of any move in that direction.

A committee of the Tangentyere Council in Alice Springs recently released a report on the situation of campers in the bed of the Todd. The person who was commissioned to compile it said that, as far as he was concerned, everyone who camped in the Todd was very happy. He should have crossed the banks of the river and talked to the people on each side - the shop-owners, the car-owners and other Aboriginals around the town. I am certain that other people in the town are not happy.

I heard the member for MacDonnell talking about the number of Aboriginals camped in the riverbed. Let me tell him that, 25 years ago, only a few people camped in the river and they only did so overnight. They came in to do some shopping or to visit the doctor and, after doing so, they departed. The number of Aboriginals camping in the Todd would have increased twentyfold since the early 1960s and, unfortunately, they are not the type of campers anyone in the town would welcome. No one in town is happy with that type of camper.

I am certain that most residents in central Australia will welcome the government's proposals in relation to the drinking problem and will be pleased that an investigation is under way in relation to the possible installation of video cameras. I recall that, on the afternoon when I announced the government's proposals, the member for MacDonnell attacked the proposal for cameras as being absolutely useless, saying that Vale was off his perch again. Let me tell him that it was not my idea. The idea was first floated by the Commissioner of Police, Mick Palmer, in meetings with the Chief Minister, the member for Araluen and myself. He had seen such cameras in the Perth Mall. Certainly, they will not stop a drunk putting his foot through a shop window. However, they will enable the security company with the surveillance contract to phone the police and guide them to almost the exact location of the incident.

Mr Collins: Rundle Mall has them too.

Mr VALE: Thank you for that information.

The cameras will be invaluable. I repeat, however, that it was not my idea to install them. The Commissioner of Police suggested that we investigate the proposition.

Mr Deputy Speaker, in conclusion, I would like to read part of a letter which I received from 2 men in Alice Springs. You know both of them but I am not going to reveal their names for obvious reasons. For years, these 2 men have been terribly concerned about the damage which alcohol is causing to the standing of Aboriginal people in the wider community and to the Aboriginal people themselves. This is what they say:

> Grog makes them lazy. They will not work and only think about getting the cheque and getting more drunk. They have to look at knocking off the cheque somehow. They sit down and never do work. They know they will get the cheque.

It is a pretty sad reflection that, 23 years after Aboriginals were given full citizenship rights, it appears that they are going backwards in many respects.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I believe that the Chief Minister's statement is timely. There is no doubt that there are increasing levels of crime and violence in Alice Springs and I know personally of a couple of cases of people leaving Alice Springs because of their concerns about what is happening there. Incidents such as the injuries to the 3 policemen simply cannot be tolerated. For that reason, the Chief Minister's statement is timely. I do not necessarily agree with everything that the government is proposing and I will deal with my specific concerns shortly. At the outset, I would like to say that I believe the whole situation is complex. I do not believe that there is an easy fix. The solution will need to be wide-ranging.

In today's debate, no one has yet touched on the impact of events in Alice Springs on the tourist industry. Recently, I was on a bus coming back from Tennant Creek. I noticed that, when the bus driver dropped us off at the Ford Plaza, he gave a run-down on the attractions of Alice Springs and concluded by saying: 'As in every other place in the world, it is wise not to walk around Alice Springs at night because bashings and other bad things can happen'. I believe that, if we do not address the problems in Alice Springs, they will eventually impact on our tourist industry. The impact could be very severe if we are not careful. If word gets out that we have problems or if tourists are in any way molested, we could be in considerable difficulty.

The government seems to highlight what is happening at the detoxification centre. I have been to the centre and I think it is worth letting people know what actually happens there. People cannot get into the centre unless the police pick them up. For that to occur, the people must have been causing some nuisance or other. When taken to the centre, they normally have a shower. Their clothes are washed and they are put to sleep. When they wake in the morning, they are given a feed and allowed to leave. In terms of curing an alcohol disease, the process does not have much impact. People go through the detoxification centre and are liable to find themselves there again on the following night.

I note that statistics quoted by the Chief Minister indicate that 129 people have been through the centre 10 times or more. I would not mind looking at those statistics a little more closely. I believe that many of the people who go through the centre are what I would classify as chronic alcoholics. This is not a new phenomenon in Alice Springs. When I was a young fellow, the people who worked in the jail had a term for older Aboriginal men who, when the weather turned cold, would commit a minor crime in order to be placed in jail. Quite a few jail inmates were there because they were cold and wanted a feed and a decent night's sleep. I think that our detoxification centre probably looks after some people who are in a comparable situation but I do not know that it addresses the actual disease of alcoholism.

I have a great deal of sympathy for our police. I believe that half their time is spent in picking up drunks and that applies in every centre throughout the Northern Territory. That indicates that our system is not working. If our police have to attend to matters like that, it is crazy. It is evidence that we have not hit the right formula at the moment in terms of addressing the problem.

I turn now to the specific matters mentioned in the Chief Minister's statement. It is clear that additional police will help in the short term. Whilst it raises the question of resources and how long we can keep providing them, it provides a quick answer to keeping the lid on the problem. I can understand that lighting in the mall would be very beneficial to the shopkeepers and the people who own properties in the mall. However, all it will achieve will be to shift the problem to another street in Alice Springs. I do not think that it has much going for it apart from looking after the shops in the mall, and I am sure that their owners are happy with the suggestion.

In my contribution to the previous debate, I referred to the reduction in the trading hours of takeaway liquor outlets. I believe that the situation is now so severe that we have to consider measures such as this. I agree that the reduction should be given a trial run and I really would like a little more information about the impact on the community of prohibiting sales on Sundays. If the problem continues, I believe that we will have to consider and possibly carry out such actions in the near future. I believe that the 2 km law only pushes the drunks from one area of town into another area further out. On a number of occasions, I have received complaints and requests from constituents in outlying areas asking for something to be done about the drunks. I do not know that the 2 km law does very much except clean up central areas where the tourists go.

I applaud the minister's suggestion that an attempt be made to have social security cheques collected only in home communities. I hope that the federal government will agree to that because it could have an amazing impact. I also believe that, provided there is wide-ranging consultation, the Fight Crime Committee must be helpful. The establishment of that committee is a positive move.

The Chief Minister's statement referred mainly to tribal Aboriginals. In that context, a couple of points are worth considering. If we do not provide health, education and housing facilities to communities out bush, the people will have no option but to join the drift to the towns. Certainly, that is occurring in Tennant Creek. In future, we will see more people coming into the towns. With the Aboriginal communities electing to have dry areas, people who want to drink are moving to the major centres. That move will compound the problems in the larger centres. With the many facilities in Alice Springs, such as the Institute for Aboriginal Development, the Tangentyere Council and the camps, we are encouraging Aboriginal people to come into town. If we have many people in town, they will have many visitors and the drinking problems will be compounded. Those points are worth considering.

Some of my constituents are at Amoonguna. It is obvious that a large number of Aboriginal people themselves are embarrassed about what grog is doing to their communities and to their families. In fact, I know of a case in Alice Springs in which 92 people in a particular family have died during a 7-year period. These were directly related relatives. Many Aboriginal people are very concerned about what is happening and would like to see something done about it. Sometimes we lose sight of that. In his statement, the minister said:

> From local police, local residents and parliamentary colleagues, I am led to believe that much of the vandalism and violence can be sheeted home to Alice Springs residents, often wandering in loose gangs around late night drinking spots, much as similar people with

similar lifestyles and motives are causing similar problems in Sydney, Adelaide and Port Augusta.

I mentioned previously that I have a part-Aboriginal friend who has been a great friend of mine for many years. He believes that most of our serious crime in Alice Springs is caused by part-Aboriginal youths who have chips on their shoulders. They are anti-black and anti-white. He believes that these people commit the greatest percentage of the crimes in Alice Springs and he believes that many of the families of these youths are the problem. When the young people go home at night, their parents are probably drunk. I might say here that I am referring only to some part-Aboriginals and am aware that this also happens in white communities. When the children open the fridge, they find that it is full of green cans but contains no food. They have nowhere to go because the circumstances at home are unbearable and they have to pinch things to eat. I do not know the answer to that problem, but it is worth thinking about.

I met a priest in Alice Springs called Father Phil Hoy who worked with drunken men in Melbourne for 8 or 9 years. He said that the disease of alcoholism is the second problem and that there is always a first problem underlying it. I believe that is the case with the Aboriginal people whom we are talking about. The long-term answer is to raise the self-esteem of Aboriginal people. They need our help in finding work and improving their health, housing and education. I am encouraged to note that the Northern Territory government will try to exert some pressure on the federal government in respect of work programs. That is a long-term solution.

The experts in the field call alcoholism a disease. If you are black or white or part-coloured and you acknowledge that you have a problem with this disease, where do you turn for help? I do not think the Chief Minister's statement has addressed that matter at all. If a person really wants to know what is happening to him, where does he turn? The only treatment that is available at the moment is the AA programs. Two Aboriginal people in Alice Springs have started AAA, Aboriginal Alcoholics Anonymous. It is socially unacceptable if you go to AA. I know that there is a range of other treatment programs available in Australia today. In Alice Springs, we have only scratched the surface in providing these programs to people. The government needs to examine other programs for people who desire treatment or rehabilitation.

In conclusion, I believe that the Chief Minister's statement is timely. I think it is an encouraging statement.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, in rising to welcome the statement by the Chief Minister, I would like to make some points. Because I am a regular visitor to Alice Springs, I am aware of the problems that Alice Springs faces and I have been aware of those problems for a long time. When I came to the Territory 26 years ago, the problems in the streets of Alice Springs were incredible. In fact, one really took one's life into one's hands going into the main street of Alice Springs after dark in those days. I heard some horrific stories of people being chased and all sorts of frightening experiences.

Thankfully, those days are gone. It is quite erroneous to think that we have not improved over the years. We have improved enormously over that 26 years. That has been due largely to the actions of this government over the last 12 years in introducing legislation that, to a great extent, has been able to come to grips with the problem. The Alice Springs scene is not

the problem; it is the public face of the problem. The problem exists at the community level. It does not exist in Alice Springs per se; it is a community problem.

One of the words that is becoming very much the catchphrase of Labor Party policy is 'empowerment'. It is a catchphrase that the Labor Party and its henchmen use to put in place their philosophies. In its platform, under the heading of 'Equity', it states: 'Any disadvantage that results from limited access to economic resources and power should be reduced'. It sounds fairly innocuous there but, in fact, that word is being widely used by Labor Party supporters in order to indicate to Aboriginal people that they are being trodden on by white society and, in particular, by the Northern Territory government. I have had a number of experiences of that type of brainwashing.

If any action of this government ever gave Aboriginal people the ability to have power, it is legislation for community government. Community government provides Aboriginal people with the ability to make laws. It gives them the ability to make laws that have binding power over all of the people within their community, whether they be Aboriginal, whether they be from other areas, or whether they be white. It gives them power to make laws that have the binding power of Territory law over all of its citizens. In fact, this is where the problem currently lies. The opposition would have us believe that the Territory government does not have a framework in place. The framework is there through community government legislation. If communities were prepared to take up the challenge of being more in charge of their own affairs by taking up community government, they would have the framework they require largely to overcome this problem of abuse of alcohol. Communities have an ability to police it at the local level. The opposition is very much in favour of power for Aboriginal people. It ought to support wholeheartedly the ability of Aboriginal people to use that community government legislation and therefore control the problems in their own way in their own communities.

Unfortunately, I heard the member for MacDonnell on radio this morning saying that there was more than one option for local government in Aboriginal communities: community government or association under the federal Associations Act. Obviously, he does not know what he is talking about. That is a matter that I brought home to the member for Arafura last week. One is a council under community government legislation and the other is an association under federal law. One has the power to make by-laws which have binding power of Territory law and the other has no power to make by-laws. In fact, it can service only its members and have control only over its members. They are not equivalent and should not be used by the opposition in indicating the sorts of local government that might be available to Aboriginal people. I notice that, in its platform, the ALP proposes that there could be these other forms of local government via association available to Aboriginal people in the future. It ought to recognise that that will never give Aboriginal people the ability to have the power which it espouses.

Employment opportunities and housing etc certainly have an impact on the actions of Aboriginal people, as they have an impact on the actions of all people. Alcohol is a problem not only for Aboriginal people and certainly not only in Alice Springs. It is a problem that exists in the wider community. In Alice Springs, it is very obvious because the Aboriginal people who are drinking have come into town without the capacity to get themselves behind closed doors. When they drink, they are very obvious in

the community. Many itinerant Aboriginal people go to towns for the sole purpose of drinking.

There is no reason at all why the community should accept that as being reasonable and normal behaviour. If I were to go into an Aboriginal community and behave in an unacceptable manner, I would be told to leave, and quite rightly so. The same should be the case for Aboriginal people if they come into a town and behave in a way that is not acceptable. I am not just putting it on Aboriginal people. It goes for anyone in the community who creates a nuisance. They ought to be told to move on.

Certainly, I do not believe in restricting operating hours of liquor outlets so that they are open for fewer hours or closed down completely, or so that there are fewer of them. That is not the answer to the problem. Experience shows us that, if a liquor outlet is closed down for a period, the people who wish to drink find another way to get alcohol, and sometimes in a less controlled manner, and this can create real difficulties. There is no evidence, nor do I believe that there can be evidence, to show that closing down some licensed premises, having fewer licences or shorter hours, will result in less abuse of alcohol. It does not work that way. To close liquor outlets for 1 day, as the member for Sadadeen suggests, may result in giving people some respite from drunkenness. It does not, however, overcome the problem. I cannot see any way in which those measures necessarily provide answers to the problem.

There are a number of players in this matter. The Alice Springs Town Council has a role to play and that role is in local action. It has the ability to respond locally. It has the ability to keep people out of the bed of the Todd. It is true that its inspectors may be afraid, but the council has the capacity and it has to find the means of putting its powers into effect. It is the council's responsibility to ensure that that is done. The government has the capacity to provide the framework, and we do that in a range of ways, through community government, the 2 km law and a whole range of other measures. We can do better, and we will do better, and the proposals put to the House today are a sign that the government is committed to doing more.

Aboriginal communities and Aboriginal people generally have to play their part as well, and their part is commitment to doing something about their situation. Unless there is commitment from the Aboriginal people themselves, nothing we do, no amount of words spoken in this House, no amount of talking to people in the streets of Alice Springs and no amount of going out into the communities and talking will fix the problem. The only way the problem can be fixed is through commitment. All parties need to be committed. In this case, the 3 parties have to be committed: the council at its level, the government at its level, and the Aboriginal people, both in their communities and when they visit the towns. A commitment is required from all.

The Labor Party's advocacy of the abolition of the 2 km law will not achieve anything. It might sound fine, but it will not achieve a thing. Everything we are doing currently is just treating the sickness. In no way is it preventing the sickness. It is only treatment and it is not prevention. Prevention is in the hands of the abuser in this case, the person who is drinking alcohol and making a nuisance of himself. It is in the hands of those people.

It is my personal view that dry areas are not the answer, although some communities have found that they provide a short-term answer. Dry

communities represent a commitment. If people are committed to a dry community and are prepared to enforce a dry community, I applaud that commitment. I do not necessarily agree that dry communities are the answer. Creating a dry community is rather similar to the behaviour of the ostrich, burying its head in the sand. At some time, each dry community will have to face up to the fact that alcohol is in the community and, unlike some other substances, is unlikely ever to be banned. As a consequence, the fact that it is there will have to be accepted and the community will have to come to grips with it. More town camps will never be the answer. A number of honourable members have made that point today. How can town camps be the answer? They become permanent communities and more people will continue to come in and demand new town camps. It creates separatism. It is not an answer in itself and it will never be an answer, and it is not preventive. It will not achieve anything.

I am not knocking the Tangentyere Council. On a number of occasions in this House, I have had cause to argue with some of the actions and some of the complaints of the Tangentyere Council but it has a role to play and it plays it well in many cases. However, it is already the most highly subsidised Aboriginal organisation in the Northern Territory. It receives more in local government grants from my department than does any Aboriginal community in the Northern Territory. It receives those grants as a consequence of the Commonwealth pulling out of providing funds to the town camps. Once upon a time, they were established with Commonwealth funds. Once established, the Commonwealth pulled out and we picked up the tab. About $700 000 is provided in untied grants and I do not see how we can maintain that forever.

This year, the federal government pulled out of funding Kalano in Katherine. My department's budget will not grow, but it will be expected to pick up Kalano, another town camp organisation. The only way I can see of doing that is by splitting the funds, taking some from the existing town camp organisations and providing it to the new ones that we have to pick up. That will not fix the problem either, but it is a sign of the consequences of the actions of the federal government.

Often, we are abused and told that we do not provide enough, that we are not doing our job, and that the Commonwealth is doing all the work. In fact, it is the Northern Territory government which is putting its discretionary funds into the pot and providing in excess of two-thirds of what is going into Aboriginal communities now. We cannot keep that up as we have been doing until now. Of course, dollars will not fix the problem. As I have said already, the solution comes back to commitment. Commitment is the only thing that will fix this problem, and I would ask that members of the opposition accept that, rather than attempting to score points as the member for MacDonnell did tonight, disagreeing with his own leader by arguing that our proposals will not fix the problem. There is no need for that. Most of the members opposite represent communities which are largely Aboriginal and there is a need for them to convince their constituents that they have a part to play and that that part is to make a commitment to ensure that the very good framework we have in place in the Northern Territory is used effectively so that, together, we can beat those problems. That will never happen through point-scoring. It will never happen through blaming all the difficulties on one party. The problem belongs to all of us and together we have to fix it.

I applaud the women, who are often the people who will break these problems in Aboriginal society, as I have found previously. The women will come out with a strong voice and, through their efforts, will turn around

some of the more lamentable situations that exist in Aboriginal communities at present. I applaud the efforts of the Aboriginal women in Alice Springs last weekend. I understand that senior Aboriginal male leaders were also involved, but it was the women who came up with the idea. I believe that we should listen to them, and listen to the very wise counsel that they are providing in order to try to bring this problem under control. It does require all of our support, and I strongly support the Chief Minister's statement.

Mr LANHUPUY (Arnhem): Mr Speaker, the Chief Minister's statement addresses a subject which is a matter of concern not only to people in Alice Springs but also to people in other centres in the Northern Territory. I for one believe that alcohol is the worst enemy that my people have in the Northern Territory. I have seen the disastrous effects it has had, not only in my community but throughout the Northern Territory. I am aware of certain deaths which have occurred since Aboriginal people have been allowed to consume alcohol and to exercise their rights in the same way as anyone else does in the Territory. I support some of the statements made by the Chief Minister, and I welcome them. As the Minister for Labour, Administrative Services and Local Government said, all sections of the community have to get together to ensure that consultation occurs, that people look at all the side effects and that people look at the legislation affecting the anti-social behaviour which is occurring in Alice Springs at the moment.

When I was in Alice Springs some 2 weeks ago with the Select Committee on Constitutional Development, I took the opportunity to go around the township with the member for Wanguri to see for ourselves and to appreciate the difficulties which people are experiencing in coming to grips with this disease. First and foremost, I would like to take my hat off and commend the services that are being offered by the sobering-up shelters and the people in organisations such as the Tangentyere Council who have for some time have been advocating the establishment a facility where Aboriginal people would be able to drink in a manner which, hopefully, will improve their standard of behaviour and where those people may acquire a better understanding of how to appreciate grog.

Quite often, I have heard it said that many of my people drink alcohol for the purpose of getting drunk. That may be the case, but I would like to refer to a point made by the member for MacDonnell. What are the facts when it comes to asking why people are sitting in the bed of the Todd River, the Todd Mall in Alice Springs and in various places around Darwin? In terms of the causes, there is more to the situation than meets the eye. For example, some camps around Darwin have popped up because of restrictions on alcohol consumption in places like Milingimbi, Ramingining, Galiwinku and so on. I know for a fact that many families have moved to Darwin because the men want to stay in an area where they can drink. That is an issue which individual communities and the community at large in the Northern Territory must come to grips with.

Many times, I have expressed to my people the view that an educational process needs to take place in respect of the long-term understanding and appreciation of alcohol. In communities, I have been pushing a hobbyhorse of mine which is based on the hope that, if communities let light beer in, people will drink it and appreciate it. I appreciate the fact that that may not be the case with some communities, such as Bathurst Island. People have also tried light beer at Gunbalanya, but it has not caught on. In one of my communities on Groote Eylandt, that course of action was implemented and, certainly, the people on the island did not like it. However, the club

was closed when the community at Angurugu took a decision to withdraw use of the club by those people. As a result, people went from the island to pick up their grog at Borroloola, at great expense. People have gone to Nhulunbuy. They have chartered planes for the purpose, using funds that I believe should support communities in remote areas.

Many people leave their jobs and become unemployed, seeking to have easy access to grog. They drift in dribs and drabs to urban centres like Alice Springs and their numbers build up. They cannot get jobs in places like that and the need for transient camps develops. Tonight, honourable members have said that many transient camps have developed over a period of time. I believe that is because restrictions are being placed on people who otherwise really appreciate a beer after a hard day's work.

I note with interest the comment made by the Chief Minister in relation to unemployment cheques being held in communities like Yirrkala instead of being distributed to people in towns when they come in for the purpose of drinking alcohol. I do not know whether that would be a very good move. However, it is certainly a proposal which will have to be considered by the Northern Territory government. I am not saying that the government should totally reject the idea. It has some merit and it should be the subject of consultation with the people concerned. I personally believe that it will not work because it will deny people the right to social benefits from the government to support themselves and their families in areas like Alice Springs. If they do not get that support, I believe that it will lead to vandalism, stealing and so on.

I am sorry that the member for Stuart is not here because, like the member for MacDonnell, he is very familiar with the situation in Alice Springs. We have heard a great deal of talk from members based in Alice Springs, pointing out that we have a problem. Certainly, we have a social problem. There is no doubt about that. However, I would like honourable members to occasionally consider the needs of the people and why they find themselves in particular situations. Have they ever considered sitting down with the people camping in the bed of the Todd to talk with them about some of the difficulties that they are having and why they are there? Certainly, researchers, departmental officers, and local government officers are not going into these areas to obtain information for ministers and the government. I would like to see the Sessional Committee on the Use and Abuse of Alcohol by the Community speak to some of the groups who live in the camp areas around Alice Springs, Katherine and Darwin.

The Chief Minister indicated in his statement that his government would consider restricting trading hours for takeaway outlets. I do not see why that should not happen initially, but I do not think that it will solve social problems, especially in places like Alice Springs. I am sure that people who realise that the outlets are to close by 7 pm will simply buy up big earlier. We are really talking about a social disease and attitudinal change is the key to progress. As one of the government members said, it is a long-term process. I accept that. I believe that educational material should be published in the form of pamphlets. I commend the Drug and Alcohol Bureau for doing exactly that. It is doing a very good job of informing people about the dreadful effects of alcohol in this community generally.

The Minister for Labour, Administrative Services and Local Government argued that Aboriginal communities require certain behaviour from visitors and that the same should apply when people from those communities visit places like Darwin or Alice Springs. I really do not see that as an

argument. The honourable minister is trying to compare open townships like Darwin and Alice Springs with communities like Milingimbi and Ramingining. The honourable minister is very well aware that those communities were specifically given to Aboriginal people under schedule 1 of the Land Rights Act, which was enacted for their protection. No one is going to tell me to stop coming to Darwin to carry out my duties as a legislator in this House. I go about my duties here, as do other honourable members, without having my presence questioned and the idea put forward by the honourable minister is rather difficult to comprehend.

I commend the comments made by the member for MacDonnell in relation to seeking a more diverse group of members on the Fight Crime Committee in Alice Springs. Surely it is vital that the people who are involved with the core of the problem take part in discussions on the issues which are affecting their communities and their groups. If such people were represented on the Fight Crime Committee, the community would come to understand the social circumstances which Aboriginal people face in Alice Springs. At this stage, however, the committee can only get a one-sided view about the difficulties being experienced in the town. I recommend that honourable members of this House who come from Alice Springs pursue the idea of getting members from Tangentyere, IAD and other Aboriginal organisations in Alice Springs, to enable the committee to consider the ever-developing needs of people in town, especially in the fringe camps.

I was very interested to hear the Chief Minister say in Alice Springs that he understood some of the concerns which people expressed about town camps being created without taking into account the fact that there may be friction between 2 clans within a given area. I thought that that showed a level of understanding on his part. The problem needs to be looked at. Whether it can be solved by creating more town camps is a matter for the government, but I hope that it takes its decisions in consultation with the people in Alice Springs.

All honourable members are aware of the fact that we are dealing with a very difficult problem. We are hoping to join forces with the government to overcome the disastrous problems which are occurring in Alice Springs. I would like to remind honourable members that it is certainly a long-term problem. We have to come to grips with that. There are agencies in the Northern Territory which can assist, and I hope that we can achieve our aims in combating this social disease.

Mr HATTON (Health and Community Services): Mr Speaker, I would like to commence by quoting a section from the Chief Minister's statement. At page 4, he says:

> From local police, local residents and parliamentary colleagues, I am led to believe much of the vandalism and violence can be sheeted home to Alice Springs residents, often wandering in loose gangs around late night drinking spots, much as similar people with similar lifestyles and motives are causing similar problems in Sydney, Adelaide and Port Augusta.

I refer to that quote to remind honourable members that the Chief Minister made the point very clearly in his statement that, whilst social misbehaviour and serious problems exist in Alice Springs as a result of drinking by local Aboriginals and visiting Aboriginals, and whilst an element of crime and violence flows from that, it should not be assumed that Aboriginal drinking is the sole and primary cause of crime and violence in

Alice Springs. Clearly, it is not. If we are to address the issue of increasing crime and violence in Alice Springs, we cannot concentrate merely on Aboriginal drunkenness and the related social concerns applying to the town camps etc.

That is not to say that those matters are not serious problems, or that those issues should not be addressed or are not part of the problem. Undoubtedly, they are. However, there are other issues and, if the government and the community are to deal with the problems, we need to be equally prepared to look at the non-Aboriginal population and to ask about the causes leading to social misbehaviour and criminal behaviour amongst the non-Aboriginal population in Alice Springs and, if appropriate, amongst the visiting tourist population. We cannot ignore those issues and I draw them to the attention of the House because I have some concern that this debate has concentrated itself almost solely on the issue of Aboriginal drinking. We must look at both sides of the coin. Having said that, there are issues associated with Aboriginal drinking to which I would like to draw attention whilst noting comments made by the Chief Minister and other honourable members.

My comments are not necessarily based upon my own personal views. They arise from views put very strongly to both myself and the Chief Minister last weekend, by Aboriginal men and women from rural areas. In summary, they said: 'If you build a special Aboriginal social club and provide a whole lot of extra transient camps to make it convenient for people to camp when they are in Alice Springs, all you are doing is increasing the attractiveness of Alice Springs as a location for the people from the bush to visit. If you have that sort of money to spend, why don't you spend it on facilities in the rural communities where you might actually provide an incentive for people to stay at home rather than go to town, getting drunk and causing trouble for the local residents?'

That sort of approach has a level of sweet logic which is very compelling. We should not simply ignore it. It is very convenient simply to ignore such statements. But, Mr Speaker, put yourself in the position of somebody who lives at Papunya, Yuendumu or Kintore. Someone says to you: 'Look, if you happen to hitch a ride into Alice Springs, there is this you-beaut special club especially put aside for you where you do not have to mix with white people. The police are not going to harass you. You can go in there and have a drink and a good time and forget the family for a few weeks. You can easily walk down to Social Security and pick up your dole cheque and your family's dole cheque. You can spend a couple more weeks drinking and, when you get a bit tired of having a drink, you can wander up to these special new camps where there is a place for you to sleep'. That hardly sounds like a disincentive to go into town, does it?

I think that we ought to take note of what the senior traditional Aboriginal women and men are saying. Their message is very different to the message given to the government by the town organisations during the last few years, and we ought to think about that. I put that before this Assembly because it is easy to brush things aside when they do not seem to reflect the generally held view. It happens to be the considered view of the people who are suffering the consequences which arise from Aboriginal people going to the towns and getting drunk. Those people indulge in behaviour involving all sorts of breaches of tribal law. Also, they consume their wives' and their kids' tucker money and someone has to go and look after those kids in the bush. They have kids and families that are starving and suffering in the bush while they are spending the money on drink in town. That cannot be ignored.

The people who are suffering the consequences of that behaviour are asking why the government makes it so easy for their money to be collected in town. They say that there are CDEP programs in their communities but that often men do not want to work for the CDEP money and instead move to Alice Springs where they pick up their dole cheques with no problem at all and just spend the money on drink. The family is left out in the bush with nothing while the person in town drinks and does what he or she likes.

We say that people have a right to collect their social security money wherever they wish, but where are the rights of families? Are we forgetting them? It is all too easy to ignore the families. They are out in the bush where they are not so visible to the world at large. Nobody worries about the grandmothers who are looking after up to 30 and 40 kids each, because the parents have shot through to town to get on the grog. It is all too easy to ignore these problems, because we cannot see them. We can see the problems in Alice Springs and we say; 'Oh, isn't that terrible! What are we going to do? We will find a place where they can drink in the back blocks where we cannot see them, and then the problem will go away'.

The women from the bush communities are saying that people should pick up their dole cheques in their own communities, at home, and I believe that the whole issue of social security payments requires a great deal of attention. I am not talking about the justification for payments or for the amounts of payments but about the problems and conflict caused by the way in which they are paid.

Another difficulty was put to me as Minister for Health and Community Services. I was told that, when women come into town with their kids for hospital treatment for a few days, they cannot pick up their money in town because they have not organised themselves and gone through the administrative procedures. They end up having to go to places to pick up special welfare payments, or they starve. That situation has resulted in a disincentive to go into town for legitimate health purposes. Aboriginal people have been running around town helping people who have come in for hospital treatment to receive the welfare payments they need, while other people are coming into town, picking up dole cheques, and using the proceeds to get drunk. It seems to me that there is something wrong with a system which allows that to occur and I intend to make a close personal examination of the rights and wrongs in this area. I believe that the system requires close examination by the federal government. If it facilitates people taking money away from their families so that they can get drunk, and if it makes it difficult for people to obtain access to finances to feed themselves and to look after themselves when they come in to town to go to places like the hospital, something is wrong. As I said, I intend to look into the matter personally. Both aspects of the problem affect my portfolio. The drunks are a problem in terms of health services, as are the sick kids and the parents who are struggling to look after them.

The Aboriginal people who are raising these concerns are identifying real problems. Equally, we have concerns about the fact that people are going back to their bush communities drunk, are running grog in dry communities, and are beating up women and children and participating in fights. My nurses spend half of their time stitching people up and sending them away to hospital. As soon as they are fixed up, they leave hospital, get drunk and go back and do it all again. There is something seriously wrong, and we ought to be quite consciously looking at the practicalities of what we can do. To that extent, I think the program that started last weekend with the formation of a health committee is a positive, practical step ...

Mrs Padgham-Purich: Let's bring a bit of maternalism into it.

Mr HATTON: It is not paternalism ...

Mrs Padgham-Purich: No, maternalism!

Mr HATTON: Maternalism. In fact, I would like active self-help from the Aboriginal communities, with support from the government, and that is how I intend to develop any alcohol programs in respect of Aboriginal communities. What we do not want is incentives which encourage people to go to town to drink.

I would urge all honourable members to consider what the traditional, rural Aboriginal people are saying, because to me they are making a great deal of what my good friend the member for Koolpinyah calls good, honest, common sense, free of all the fancy language. They are simply saying: 'Look at the logic of what you are trying to do, so that you do not take action that will be counterproductive'.

I would like to make one final point, Mr Speaker. It is too easy to refer to Aboriginal people in Alice Springs as if the same situation applies to all of them. From many years of discussion with Aboriginal communities in Alice Springs, I know that the town people, the permanent Aboriginal residents of Alice Springs, are as concerned as anyone else about the problems. They see these visiting drunks and people misbehaving in town giving them a bad name. They are sick and tired ...

Mrs Padgham-Purich interjecting

Mr HATTON: Do you like those semaphore signs?

Mrs Padgham-Purich: Have you been taking lessons from the Attorney-General?

Mr Manzie: He has some continental blood in him too.

Mr HATTON: I must have somewhere.

Mr Speaker, in respect of the permanent residents in the town camps, their particular concern relates to the fact that visitors are flooding into their community and causing incredible disruptions. That is happening and we cannot ignore it. I am not certain where the balance is. In the interests of the permanent Alice Springs Aboriginal residents, we need to provide them with some relief from being continually intruded upon by local visitors.

We need to address the issue of the reality of people wanting to drink, whether they drink in town or whether communities can develop arrangements which allow drinking to take place under some controls and which remove the incentive for people to go to Alice Springs and cause trouble. Perhaps there may be some merit in the Tangentyere Council's suggestion of negotiated rules of conduct between the various Aboriginal language groups or tribes in central Australia with the Amatjerra people in central Australia on what is and is not acceptable behaviour on other tribes' land. It has been suggested that, in days gone by, there were some rules of behaviour which governed Aboriginal people from other areas visiting the Alice Springs area. Perhaps further action can take place in relation to such suggestions.

I think the processes that started last weekend may provide the foundations on which negotiations, and consideration of options, can be developed in a way which will result in Aboriginal people taking the decisions and starting to feel a sense of ownership and commitment. If that occurs, we might have half a chance of getting something that might actually work.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, whilst having no intimate knowledge of the situation in Alice Springs pertaining to crime and violence, and the increased consumption of alcohol which seems to be connected with it in some way, although perhaps indirectly, nevertheless I have an interest in the situation. Constructive contributions to this debate have been made by members on both sides of the House. Having listened to honourable members, it appears to me that it is not a simple question of cutting out the liquor outlets, closing the liquor outlets on certain days of the week, or doing only one thing. To remedy the situation, as we must and as the government has been requested to do by the Aboriginal women, the attack has to be many-pronged.

One of the easiest measures to look at would be a reduction in the hours of liquor sales from supermarkets and drive-in stores, and perhaps hotels as well. If the hours during which liquor can be sold are to be reduced, it has to be done across the board so that all outlets are treated in a fair and equal manner, so that holders of one kind of licence do not derive an advantage over the holders of other types of licences and vice versa. However, that would only cut down the hours in which grog could be available, and I think it would be pretty safe to assume that the people who are hardened drinkers would then wait an extra couple of hours to start in again. They would consider those 2 hours to be wasted drinking time and they would probably make up for it when the places finally opened, so that would provide only 1 step in considering the total problem.

I do agree with other speakers that violence would be connected only tangentially to the amount of alcohol consumed. Again, I believe that the increasing violence, not only in Alice Springs but elsewhere, is in no small way due to the violence we see displayed around us all the time, every day, everywhere, in the media in all forms, in the written word, in the spoken word and in the visual depictions on television. That violence has to be combated also in a multi-pronged way.

It is not only Alice Springs that has a drinking problem. In the past, though not so much these days, because I think that they now get their alcohol from the Palmerston area, a group of Aboriginals living near my office would buy large amounts of alcohol every pension day. We would see them go into the supermarket and come out with it. Unfortunately, the following day the health sister, who used to make pretty regular calls to the 14-mile camp, had her job cut out attending to all the cuts and broken bones, the results of bashings which people, mostly women, had suffered.

A certain lady used to work at the supermarket some years ago, and it is long enough ago for her not to be able to be identified. If she could be identified, probably she would be accused of something by the Human Rights Commission. However, what she did was sensible and down-to-earth. It was what the people wanted at the time, and she had to be commended for it.

This lady was born in the Northern Territory. She was born on a property way out, and she grew up there. From the beginning, she knew the Aboriginals of her area. In fact, she was considered to be one of them. She knew their way of life intimately. This lady was employed at the

supermarket and she had seen the men and the women come in with their social security cheques. The men would breeze over to the liquor area, load up with booze and clear out, leaving the women only a few dollars to get food for themselves and the children. After a while, the lady working in the supermarket had had enough of this. When the men and the women came to the shop one day, off her own bat and in no uncertain terms, she told the men to wait outside and to give their money to the women. She made the men wait outside. They gave the money to the women, and she told them to go ahead and buy their food. She reminded them of everything that they should buy - the fruit, the meat and the flour. At that time, the supermarket sold little dresses. She said: 'If you need a new dress, buy a new dress. If so-and-so needs a new dress, buy her one. And don't forget the things your children need'. When the women came to the check-out, she asked if they had everything and, if they had forgotten something, she sent them back for it. When they had finished their shopping, she told the men that they could come in and buy their booze.

During the time that this particular woman was employed at the supermarket, there were fewer fights. The health sister confirmed this. My office is adjacent to the supermarket and I can see people as they go in and out. We would see fewer women coming in with bandages - women who had suffered violence at the hands of men who had drunk too much. All in all, it was a much happier time. Unfortunately, that lady left the employ of the supermarket and, once again, the men take the money and use it to buy booze while the women are left to scratch around with the little that is left to try to feed themselves and the children.

The treatment of Aboriginal people by many white people in days gone by has been considered to be paternalism, and paternalism is bad. Paternalism implies that the Aboriginals cannot think for themselves and white people must make decisions for them. In some cases, this may not have been of benefit to the black people. However, in other instances, it would have been of benefit to them and it would have been a mutually agreeable arrangement. We could consider our official care of Aboriginal people to be paternalistic. The health sisters look after their welfare and we ensure that their children are sent to school. We check to see if they have done this or that. We are always checking to see whether their water bills are paid and their houses are up to scratch. Surely that is paternalism in a new form.

After the meeting that the minister's officers had with the Aboriginal women in Tennant Creek, I am of the opinion that we could discard paternalism and, in its place, adopt a bit of maternalism. If we adopted the maternalistic point of view, we would have a much saner and safer group of people. The women suggested that social security cheques should be payable only in the home community. That is an excellent idea and I wonder if anybody will have enough sense to implement it. I know that it is not the prerogative of the Northern Territory government, but it is another way in which the problem could be tackled. If the money is available only in the communities, it is more likely to be spent there. It is more likely to be spent on food and clothing for the women and children before it is spent on drink for the men. Whilst, unfortunately, more and more Aboriginal women are drinking now, it is mostly the men who drink.

The government should look carefully at the question of providing more drinking clubs for Aboriginals in Alice Springs. Whether people realise it or not, it is apartheid in reverse. We know what the people in the community think about apartheid in South Africa. Nevertheless, we would be encouraging it in reverse if we had segregated drinking clubs of that kind.

Mr Harris: They would still be open to everyone, wouldn't they? You would be able to go there if you wanted to.

Mrs PADGHAM-PURICH: My understanding is that they are to be for Aboriginals only and not for white people. If they are open to everybody, that is okay.

I do not believe that the appointment of more and more police will provide a real solution to the problem. They have a pretty thankless job. Putting more police on the street may alleviate the problem in the short term, but it will not solve it in the long term. It would be treating the symptoms and not the disease. As the member for Victoria River commented, we cannot introduce changes in our program to treat the symptoms; we must treat the disease. I agree with other honourable members that Aboriginals themselves have to bring a little common sense to their drinking habits. They should not listen to people who do not know much about black/white relations. I am not talking about the white advisers of 10 years ago but those that have taken their place.

It might pay us to listen to the Aboriginal women themselves. When Bathurst and Melville Islands were part of my electorate, at the first meeting I attended there, the women were up in arms about the increasing amount of grog going to those islands. The women repeatedly voiced their opposition to more booze being made available. Nobody listened to them. I wonder how many more people have to be killed or injured irreparably in body and soul before somebody will listen to what the women are saying.

A caring attitude does not always mean that we have to deprive people of their ability to make decisions. Often, people want you to make decisions for them. There are people in the community, not only Aboriginals, who prefer other people to make the decisions for them. They are happy for that to happen, provided all the pros and cons of a particular decision are explained to them.

The government needs seriously to consider the level of violence on our streets. There is no way that I would dare walk the streets of Alice Springs at night even with another woman. I would walk there only if I was with a group of people. After reading recently that 2 women were held up at knife point in Cavenagh Street by 2 thugs, I am of 2 minds whether I would walk the streets of Darwin without a companion.

The Attorney-General and the Chief Minister, as minister responsible for police, ought to examine this situation. When it becomes unsafe to walk our streets, we have real problems and not only for the local population if we expect to bring law-abiding tourists to the Northern Territory. If the worst comes to the worst, I present this scenario to the government members. People in the rural area are known for looking after themselves. That may not necessarily mean taking up firearms, but I think we must look after our own interests if the government does not. Law and order is very important.

The Attorney-General presented a statement in relation to heavier sentencing for serious crimes. I hope the government continues to give serious thought to law and order and makes our streets safe for anybody to walk them at any hour of the day or night. It seems that the government is trying to do the right thing. However, it is one thing to talk about it and another to do it. I hope it hurries up and gets stuck into it.

Mr REED (Primary Industry and Fisheries): Mr Deputy Speaker, like other members, I have watched with interest the developments in recent months in relation to the activities outlined by the Chief Minister in his statement, not only from the point of how some of the problems in Alice Springs may be resolved but also similar problems in centres elsewhere in the Northern Territory. In my electorate of Katherine, similar problems are experienced and similar concerns are held by the community. Many people in Katherine will watch with interest the outcome of the measures that may flow from this statement.

I wish also to address a matter raised by the member for MacDonnell in relation to the Juvenile Justice Review Committee. He made certain allegations that reports had not been provided to the Assembly as was intended when the committee was first established and that, as a result, certain breaches had occurred.

The Juvenile Justice Review Committee was established with the implementation of the Juvenile Justice Act in 1984. The functions of the committee were broad. One of its functions was to review the legislative provisions of the Juvenile Justice Act. Meetings were held subsequently in 1986 between the then Minister for Correctional Services, Hon Barry Coulter, the Attorney-General, the chairperson of the committee, Chief Magistrate Ms Sally Thomas, and the Secretary of the Department of Correctional Services at the time, Mr Terry Fegan. That meeting concluded that the committee would be more suitably qualified to address issues relating to juvenile justice programs in detention centres and the community without actually becoming involved in legislative matters. As a result, in the Juvenile Justice Amendment Act of 1987, the committee was replaced by the Juvenile Justice Boards of Management. I will quote from the Parliamentary Record of 28 October 1987, at page 2014:

> Mr Speaker, clauses 5 to 13 are concerned with replacing the Juvenile Justice Review Committee with 2 board of management, 1 in Darwin and the other in Alice Springs. The duties and functions of the boards are set out, including members taking over the official visitor role in relation to detention centres.

The duties and functions of the Juvenile Justice Boards of Management are: (a) to examine and evaluate juvenile justice programs; (b) to examine and evaluate new or proposed juvenile justice programs, including diversionary programs; (c) to observe and report to the minister on programs within detention control; and (d) to do such things in relation to the Juvenile Justice Act as the minister from time to time directs.

Perhaps the member for MacDonnell has overlooked the amendments which, in turn, came into force in early 1989 as a result of the bill which was introduced in October 1987. From my reading of the Parliamentary Record of 28 October 1987, it seems to me that the Juvenile Justice Review Committee was replaced with 2 boards of management. Indeed, the reporting procedures in relation to the committee and the boards of management were altered to those set down in 1984. As a consequence, the requirements outlined earlier in this debate by the member for MacDonnell have changed. I hope that the information that I have provided brings him up to date with the current position.

Mr MANZIE (Attorney-General): Mr Speaker, I rise to support the comments of the Chief Minister. It was enlightening to hear the comments from Alice Springs members regarding the problems of Alice Springs. A solution will be found only with the cooperation of all the people involved

in Alice Springs. It will not be solved overnight because so many factors are involved.

Unfortunately, the criticisms made by the member for MacDonnell seemed to cut across the general feeling of cooperation. I refer particularly to his criticism of the Alice Springs Fight Crime Committee. I would like to place on the record the fact that the membership of the Alice Springs Fight Crime Committee is determined by the Mayor of Alice Springs. I will read out the names of the members of that committee. The are: Lesley Oldfield, chairperson; Commander Maurice Burke, from the police; Dave Tuzewski, Keith Shortus and John King, from the business sector; Roger Laity, from the sporting community; Reverend Paul Albrecht representing the churches; Graham Ross, Roy Harvey and Joan Higgins representing youth; Glen Skipworth representing the insurance industry; Pat Miller, Rose Kunoth-Monks, Barbara Shaw and John Liddle representing Aboriginal interests; Esme Tyson representing the welfare sector; Jim Thomas on behalf of the tourism industry; Tony O'Brien for the security industry; and Bruce McRae and Reg Harris representing the community. These members of the committee were selected by the mayor and the council, and I can assure honourable members that in no way does the government pay any of those people a sitting fee of $50 per meeting. I can also assure the member for MacDonnell that I reject totally his insinuation in respect of that matter.

I believe that the committee is holding its second meeting tonight. It is not meant to be a panacea. It is meant to provide some local community input to assist in resolving local issues at the local level. Already, the committee has come forward with suggestions about actions which might be taken. Some of those suggestions will not be taken up by the government and some will be. For example, the committee's suggestion that drunkenness again be made a criminal offence will not be taken up. On the other hand, the Chief Minister has reacted to the committee's suggestion in relation to police aides by appointing 10 new police aides in Alice Springs, together with the advent of a social club and the concept of making parents more responsible for their children. An investigation is already under way in relation to liquor and there has been an announcement relating to the curtailment of takeaway liquor sales for a period of time.

Mr Speaker, the problems in Alice Springs can be solved only by the people themselves. Many comments have been made about simplistic solutions. I suppose the problems could be solved if all alcohol sales were banned and if people were arrested and taken into custody at any sign of trouble. Such solutions have been put forward by some people. However, they cannot and will not be utilised in this day and age.

The fact that people are talking about the problem, the fact that organisations are getting together, the fact that Aboriginal people from both the bush and the urban areas are sitting down and looking at the problem and possible solutions are very good signs. Certainly, the government is very keen to encourage that sort of activity and to consider possible solutions which are put forward as part of it.

Before I close, I want to express some disappointment about the original comments by made by the Tangentyere Council when trouble reared its head in Alice Springs. Unfortunately, there was a public statement saying that it was all the government's fault. I think that all reasonable people would reject that. I think that all reasonable people would also believe ...

Members interjecting.

Mr MANZIE: I have lost my train of thought. Unfortunately, the behaviour of people in the House was such that I lost my train of thought completely. I think that it is most unfortunate that people do not know how to behave properly in the House and I hope, Mr Speaker, that we will see an improvement.

Mr Tuxworth interjecting.

Members interjecting.

Mr MANZIE: As I was saying, the fact that people are taking action in this regard ...

Mr Speaker, I find the comments from the member for Barkly and the member for Millner to be appalling. They are laughing. They think that it is funny. This is a pretty serious problem. There are 25 000 people in Alice Springs ...

Members interjecting.

Mr MANZIE: ... who are so concerned about a problem that they are marching in the streets. What do we have here? The member for Barkly is rolling around on his seat because he thinks that it is funny. Well, I have news for him.

Members interjecting.

Mr MANZIE: Mr Speaker, I believe that the people of Alice Springs should know exactly what the member for Barkly thinks. He should be totally ashamed of himself. It is a disgrace.

Members interjecting.

Mr MANZIE: I will be passing the information on. His behaviour is unbelievable.

Mr Tuxworth: If you could see yourself, you would run!

Mr MANZIE: And the Leader of the Opposition. What a joke! He cannot stop laughing. I think that this is a most shameful exhibition of behaviour and the people of Alice Springs should be aware of what those members think of the problems in their town. I think that it is appalling, Mr Speaker, and I will most definitely be passing that information on. The member for Barkly is also a joke. I am sure that people in Alice Springs are taking a far more sensible approach to this problem and it will be solved by them, not by the laughing, joking antics of people who are supposed to be representing the community in this House.

Mr Tuxworth: Oh, don't be so self-righteous.

Mr MANZIE: I do not want to see that sort of behaviour in the House again, Mr Speaker, but I think that we will. The only way it will come to an end is when these people lose their seats.

Mr Tuxworth: That will be after you have gone.

PERSONAL EXPLANATION

Mr BELL (MacDonnell)(by leave): Mr Speaker, in respect of comments made by the Minister for Correctional Services, I have obtained for his benefit a copy of the Juvenile Justice Act. I ask the minister to turn to his copy.

My personal explanation relates to a comment I made in respect of the statement before the Assembly. I stated that the minister was very lucky that the Northern Territory Council of Social Services had not taken out a writ of mandamus against him because he had failed in his statutory duties. The minister got up and suggested that I had it wrong.

I want to point out to the minister that, if he turns to section 6 of the act, he will see that the change from the Juvenile Justice Committee to the boards of management has been included. I point out to him that, under section 6(4), he has a statutory responsibility to appoint a member to be the chairman of the board. I do not believe that that has happened. There is a requirement under section 9 for the chairman of the board to call such meetings of the board as are necessary for the exercise of its powers and functions, so there is no time requirement on the board. However, the crunch comes with sections 12 and 13. Section 12 requires the minister to provide ...

Mr POOLE: A point of order, Mr Speaker! I do not believe that the member for MacDonnell is making a personal explanation under standing order 54, 57 or 59.

Mr SPEAKER: The member for Araluen would have had to have been in the Assembly to have heard the statement made by the Minister for Correctional Services which is now being picked up by the member for MacDonnell. However, I would advise the member for MacDonnell that he must stick to the point.

Mr BELL: There are only a couple of sections to go, Mr Speaker.

I draw the honourable minister's attention to the fact that section 12 requires him to provide such information as is necessary and so forth. Section 13 provides the crunch, because it details the minister's responsibilities as far as this Assembly is concerned. For the benefit of the minister and honourable members, I will provide the detail which I thought the minister at least would have been aware of. Section 13 says that 'the committee shall, as soon as practicable after 30 June in each year, in any event not later than the following September, furnish to the minister a report'. It goes on to require that the minister 'will cause a copy of that to be laid before the Assembly within 3 sitting days'. I point out to the honourable minister that the juvenile justice review ...

Mr SPEAKER: Order! The member for MacDonnell is unable to debate that matter any further, having made his point in relation to section 13.

Mr BELL: I simply point out, Mr Speaker, that the minister has been failing in his statutory duties since 1987.

Mr SPEAKER: Order! The honourable member is unable to debate the matter.

Mr SMITH (Opposition Leader): Mr Speaker, I rise to speak in this debate after having woken up the honourable Attorney-General, who at one

stage was so interested in what he was saying that he seemed to be talking in his sleep.

Quite clearly, Mr Speaker, people in Alice Springs are very concerned about the situation there. I know that the Deputy Leader of the Opposition, had he been able to be present, would have contributed fully to this debate, as has my colleague the member for MacDonnell. When talking to my deputy about this matter today, he strongly made the point that the situation requires the government and the opposition, and anybody with an interest in the matter, to talk to a wide range of groups and individuals. He argued that it would simply not be good enough for the government to identify some fellow travellers in the Aboriginal community and to talk to them to the exclusion of other groups in the community as the honourable Chief Minister has done, to the point of excluding very prominent groups like Tangentyere Council and the land councils.

It is only fair to say that, in fact, the Tangentyere Council has a tremendous record in pointing out the problems that Aboriginal drinking has been causing around the town of Alice Springs and in coming up with some very positive suggestions indeed. In fact, during the last few years, Aboriginal organisations have opposed a number of applications for new liquor licences. Aboriginal organisations have also suggested that there should be some changes in the operating hours of takeaway liquor outlets. In fact, it was the Aboriginal organisations which were successful in having the Gap Hotel takeaway outlet restricted to people in motor vehicles and they have suggested the same approach in relation to other takeaway outlets in the town.

In a very real sense, the Tangentyere Council has anticipated the debate. It has been out there dealing with the problems caused by alcohol in the town camps and other places for much longer than we have been talking about them and thinking about them in this Chamber. Of course, the rest of the community has caught up with the debate and is now putting forward suggestions of its own, which is only right and proper, but I do not think that it is appropriate for the Chief Minister and others to decry the efforts made by the Tangentyere Council. In fact, it should be congratulated because it has spent considerable time, effort and, I expect, money on developing positions on this matter and undertaking whatever programs it can to help alleviate the problem.

When this matter became very public in Alice Springs, I spoke to Assistant Commissioner Andy McNeill about the problem in Alice Springs. I was very impressed by his sensible attitude and approach to it. Quite clearly, in Assistant Commissioner Andy McNeill and his police officers in Alice Springs, we have a group of police people of whom we can be very proud. They are sensitive to the issues involved in Alice Springs and are treading a well-defined and sensitive path through a difficult problem. It would have been very easy for the police to overreact to the situation there earlier this month. They did not, and that is to their credit. It would be very easy for police to adopt a very simplistic approach and they have not done so. Assistant Commissioner Andy McNeill recognised the extent and causes of the problem. I found my discussions with him to be very fruitful and positive. Certainly, it increased my understanding of what was occurring in the town and the police approach to it. I want to take the opportunity publicly to congratulate Assistant Commissioner McNeill on the approach which he and his officers are taking to the problem.

Obviously, the member for MacDonnell has given the opposition's detailed response on this matter. Certainly, the more people who become involved in

discussions about the problem and in seeking solutions to it, the better off we will be.

Mr TUXWORTH (Barkly): Mr Speaker, I welcome the Chief Minister's statement on the situation in Alice Springs.

It would be fair to say that the difference between the problems in Alice Springs and Tennant Creek and the difference between the problems in Alice Springs and Elliott would be about 500 km and 700 km respectively. The problems are the same in just about every Territory community. It is the degree that varies. As a community, we have become so overwhelmed by it all in the last 10 to 15 years that we have lost sight of a very important fact. In Britain and Europe 300 years ago, alcoholism was rampant. It was causing enormous problems in the community and significant social measures were taken to deal with the matter. About 200 years ago in this country, a group of rum-soaked new settlers was raising merry hell. In fact, they caused great dislocation in the new Australian colony. In Indian colonies in America 30 or 40 years ago, the problems were almost identical to the problems that we are experiencing today. I would like to dwell on those problems for a minute.

In 1980, I had the opportunity of travelling to America with Wes Lanhupuy, Johnny Lee and Toby Gangali. Ostensibly, we went to look at uranium mining on tribal lands and in national parks. We also had the opportunity to talk to various Indian communities about how they dealt with their alcohol problems. It seemed to us that the difference between what we are going through in the Northern Territory and what the Indian communities in America went through was about 40 years. All the other difficulties that relate to the community and social dislocation were the same.

We went to a place called Spokane in Washington State. We were taken in as a delegation and hosted to a lunch by a fellow called Jim Shot Both Sides, who was the chief of the local tribe. During the course of the meal, no alcohol was served. I remember asking our host whether there was alcohol on the reservation. He said that there was no alcohol because it was a big problem for his people. I asked how they handled the problem. He said: 'If you go over the hill, you will find dozens of drunken Indians lying in the snow. We reached a stage some years ago where they were doing so much damage to our people that we had to tell them that we could not put up with it any longer. We told them that, if they wanted to drink, they would have to go because they were dragging the whole community down with them. As young people come out of high school now, we tell them that they have a choice of living our way or going over to the other side of the hill, living with the others and lying in the snow. That is a choice they have to make, but they cannot do both'.

That seemed to be a pretty tough solution. However, it was a measure of the degree of desperation of the communities. It did not matter whether we were talking to the Navaho in Colorado, Indians in Washington State or even people in Yellowknife in Canada, the indigenous people were suffering exactly the same problems with alcohol that our forbears had hundreds of years ago and that Aboriginals are suffering in the Northern Territory today.

That is not an excuse for us to shovel the matter under the carpet and pretend that it does not exist. Therein lies the challenge. What I find encouraging about the statement by the Chief Minister and things that Aboriginals are saying is that the realisation is coming really quickly - and it is almost like a cannonball - that something must happen or alcohol will completely destroy the Aboriginal way and the people. Many

Aboriginals are very conscious of that and want to do something about it. I know a few in my electorate who can remember the days of the DOG Act. They say: 'What about we bring back that DOG Act? If we can go on that DOG Act, then all this alcohol problem would go away'.

As the Chief Minister said in his remarks the other day, we cannot return to the DOG Act, but we can start to become serious about the way we deal with the problem. In reality, we can become involved with matters relating to liquor outlets, trading hours, dry areas, canteens, clubs, takeaway facilities, the 2 km law and sobering-up shelters. We are slowly but surely working our way through all those options and trying to find the answers. At the end of the day, it is becoming obvious that one of the things that has to happen is that, if Aboriginals do not want to be destroyed by alcohol, they have to stop drinking it. Mr Speaker, in that circumstance, they are no different from you and me - perhaps the rate of deterioration might be, but the end result is not.

The dialogue that has already started is important, but I am really impressed with what I am finding as I go around. I went to a small Territory community in the last 2 weeks, and said hello to some Aboriginals. A couple of them came up and introduced themselves by saying: 'I am so-and-so and I do not drink'. I thought that that was some new form of introduction. However, what is happening in that community is that the non-drinkers are separating themselves from the drinkers. They really do not want to be affected by or involved with those who want to spend their lives on the grog.

The Chief Minister made a very pertinent point when he said that what we see are the visible and noisy alcohol consumers in the towns. That is true. In Tennant Creek, we have many Aboriginals who are fed up with the problems that alcohol brings. They do not drink, they do not want their families involved with it and they want it to stop. People are living with very basic facilities in a couple of our small outstations simply to take their particular group away from the damage which some alcoholic Aboriginals bring to different communities. In recent days, there have been moves to have the town camps declared dry areas.

As some members have mentioned, dry areas tend to shift the problem from one place to another, creating difficulties for different people in the community. However, I would say that it is a very positive sign that Aboriginals are now saying that something has to happen. Those who do not drink, and who do not want to have their lives torn asunder by those who do, are ready to take decisions. They are not quite sure what the decisions are. I do not doubt that they will be similar decisions to the ones made by indigenous people on the American continent. They have gone before us in dealing with exactly the same problems. It would be fair to say that the future of the Aboriginal people will be built out of the ashes which alcoholic destruction is bringing to some people in the community at this time. That is good because it will be a long-term solution to the problem and not a short-term one.

Mr Speaker, the reality is that the problems that Aboriginals have with alcohol are not greatly different to the problems that you and I would have with the consumption of alcohol. Different groups of human beings have different backgrounds, diets and lifestyles which result in variations in the impact of alcohol upon them but, if any people consume too much alcohol, they become victims of the damage which it can do. Nobody can continue to consume large amounts of alcohol without suffering the consequences.

I would like to conclude my remarks by saying that I think that the dialogue which has commenced is really good. It is very heartening and positive to see that Aboriginal people are recognising that there are some really tough times in front of them and that there are some tough decisions to be made. It bodes well for the future. When people start to take those difficult decisions, they will need considerable help and support because they will be unpopular in their own communities. The ultimate benefit to the Aboriginal community will come when people decide that they are not going to let alcohol ruin their lives and when they decide that they will not drink to excess.

Mr FINCH (Transport and Works): Mr Speaker, my comments in relation to the statement pertain to what I believe are 2 separate problems with some minor overlap. I refer firstly to drink-related problems in Alice Springs, which are reflected in violence and general misbehaviour in the town area and, secondly, to the hooliganism or vandalism which, according to my information, can be attributed mainly to the activities of young people roaming the town at night, something which occurs in many communities, whether they be Darwin, Sydney or wherever. Almost every member of the House has spoken about this matter tonight and it should be fairly obvious that there are no clear-cut or easy solutions to any of the problems which need to be addressed.

It has been interesting to hear some of the supplementary comments. The Leader of the Opposition appeared to be clutching at the security blanket of the representative groups. As was acknowledged by the Chief Minister yesterday, those representative groups have a very constructive and positive role to play, although one has to concede that that role is limited. When I become involved in matters relating to Aboriginal problems, I always use a fair degree of caution. In talking to people interstate, I find that they are keen to hear about what the real issues are and about the really positive aspects as well. I am always keen to tell them those things. My answer often is that, on Aboriginal matters, I know enough to know that I know next to nothing. Of course, the member for Wanguri would fit into that category too, although he has not recognised that he knows nothing. As time goes on in this Assembly, the member for Wanguri will continue to display his great ignorance on a great number of matters.

Regardless of my limited knowledge, and I am always happy to acknowledge it, I did spend some 8 years as a consultant around Aboriginal communities throughout the Northern Territory. For the benefit of the member for Wanguri, my experience and contact with Aboriginal people would outweigh any possible involvement, contact, and empathy that he is likely to collect over the next 20 years. During those 8 years, it became very obvious to me that, as has been stated here today on a number of occasions, it is a mistake to try to bracket all Aboriginal people together. They all have their own ideals and their own specific problems and, therefore, quite clearly require their own specific solutions to meet those problems.

Over the last few weeks, I have heard, for example, that the dry area provisions do not work in many of the Centralian communities, and that is true. The dry areas are not working for a number of reasons, reasons which are often unique to particular communities. The dry area provisions work very well in many of the northern communities and in accordance with different systems. Many communities have wet canteen provisions and different rules apply in the different areas. Of course, communities are free to set their own conditions, and that is one of the benefits of the dry area provisions. Each community can determine the specific conditions under which it will restrict the consumption of alcohol, ranging from a total ban

to specific limitations on consumption in terms of the times when it is available, limits on the number of cans, and so on.

One of the reasons dry area provisions do not work is because they serve merely to move the problems from one location to another. The geographic position of an area can create difficulties. It may be close to a major town. People who go away from the dry community in order to consume alcohol may then return, creating havoc when they do so. A number of dry communities in the Top End have suggested to me that they would like to provide sobering-up facilities of some kind, perhaps consisting simply of basic shade and shelter, beyond their boundaries. If necessary, when people return to the community, they can be told that they are drunk and are not permitted to re-enter the community until they are sober. Where a community takes such decisions, I believe that it should be accommodated.

There has been much talk about takeaway hours. I need to place on record that I really would like to hear some convincing arguments in relation to that. The commission itself has been looking into the pros and cons of takeaway hours because, whilst suggestions have been made by significant portions of the community, I am not altogether convinced that that is, in itself, a simple solution that will have practical results.

With regard to the 2 km law, I can say that the commission, along with the police, is looking at ways of making the 2 km law more effective. One possible course of action is to ensure that not only the container of alcohol that is in the process of being consumed can be disposed of, but that other alcohol products in the possession of the person offending can be emptied at the same time.

The government has noted the recommendation of the Tangentyere Council in relation to the establishment of an Aboriginal drinking club. Tangentyere suggests that such a club may solve some of the problems. I am not too sure that it would, unless some very specific actions were taken. Such a club would have to be organised extremely carefully. It would need to accommodate a multitude of Aboriginal groups. As we have heard so often over the last few days, it is totally incorrect to make the assumption that Aboriginal people are all of one mind, and I can see a potential for some quite distinct problems to arise. These could be caused because a number of clan groups would be consuming alcohol in the same facility. Probably, some difficulties could be eliminated through appropriate architectural design of the club premises, if it is to proceed at Commonwealth expense.

The Aboriginal ladies we spoke with last Saturday, who came from various regions around Alice Springs, certainly were suggesting that the Commonwealth should not be spending money on that facility for them. I would tend to agree. Whilst it is the Tangentyere Council's prerogative to pursue that facility, it should be extremely careful in planning its operation and management. The government will wait with a great deal of interest and sympathy to see how it works out. Some people have asked why it should be an Aboriginal club. My personal view is that Aboriginals as a group of people have the same entitlements as any other group in the community. They should have a club if they want to. Whether it will work successfully or not is a separate question.

Mr Collins: Anybody can join a club.

Mr FINCH: The Italians have a club. The Greeks have a club. Everyone has a club. Any group of people, whether it comprises footballers,

cricketers or whomever, has that entitlement. Whether or not the formation of a club will help to solve this problem is a separate question altogether.

Obviously, my view is that the solutions must come from each individual community to suit its own set of circumstances and to suit its own geographic location. The motivation to take action must come from a community's own internal strength and its determinations will then be carried out through its own mechanisms. As communities take decisions to achieve their own objectives, the government and various agencies and representative Aboriginal groups need to support those decisions.

Some other matters need to be looked at and they are being pursued by the commission. After the commission has analysed the information it has been collecting over the last few weeks, and its members have deliberated amongst themselves, I anticipate that it will forward its recommendations to me. These will be discussed by Cabinet and, ultimately, I will be happy to have them debated publicly. One of the matters being pursued is the need for assurance that the current regulations and the conditions of licences are being upheld. For example, the regulations require that liquor not be sold to intoxicated persons, and that liquor not be passed on to intoxicated persons on licensed premises. Also, there is some concern amongst the commission's inspectors that the tools available to them are not as efficient as they would like. The commission is looking at the problems with the Department of Law and others in an effort to develop practical solutions.

Many of these matters are really quite superficial and we need to get down to finding the realistic solutions to suit each set of circumstances throughout the Northern Territory. Probably the existing laws already provide the mechanisms to do that.

From the information given to me, it appears that vandalism in the town is attributable to young people, whether they be coloured, white or whatever ...

Mr Collins: A mixture of black, white and brindle.

Mr FINCH: I do not use that term.

Certainly, the solutions to the problem are multifold and the council has the carriage of many of them, including the question of the northern end of the mall, which is in a pretty dismal state ...

Mr Collins: It is a disaster. Let's be honest.

Mr FINCH: It is a disastrous area. I think that the member for Sadadeen has put it correctly. It is a definite problem area and requires a real lift, not only from the point of view of kids roaming the streets, but from the commercial point of view. Mr Speaker, I am sure that you would agree that the top end of the town needs a real lift. Solutions might lie in opening up the mall to traffic again, even if speed limits are imposed, encouraging the establishment of entrepreneurial facilities and or better lighting. We need to attract people into the area and moves of that kind are something that the council should be addressing.

When it comes to keeping kids off the street, that is a general problem which applies across the Territory. It applies in the northern suburbs of Darwin, and we will be hearing more about that later in these sittings. Solutions to that situation, if they exist, will have to be developed

through a broad approach. It is regrettable that this situation has received so much adverse publicity, particularly in the media. I do not wish to point the finger at any specific person or persons, but when people are advised that they should not walk in the mall at night, I think it is overstating the case unnecessarily.

Mrs Padgham-Purich: I would not.

Mr FINCH: The member for Koolpinyah interjected that she would not.

Mrs Padgham-Purich: No way.

Mr FINCH: I have been to Alice Springs on a total of 7 occasions in the last 4 months and I have been up and down the mall many times, both day and night, during that time.

Mrs Padgham-Purich: Yes, but you are a man.

Mr FINCH: Well, I had my wife with me on a number of occasions. Whilst one needs to be cautious when in the proximity of drunken people, a little discretion is all that is required. And one does not encounter drunken people all the time.

It is undesirable to have drunken people around, particularly if their behaviour is offensive and they are urinating in the street or engaged in other appalling behaviour. Such things do happen. However, to say that there is danger to tourists is to overstate the situation. Worst of all, the adverse publicity which has been disseminated nationally is probably not doing our tourism industry much good at all. A few questions probably need to be asked in that regard.

All in all, I do not have the magic solutions. Nobody has. The problems come from a number of directions but, in the main, the solutions will have to come from the community as a whole. We should set the situation in respect of Aboriginal drinking into perspective. It only applies in some communities and some parts of some communities. The solution will have to come from them. I await with interest the feedback from the Racing, Gaming and Liquor Commission and I am sure that it will provide us with further material for debate at a later date.

Mr TIPILOURA (Arafura): Mr Speaker, I will not take too much of the House's time in responding to the Chief Minister's statement, which I welcome.

Before commenting on the statement specifically, I would like to say a few words about what I have witnessed in my community and the rest of the Territory in my travels. We all know that the alcohol problem is a bad one. It is like a disease which has been affecting my people in the Territory since 1967, when Aboriginal people became able to consume alcohol legally. We, the Aboriginal people in the Territory, are now saying that the alcohol problem is really bad for us.

Aboriginal people have seen the number of accidents and deaths which occur not only in their own communities but throughout the Territory, in cities and towns like Darwin, Katherine and Alice Springs and in clubs and similar places where liquor is available. More and more communities are aware of the problem and some of the communities are addressing it very seriously. Like the member for Victoria River, I believe that the answer to the problem rests directly with the people themselves. However, as a body

representing the people, the government should also help by providing some funds to help communities set up youth centres, mothers' clubs, and other facilities for the people to use.

In Aboriginal communities, alcohol is destroying the culture and the languages which, as I have said in the past, is very sad. The people are concerned and they are addressing the issue of alcoholism in their respective communities. They are looking at the problem because our culture is very important to us. Slowly, and in many ways, the participation of the people in ceremonies is decreasing. The numbers are way down. We do not get very big crowds of people participating in the ceremonies any more which, to me, is very sad.

People in Aboriginal communities are forming their own groups to tackle the alcohol problem. The Aboriginal AA mob is working in the communities. It also has centres in Darwin and at Daly River to help people to overcome some of their alcohol problems. In a way, that is getting the message across to the people so that they can understand more about the effects of alcohol. I think that we need to educate our kids about the effects of alcohol abuse so that, perhaps, they can tell their parents and help them to try to overcome the problem. Educating our kids is a long-term solution.

As previous members have said, there is no real answer or cure for this disease of alcohol abuse. I am afraid that it is a disease which we will have to live with for the rest of our lives, whether we like it or not. I believe that it is up to each individual to be aware of the problem and to take steps to overcome it. Just the other day, I attended a meeting in my community. We addressed the problem, talking about liquor problems in communities, especially in our own community. In a recent accident on the island, 3 adults and a small child drowned. It was the worst incident that had ever happened there.

Turning to the Chief Minister's statement, I do not believe that cutting back liquor trading hours will solve any problems. I do not believe that it is fair to the people who have the licences to sell alcohol. They are trying to earn a living like any other person. However, that is a matter for the government to take up with the relevant people in Alice Springs. I do not believe that an Aboriginal club in Alice Springs will solve any of the problems either. Maybe it will benefit the Aboriginal people who live in town more than the Aboriginal people from the bush communities, who come into town from time to time to do a bit of shopping and things like that.

I do not think that increasing the number of town camps will solve any problems. I believe that the residents of Alice Springs, the town council, the Tangentyere Council or whoever is responsible for these people who come into town, should encourage them to go back to their communities instead of coming in to go on binges. Having listened to members from the Alice Springs areas, it seems that the number of people coming into town from bush communities is increasing every year. Where is it going to stop? It is almost as if all the people will come in if things keep going the way they are going at the moment. I think that the Tangentyere Council, the government or the Alice Springs Town Council should talk to the people and maybe try to encourage them to go back to their communities.

The increase in police numbers might help for a while but, again, I do not think that it will really solve any problems. At this time, I would like to place on record my appreciation of the efforts of the police in Alice Springs and the mob at the sobering-up shelter who look after a lot of intoxicated persons. I can assure honourable members that, being a former

member of the police force and having worked here in town, I know what it is like to pick up drunks and take them to the sobering-up shelter. It is not a very nice job. There are many times when the person being picked up is very intoxicated, dirty and smelly. We had to take such people to the sobering-up shelter where the staff sometimes gave them a wash, cleaned them up and made them smell a bit nicer. It is not a very pleasant job. That is why I would like to express my appreciation to the mob in the sobering-up shelter. I know that they do a good job. Some of the drunks can be very noisy and that is disturbing, especially when you are trying to have a night off.

Mr Speaker, I do not think that the provision of additional lighting in the mall will solve any of the difficulties. The people who hang around there at the moment will simply go to another area. They might even go out to a suburban area and create problems there. The extra lighting might be good for people with businesses in the area, but I do not think that it will solve anything.

As far as the 2 km law is concerned, it needs to be much better policed than has been the case in the past. I know that it is very hard to police it in a small area such as Alice Springs, but if the police can exercise more control there will be an improvement.

I would also like to support the government in trying to put pressure on the federal government to bring in more work programs both in the Alice Springs town area and the bush communities. I believe that the federal government should be doing more than continuing to hand out dole cheques. Quite a few questions arise from the Chief Minister's comments about social security payments. What are we going to do? Are we going to stop them altogether and get jobs for those people? Are they entitled to social security payments? What are we going to do? Aboriginal people have the same right to social security as everyone else. I believe that the matter of where cheques are sent to be cashed, whether in bush communities or in towns where the money can be spent on alcohol, is something for each family to decide. A husband might use the money to buy drink in town but a wife might use it in card games back in her community. Each family has to work such things out for itself.

I support the establishment of the Alice Springs Fight Crime Committee although I believe that it needs to include representatives from each of the bush communities around Alice Springs. There are different language groups and skin groups in the communities and I believe that they should be represented on this committee.

Imparja Television is doing a good job by showing advertisements about fighting alcohol and so on. I have seen some of those advertisements which encourage Aboriginal people to buy groceries and other sensible things instead of spending their money on grog. Some of the advertisements are good in their approach to getting the right message across to people. However, not all Aboriginal people have access to Imparja, which is a problem. Perhaps the federal government may be able to assist people in communities through the use of suitable aerials or something like that, so that they can watch television.

The employment of an additional 10 police aides is a very good move, and I welcome it. It is a good idea to have more police aides in communities. I also support the move to establish the Neighbourhood Watch Scheme in Alice Springs.

As far as the enforcement of Alice Springs Town Council by-laws is concerned, I do not know what the people who camp in the bed of the Todd can do. They have been camping there for a number of years. During the last 5 years or more, nobody has bothered to do anything about that. Nobody has bothered to go and talk with those people and ask them why they camp in the riverbed and so on. I have been a frequent visitor to Alice Springs, and I have seen where the people camp in the riverbed. They sleep on the ground without any proper bedding. It is not very nice at all.

I support what the Tangentyere Council is trying to do towards providing solutions to some of the problems in Alice Springs. It is only a small community council, but it is doing its bit to try to help the people to overcome some of the problems they have as they try to live in the wider community in Alice Springs. It is a great credit to Geoff Shaw and Harvey Shaw and everyone else who is involved. Perhaps it would help if the Central Land Council would put in a bit more work on addressing the problem of alcohol abuse in the communities. When it holds meetings, it could speak about the problems which occur when the people go into town and ask why they go there. It could ask why they do not want to stay at home, and things like that.

I can understand some of the reasons why people go to town. The main reason is that they are bored. They have nothing to do at home. They do not have jobs or anything like that and I can understand how they feel about that. There is nothing for them in their communities, and that is why they go into town. They go in for a binge, for 1, 2 or 3 months or whatever. Sometimes, a person goes to town for 1 or 2 months and ends up staying there. I think that is what is happening, not only in Alice Springs but in places like Tennant Creek, Katherine, Darwin and Jabiru. Liquor is available over many hours. Not all communities have pubs and hotels and so on, so the people go to the pub in the nearest town, where they know that liquor is available over several hours.

Like previous speakers, I do not have the answer to the problems that exist with alcohol. Overcoming them will require some long-term programs and effort. My people will have to address the problem and try to sort it out as soon as possible because, if it continues much longer, it will be very difficult to stop it. It is hard to find a solution. Aboriginal people need to look at the matter very seriously, because there is no easy answer. Changing the situation will require help from the government and from everybody in the community. We must all talk together and try to find a solution to the problem together.

Debate adjourned.

LISTENING DEVICES BILL
(Serial 273)

Continued from 28 February 1990.

Mr BELL (MacDonnell): Mr Speaker, like the elephant, the Listening Devices Bill has been long in gestation. The Listening Devices Bill (Serial 273) that we have before us was preceded by a bill which lay on the Table for many months. It was introduced into this House by the Attorney-General on 29 November 1988. The opposition has carried out some investigation into this bill and has compared it with similar legislation in South Australia. We note that some improvements have been made and we welcome some of those changes. As honourable members will be aware, the recording of conversations is a particularly sensitive issue in terms of

invasion of privacy. As the Attorney-General mentioned in his second-reading speech, there is a division of powers between the Commonwealth and the states in this regard, the Commonwealth having control over the signal from mouthpiece to mouthpiece and the states having the power to authorise, subject to this bill, the recording of what comes from the earpiece.

The differences between this bill and the earlier bill are significant. There is one continuing area of concern for the opposition and that relates to clause 9, and I will come to that in a moment. An area of concern with this bill relates to the annual reporting requirements which are similar to those provided in the South Australian bill. The South Australian bill requires that 'the minister shall, in respect of the 12 months ending on the 31st day of December, cause a report to be prepared', and there is a further requirement for the minister to lay that before the House. In the bill before us, there is a requirement on the Commissioner of Police to furnish a report to the minister within 2 months after 30 June each year, indicating the applications for warrants, telephone warrants and extensions of warrants, and various other matters. Because of the sensitive nature of the application of listening devices, we believe those annual reporting requirements are very important because of the potential for invasions of privacy. In this regard, I think anybody on either side of the political fence would regard this as a matter of some concern. I do not believe that it is a fringe civil liberties concern.

The opposition has a concern about clause 9(4) which states: 'A person shall not knowingly communicate to another person or publish a private conversation, or a report of a private conversation, recorded or listened to by use of a listening device ...'. Various exceptions are listed including for a purpose specified in subclause (3), which refers to policing powers. Another exception is where the communication or publication is no more than is reasonably necessary in the public interest, in the course of that person's duty or for the protection of that person's lawful interests. That is creating an offence with exceptions. The offence is communicating a private conversation recorded or listened to by use of a listening device except in certain circumstances.

Many people in public life and in the business community would be in circumstances where conversations are recorded. It could extend to a journalist who happens to record a conversation and does not use it. However, he listens to the tape-recording of the conversation and refers to that conversation elsewhere. He could be guilty of an offence under this provision.

Mr Manzie: Knowingly.

Mr BELL: That is right. It could be recorded in circumstances that the person may not be aware of.

Mr Hatton: Is the journalist acting in the public interest?

Mr BELL: At this stage, Mr Speaker, I will not go into that. However, that is one area of concern that the opposition has.

We note that it requires Supreme Court authority for the police to use this for the purpose of investigating an offence. With the reservations mentioned, the opposition supports the bill.

Mr FIRMIN (Ludmilla): Mr Speaker, I support the government's introduction of this bill.

Mrs Padgham-Purich: You would be in trouble if you did not!

Mr FIRMIN: Well, I could do so with reservations. Certainly, there has been some considerable review of this legislation. It was laid on the Table in 1988 and was replaced and reintroduced in 1989 after some extensive discussions with the police. The member for MacDonnell is quite correct in indicating that this is not a phone tapping bill. It is a recording devices bill. Phone tapping legislation is the province of the Commonwealth government. Because this is not legislation relating to telecommunications, it can be enacted by this Assembly. The main aspects of the bill have been canvassed thoroughly. I want to stress the fact that there are mechanisms throughout this bill to protect the individual. There is an amendment to exclude 'unintentional eavesdropping'.

The member for MacDonnell referred to clause 9(4). To some extent, I take the honourable member's point. It seems to imply that, if a journalist rang myself or any other person, recorded the conversation and then used it without consent, he would be breaching this law. It seems to me that this subclause follows on from the actual issuing of a warrant. In other words, the implementation of that provision is not triggered until an application for a warrant occurs in court. In fact, the general discussion between a journalist and the person with whom he is conducting an interview does not fall within the confines of this legislation. That is my view. In my view, the trigger is that a warrant is sought for a specific purpose and then the conversation can be recorded after the warrant is issued by the Supreme Court. If the person recording the conversation then uses it without the consent of the person recorded, an offence occurs. With those few words, I support the bill.

Mr MANZIE (Attorney-General): Mr Speaker, I will refer first to the concerns expressed by the member for MacDonnell. Clause 9(4)(c) refers to the communication or publication being no more than is reasonably necessary in the public interest, in the course of the person's duty or for the protection of the person's lawful interests. Thus, exceptions are clearly given there.

In addition, an amendment has been circulated which changes the definition of 'private conversation'. It inserts a new definition which states: '"Private conversation" means any conservation carried on in such circumstances as may reasonably indicate that the parties to the conversation desire it to be confined to those parties, but does not include a conversation made in circumstances in which the parties to the conversation ought reasonably to expect the conservation may be overheard'.

The bottom line is that, at present, there are no controls. Electronic devices are becoming more sophisticated and their abuse is becoming more prevalent throughout our country. This legislation has been the subject of a great deal of scrutiny and review. It has been scrutinised by the Police Powers Committee. As a result of that process, the original bill was replaced by this one. It provides effective protections but also allows recordings to be made under warrants. The concerns of the member for MacDonnell are unfounded because they are covered in this legislation.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mr MANZIE: Mr Chairman, I move amendment 108.1.

This inserts a new definition of 'private conversation' which excludes unintentional eavesdropping. This is made on the recommendation of the Police Powers Review Committee.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 15 agreed to.

Clause 16:

Mr MANZIE: Mr Chairman, I move amendment 108.2.

This omits section 16(2) in light of the recent High Court decision of Peters and Another v the Attorney-General for New South Wales and Love v the Attorney-General for New South Wales which makes this provision unnecessary.

Amendment agreed to.

Clause 16, as amended, agreed to.

Remainder of the bill agreed to.

Bill passed remaining stages without debate.

EVIDENCE AMENDMENT BILL
(Serial 270)

Continued from 28 February 1990.

Mr BELL (MacDonnell): Mr Speaker, as the Attorney-General mentioned in his second-reading speech, this bill is part of an initiative agreed to by all Attorneys-General. It is uniform legislation which has been passed already in 4 Australian states. The major purpose is to enable Northern Territory courts to make orders to obtain evidence from witnesses in other states or countries if that evidence relates to proceedings in the Northern Territory. The bill also enables the provision of such evidence from the Northern Territory to proceedings in the states. The opposition supports the bill.

I note that the bill introduces a definition of 'computer records'. I want to mention my interest in that regard. The minister said in his second-reading speech that the definition of 'document' had been changed to reflect the use of computers to store information. We have had previous debates in this Assembly on the importance of changing evidentiary provisions to vary the hearsay rule which prevents the presentation in court of anything other than original documents. Computer records, being a collection of neutrons and electrons, are very difficult to present in court. I find that to be an interesting development. With those comments, I indicate the opposition's support for the bill.

Mr FIRMIN (Ludmilla): Mr Speaker, I support the bill. As members know, I have a great interest in the communications field. I was also extremely pleased to note the second major part of the bill. The first relates to the transfer of information from overseas to Australia and from Australia to overseas. In respect of electronic records, I was also very pleased to see the innovation providing for off-premises retention or records. That is becoming quite an industry today. Certainly, the electronic transfer, storage and retrieval of information is a particularly important part of the banking industry's service.

Like the honourable member opposite, I would like to see legislation introduced at some stage in respect of electronic mail services. I understand that matter is still being debated by the Attorneys-General. I am certain that our Attorney-General will be arguing for that to be legislated for in future so that other forms of electronic retrieval, storage and transfer of information can be used as evidence. With those few words, I support the bill.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

LEGAL AID BILL
(Serial 258)

Continued from 27 February 1990.

Mr BELL (MacDonnell): Mr Speaker, this legislation is extremely important for the Territory, particularly for anybody involved with the courts. I appreciate the information provided to me in a briefing by officers of the Department of Law. I want to run briefly through some issues that are of concern.

Legal aid in the Northern Territory has been provided by the Commonwealth government to people who qualify for it. The matter of qualification is very important. There is a concern that one is able to pursue an action in the court only if one is rich enough to afford it or if one is poor enough to qualify for legal aid. That is a matter for concern. In that context, I note the proposal for the establishment of a contingency legal aid fund. I trust that innovative proposal will operate appropriately. A similar scheme is run in Hong Kong and Western Australia has a scheme, but it is not associated with the provision of legal aid. The opposition will follow the scheme with interest.

The key aspect with the provision of legal aid is the amount of money involved. I note that the Territory has been able to obtain a relatively favourable arrangement with the Commonwealth ...

Mr Manzie: In the first year.

Mr BELL: In the first year, it is a 60:40 funding split whereas, in most other jurisdictions, it is 55:45. That is to be reviewed over the 5 years. There is concern at some aspects of the initial funding arrangement with the Commonwealth. Although the honourable minister was not specific about those aspects, if he wishes to have the opposition's support

in negotiations with the Commonwealth in that regard, we will be more than happy to assist.

The only other issue that I want to raise is in respect of representations from within the Territory. At this stage, I am unsure what the attitude of the legal fraternity in the Territory is to the proposal. I would appreciate any concerns in that regard being indicated in the summing up by the Attorney-General. Those are what we see as the broad issues in the bill. We indicate that we support the bill in general terms. We accept the principle that the Legal Aid Commission must be independent. We believe that is an important principle.

The only other matter that I raise is the appointments to the commission. I note that the commissioners are to be essentially ministerial appointments either by the minister responsible for the act, the Attorney-General or the Treasurer. Two commissioners are to be appointed by the Attorney-General of the Commonwealth. There is one further commissioner to be appointed by the staff of the commission. I would raise the possibility of the representation on the commission being broader. The Attorney-General might like to consider representation from organisations such as the Bar Association and the Law Society. I appreciate the minister may approach those organisations ...

Mr Manzie: Clause 6(1)(d).

Mr BELL: I appreciate the minister drawing to my attention the nomination from the Law Society for the commission. I indicate that the opposition supports the bill.

Mr FIRMIN (Ludmilla): Mr Speaker, I would like to make a few comments on this bill. It is an extremely important piece of legislation. I do not intend to canvass the legislative background of the bill, but I would like to make some comments in relation to parts of the second-reading speech by the minister. First, I refer to the discussions that took place in respect of the funding proposals by the Commonwealth.

As members are aware, we are in fairly straitened circumstances financially. Part of the reason for that is that we have a small revenue-earning base and a very large part of Australia to service. Unlike the states, we do not have broad ranges of revenue-raising capabilities. Unfortunately, like the states, we have been pushed more and more by the Commonwealth into accepting certain social legislation. However, we do not have the same ability as the states in terms of revenue-raising. We have a very limited capacity to fund these pieces of legislation. This is another example. In the next few years, it will be increasingly difficult for Territorians to meet the rising costs of implementing the social legislation that has been forced on us by the Commonwealth.

In his second-reading speech, the minister spoke about a 60:40 funding split over a phase-in period of 8 years. The Commonwealth will pay 60% of the cost. I understand that it will be reviewed sooner than that. Since I have been in this parliament and certainly since the ALP has been in power in Canberra, I have observed that, whilst an offer of this type is made in the initial stages, frequently it is revised without consultation. It may well be revised with consultation but under threat of something else taking place. I believe that that is likely to happen in respect of this funding. In addition, I draw the attention of honourable members to the second-reading speech by the minister where he spoke about the Commonwealth's intransigence in relation to picking up the costs of legal

aid to war veterans. Everywhere else in Australia, the Commonwealth funds legal aid to war veterans out of separate funds. I find it reprehensible that it will not do so in respect of the Territory.

I take no issue with the provision of legal aid service to people. Some parts of this bill are excellent. I believe the provision for a contingency legal aid fund is extremely good and innovative. I believe that we will need this contingency fund which will provide for civil litigation in addition to legal aid for criminal cases. We will see considerable civil litigation with all the bankruptcies that are about to occur with the recession in which Australia is finding itself.

It annoys me that the government is required to accept legislation by stealth from the Commonwealth. We have to comply or experience further funding cuts in other areas. We will have great difficulty in future in being able to continue funding these pieces of social legislation. Even though I support the thrust of the legislation, I believe that the Commonwealth is abrogating its responsibility to pay for it.

Mr MANZIE (Attorney-General): Mr Speaker, in closing, I would like to comment on funding. It is true that the Territory will have to pick up 40% of the cost of the operation of the legal aid service. We will have to find that from our own sources of funding. I am sure that it is of concern to all members that the cost of obtaining legal advice and legal services is very rapidly moving out of the reach of the average Australian. I believe that there will be greater pressure for legal assistance to be made available to more and more people. As a result, the costs will become larger and larger. I think that the Commonwealth has foreseen these problems. I might be uncharitable in suggesting that one of the main reasons why it has shared responsibility for legal aid is that it is an area where it can get rid of the tar baby, so to speak, before it becomes a problem in terms of providing finance for provision of legal services to ordinary people. There is much activity around the country and overseas regarding the problem of legal costs and the ability of ordinary people to obtain access to legal assistance. Many suggestions are being made which may provide solutions. I am sure all members are concerned about this.

Under the circumstances, we have managed to strike a pretty reasonable deal with the Commonwealth. I must pay tribute to the staff of my department who have worked very hard with members of the Commonwealth Attorney-General's Department in nutting out the agreement. In the end, I must give some credit to Senator Tate whom we contacted on a number of occasions to sort out the finer details. In fact, the arrangement allows a progressive phasing-in of the funding of the legal aid service. After a great deal of argle-bargle, we ended up with quite a reasonable arrangement in regard to initial computer costs and also the picking up of costs for veterans etc. Even though, at the end of the day, we will be disadvantaged in that we have to find more money, we are no different from the rest of Australia. I suppose that we will all go broke together. We have an arrangement which is reasonably generous, under the circumstances. I thank honourable members for their comments.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr MANZIE (by leave): Mr Chairman, I move amendments 111.1 and 111.2.

The first clarifies the term 'officer' to include the director and the second expands the definition of 'legal assistance' to cover the legally-aided work performed by private practitioners in the operation of the contingency legal aid fund.

Amendments agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Clause 6:

Mr MANZIE: Mr Chairman, I move amendments 111.3 and 111.4.

Amendment 111.3 ensures that the commissioner appointed on the nomination of the Law Society will not be expected to represent the private legal profession. The commissioner should be appointed on the basis that he or she will reflect the perspective of the members of the legal profession but, once appointed, he or she will become subject to the overriding duty to serve the interests of the commission.

Rather than directly appointing 2 commissioners, the Commonwealth Attorney-General has requested that the legislation require him to nominate commissioners to be appointed by the Territory minister. This is covered by 111.4.

Amendments agreed to.

Clause 6, as amended, agreed to.

Clause 7 agreed to.

Clause 8:

Mr Manzie: Mr Chairman, I move amendment 111.5

This amendment expands the duties of the commission to include further duties contained in the ACT legislation on which this bill is modelled.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 agreed to.

New clause 9A:

Mr MANZIE: Mr Chairman, I move amendment 111.6

This adds a new clause to empower the commission to provide financial assistance to voluntary legal aid bodies such as the Darwin Community Legal Centre.

New clause 9A agreed to.

Clause 10:

Mr MANZIE: Mr Chairman, I move amendments 111.7 and 111.8.

Amendment 111.7 will delete subclause (2). That subclause provides that part VII of the Legal Practitioners Act does not apply in relation to moneys held by the commission on trust. Amendment 111.39 will insert a new clause which will exclude the commission from the operation of parts VII, VIII and IX of the Legal Practitioners Act. Therefore, subclause 10(2) is no longer necessary.

Amendment 111.8 amends subclause (3) to delete the requirement that interest on trust moneys invested by the commission be paid to the credit of the legal aid fund. This requirement has been deleted so that the general legal principle of interest being paid to the owner of the moneys - that is, the client - will operate.

Further, section 33 of the Financial Administration and Audit Act is not to apply to moneys held by the commission in trust. Section 33 actually empowers the Treasurer to invest government moneys and the moneys of certain statutory corporations, and this amendment makes it clear that moneys held by the commission in trust are not commission moneys and therefore cannot be invested by the Treasurer under section 33.

Amendments agreed to.

Clause 10, as amended, agreed to.

Clause 11:

Mr MANZIE: Mr Chairman, I move amendment 111.9.

This amendment expands the list of matters for which the commission must determine guidelines. Those matters now include the conditions subject to which money in the contingency legal aid fund will be made available, and the amounts to be paid under proposed section 31 towards costs that an assisted person is directed to pay.

Amendment agreed to.

Clause 11, as amended, agreed to.

Clauses 12 to 18 agreed to.

Clause 19:

Mr MANZIE: Mr Chairman, I move amendments 111.10 and 111.11.

These amendments clarify that the director is not a public servant, and that subclause (3) does not apply to the director.

Amendments agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 22 agreed to.

Clause 23:

Mr MANZIE: Mr Chairman, I move amendment 111.12.

This amendment relates to the termination of application for legal assistance and clarifies that the reference to the fund in subclause (6) is in fact a reference to the legal aid fund.

Amendment agreed to.

Clause 23, as amended, agreed to.

Clause 24 agreed to.

Clause 25:

Mr MANZIE: Mr Chairman, I move amendments 111.13 and 111.14.

Amendment 111.13 clarifies that proposed section 25 does not apply to applications for legal assistance from the contingency legal aid fund. That fund will provide assistance for people who would not otherwise qualify for legal assistance. Amendment 111.14 deletes subclause (6) which prevents the commission from providing legal assistance to a body corporate. The commission should be free to provide assistance to voluntary incorporated associations.

Amendments agreed to.

Clause 25, as amended, agreed to.

Clauses 26 and 27 agreed to.

Clause 28:

Mr MANZIE: Mr Chairman, I move amendment 111.15.

Clause 28 relates to the contribution towards costs and expenses, and this amendment clarifies and expands the conditions on which the commission may provide assistance. Those conditions are that the assisted persons pay a contribution towards, or the full amount of, the cost of providing assistance, the full amount of costs may be required where an assisted person is successful in a civil action, that the assisted person pay out-of-pocket expenses incurred by the commission, and that costs of providing legal assistance be secured by a charge over land or other property. The power to raise a charge over property is an important way of securing a debt and is used by other legal aid commissions in Australia.

Amendment agreed to.

Clause 28, as amended, agreed to.

Clause 29:

Mr MANZIE: Mr Chairman, I move amendments 111.16, 111.17 and 111.18.

Clause 29 relates to arranging for services of private legal practitioners, and it requires the commissioner to prepare a list of private legal practitioners who are willing to act on behalf of legally-assisted persons. Amendment 111.16 amends subclause (4) to extend the time within which a private practitioner may appeal to the Supreme Court from 28 days to 3 months or such other time as prescribed. The 28-day limit is considered to be too restrictive.

Amendment 111.17 amends subclause (6) to extend the time within which a private practitioner may make further application to the court from 28 days to 3 months or such other time as prescribed, and amendment 111.18 amends subclause (8) to require the commissioner to consult, where appropriate, with the Northern Territory Bar Association, as well as the Law Society, in relation to fees to be offered to private legal practitioners.

Amendments agreed to.

Clause 29, as amended, agreed to.

New clause 29A:

Mr MANZIE: Mr Chairman, I move amendment 111.19.

This amendment inserts a new provision into the bill. The new provision is modelled on an amendment to the ACT legal aid legislation. It provides that a private legal practitioner, acting for a legally-assisted person, must not receive payment over and above the payment provided by the commission.

New clause 29A agreed to.

Clause 30:

Mr MANZIE: Mr Chairman, I move amendments 111.20, 111.21, 111.22.

Clause 30 relates to the entitlement of assisted persons to costs in proceedings. Amendment 111.20 inserts a new subclause (2) in clause 30 which provides that, when an amount is recoverable by the person who has been assisted from the contingency legal aid fund, that person is liable to pay the commission an amount up to the full value of the financial assistance by the fund, plus a further amount as previously agreed between the fund and the assisted person. When an amount is recoverable by a person assisted in the normal way - that is, by the legal aid fund - that person is liable to pay the commission an amount as determined by the director.

Amendment 111.21 clarifies subclause (3) and refers to a person assisted from the legal aid fund and not the contingency legal aid fund. Amendment 111.22 amends subclause (5) and extends the period of time within which a person directed to do so must assign to the commission his or her right to recover money, and that period is extended from 28 days to 3 months, or whatever other period prescribed.

Amendments agreed to.

Clause 30, as amended, agreed to.

Clause 31:

Mr MANZIE: Mr Chairman, I move amendments 111.23 and 111.24.

Clause 31 enables the commission to pay costs awarded against legally-assisted persons, and amendment 111.23 excludes from the operation of clause 31 matters which have been funded by the contingency legal aid fund. Such matters are excluded because the contingency legal aid fund will provide assistance on the basis that, if the applicant is unsuccessful, the fund will pay any funds awarded against him or her.

Amendment 111.24 provides an amendment to subclause (4) to provide that the commission must not pay costs awarded against an assisted person except in accordance with guidelines issued under proposed section 11(f). As presently worded, subclause (4) provides that the commission does not pay costs unless it appears to the commission that the applicant would otherwise suffer substantial hardship. Since many applicants for legal assistance could be described in this way, this amendment enables the commission to determine more detailed guidelines as to when it will pay costs.

Amendments agreed to.

Clause 31, as amended, agreed to.

Clause 32:

Mr MANZIE: Mr Chairman, I move amendment 111.25.

Clause 32 requires the commission to notify affected persons of its decisions, and the commission must provide reasons for its decisions when requested. Amendment 111.25 extends the period of time within which the commission must notify an applicant of a decision, and that period is extended from 'within 14 days' to 'as soon as practicable'. This amendment is necessary because, given the distances in the Territory, it may not be possible for the commission to notify an applicant within 14 days.

Mr BELL: Mr Chairman, I am reluctant to accept that. I am aware of decisions in respect of legal aid having taken, in my view, an unreasonable length of time. I note the change from 'within 14 days' to 'as soon as practicable' and I suppose that that would be construed to mean as soon as practicable given means of communication and so on. I note that, in his explanation, the minister regards that as qualified only by the distances in the Territory. It is difficult to believe that, in 1990, communications within the Territory will take 14 days. Given some of the difficult circumstances of applicants for legal aid that I have been aware of, I am not sure that that change is necessarily merited.

Mr MANZIE: Mr Chairman, subclause 3(a) states: 'where the matter to which the decision relates was dealt with on behalf of the person by the practitioner - by giving to the practitioner, or sending to the practitioner by post to the address of the practitioner last known to the commission, a document setting out the terms of the decisions ...'. We are talking about using the mail. Subclause 3(b) states: 'in any other case - by giving such a document to the person or by sending it to the person - (i) by post to the address of the person last know to the commission'.

There can be circumstances where 14 days may not be sufficient time. I think that there should be an allowance to extend that statutory period to 'as soon as practicable'. Obviously, in many cases, it will be less than 14 days, and that will be the aim at all times. However, we must be aware of the problems involved in trying to get in touch with some people, especially in terms of the mail. We are all aware that the mail system in the Territory, especially in outlying areas, has deteriorated somewhat over the last 10 years, and some places ...

Mrs Padgham-Purich: It is not so hot from Darwin to Howard Springs sometimes.

Mr MANZIE: Yes, some places do experience difficulties.

This will allow a practical set of circumstances to be recognised in that there will be times when 14 days may not be a suitable time. We do not want to lock in a statutory period.

Amendment agreed to.

Clause 32, as amended, agreed to.

Clause 33:

Mr MANZIE: Mr Chairman, I move amendment 111.26.

Clause 33 relates to consideration and review of decisions. It enables a person, who has applied for legal assistance, to appeal against a refusal to provide assistance or the imposition of an unacceptable condition. This amendment adds a catch-all provision to the list of appealable decisions in subclause (1).

Amendment agreed to.

Clause 33, as amended, agreed to.

Clauses 34 and 35 agreed to.

Clause 36:

Mr MANZIE: Mr Chairman, I move amendment 111.27.

Clause 36 provides that the function of a review committee is to review decisions concerning the granting of legal assistance. This amendment adds a subclause to require a review committee to have regard, when reviewing decisions, to the amount of funds available to the commission for provision of legal assistance.

Amendment agreed to.

Clause 36, as amended, agreed to.

Clause 37 agreed to.

New clause 37A:

Mr MANZIE: Mr Chairman, I move amendment 111.28.

Clause 37 grants a person requesting a review a right to be heard before a review committee. The amendment inserts a new clause which empowers a review committee to obtain information and documents to assist it in its decision-making functions.

New clause 37A agreed to.

Clause 38 agreed to.

New clause 39A:

Mr MANZIE: Mr Chairman, I move amendment 111.29.

This inserts a new clause which provides that divisions 1 and 2 of part IV and sections 70 and 71 of the Financial Administration and Audit Act

apply to the commission as though it were a prescribed statutory corporation for the purpose of that act. Part IV of the Financial Administration and Audit Act empowers the Treasurer to perform accounting and investment functions on behalf of prescribed statutory authorities. This system removes the need for a prescribed statutory corporation to set up its own accounting and investment structure. It thus avoids duplication and saves resources.

The effect of making the commission a prescribed statutory corporation would be that the daily accounting work will be performed by Treasury. However, the commission will retain full control of its own funds. To ensure this, the commission is excluded from the operation of section 62 of the Financial Administration and Audit Act which empowers the Treasurer to invest on behalf of a prescribed statutory corporation whether or not authorised to do so by the corporation. The commission will remain responsible for investing its funds although it may delegate that function to the Treasury. However, the commission remains in control.

New clause 39A agreed to.

Clauses 39 and 40 agreed to.

Clause 41:

Mr MANZIE: Mr Chairman, I invite defeat of clause 41.

This clause is unnecessary now that the commission is to be a prescribed statutory corporation under the Financial Administration and Audit Act.

Clause 41 negatived:

Clause 42:

Mr MANZIE: Mr Chairman, I move amendments 111.30, 111.31, 111.32 and 111.33.

Clause 42 relates to how moneys in the legal aid fund and the contingency legal aid fund are to be applied. Amendment 111.30 amends subclause (2) to clarify how legal work funded by the contingency legal aid fund may be done in-house by the commission. Amendment 111.31 corrects a drafting error. Amendment 111.32 amends subclause (3) to empower the commission to invest moneys standing to the credit of the legal aid fund or the contingency legal aid fund in any manner in which moneys may be invested pursuant to the Financial Administration and Audit Act. Amendment 111.33 inserts a new subclause empowering the commission to authorise the Treasurer to invest on its behalf moneys standing to the credit of either fund.

Amendments agreed to.

Clause 42, as amended, agreed to.

Clause 43:

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

This clause is not necessary now that the commission is to be a prescribed statutory corporation under the Financial Administration and Audit Act.

Clause 43 negatived.

New clause 43:

Mr MANZIE: Mr Chairman, I move amendment 111.34.

This amendment limits the liability of the commission in relation to assistance from the contingency legal aid fund to the extent of the moneys in that fund.

New clause 43 agreed to.

Clauses 44 and 45:

Mr MANZIE: Mr Chairman, I invite defeat of clauses 44 and 45.

The clauses are not necessary now that the commission is to be a prescribed statutory corporation.

Clauses 44 and 45 negatived.

Clauses 46 to 48 agreed to.

Clause 49:

Mr MANZIE: Mr Chairman, I move amendment 111.35.

Clause 49 empowers the minister to remove a commissioner for misbehaviour or physical or mental incapacity. In certain circumstances, the minister must remove a commissioner from office. The amendment corrects a drafting error.

Amendment agreed to.

Clause 49, as amended, agreed to.

Clauses 50 to 53 agreed to.

New clause 53A:

Mr MANZIE: Mr Chairman, I move amendment 111.36.

This inserts a secrecy provision into the bill. The new clause provides that persons privy to information about applicants for legal assistance by reason of their position are prohibited from disclosing such information except for the purposes of the act.

New clause 53A agreed to.

Clauses 54 to 56 agreed to.

New clause 56A:

Mr MANZIE: Mr Chairman, I move amendment 111.37.

This amendment relates to the insertion of a new clause which details how the commission may secure a debt by way of a charge over land.

New clause 56A agreed to.

Clause 57 agreed to.

Clause 58:

Mr MANZIE: Mr Chairman, I move amendment 111.38.

This relates to definitions of 'transitional provisions' and the amendment corrects the definition of 'Legal Aid Office' to reflect the Commonwealth's current administrative arrangements.

Amendment agreed to.

Clause 58, as amended, agreed to.

Clauses 59 to 61 agreed to.

New clause 62:

Mr MANZIE: Mr Chairman, I move amendment 111.39.

This amendment inserts a new clause which will exclude the director of the commission from the operations of parts VII, VIII and IX of the Legal Practitioners Act. Those parts concern trust moneys and trust accounts, the fidelity fund and the appointment of receivers. The Director of the Australian Legal Aid Office in the Northern Territory is currently excluded from the operation of those parts.

New clause 62 agreed to.

Title:

Mr MANZIE: Mr Chairman, I move amendment 111.40.

This amends the long title and notes the amendment made to the bill by the Legal Practitioners Act.

Title agreed to.

Bill passed remaining stages without debate.

LEAVE OF ABSENCE

Mr SMITH (Opposition Leader) (by leave): Mr Speaker, I move that leave of absence be granted to the member for Stuart for today and tomorrow.

Motion agreed to.

ADJOURNMENT

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

Tonight, I wish to comment on the contribution by the member for MacDonnell last evening regarding Housing Commission rents. Basically, the current levels of rents for Housing Commission dwellings in the Territory and in the states are determined through a formula contained in a 1984 Commonwealth State Housing Agreement. This formula is known as the cost rent formula and the agreement requires states and territories to charge rents resulting from the use of the formula. The formula requires that

account be taken of operating expenses such as administration, rates, insurance, maintenance and allowance for written-off debts and vacancies. It also requires that interest charges on loan funds be added to the cost and an allowance for depreciation.

It is obvious from the foregoing that a wide range of rents is likely to result from such a calculation as the financial structure and past borrowing of each state housing authority is different. The cost of construction varies widely and, historically, the Territory has faced much higher construction and operating costs than have the states. In fact, this is one of the reasons why the Territory has argued that the Commonwealth's stance on per capita funding is both illogical and unfair.

The Commonwealth's first draft of the new 1989 CSHA contained amendments to the cost-rent formula which, if they had proceeded, would have had the effect of lifting public housing authority rents dramatically. Fortunately, this was flatly rejected by the states and territories. In the Territory's case, rental increases of $50 to $60 per week would have resulted. Fortunately, a more sensible formula has now been adopted but, nevertheless, it will lead progressively to an increase in public housing rents across Australia. However, at least the CSHA recognises that cost structures do vary across Australia and, essentially, it leaves the final decision on rents to the state or territory governments.

In making these final decisions, the Territory takes into account the current level of market rents and other local economic and social factors. I have here some public housing figures from other states and territories. For instance, a 3-bedroom house in South Australia has a rent of $104 per week, in Western Australia it is $87 per week and in the ACT it ranges from $120 to $133 per week. In the Territory, the Housing Commission charges $111 per week. Other states relate their rents to market levels and family incomes. The very existence of the formula and the wide range of rents quoted recognises the vast differences in providing public housing in different regions in Australia, and should preclude the ludicrous and meaningless comparisons of rents being made between states and territories by the member for MacDonnell. All states and territories ...

Mr Bell: $87.50 in Kununurra, $111 in Darwin, Katherine or Tennant Creek.

Mr MANZIE: And $133 in the ACT and $104 in Adelaide.

The territories have some form of rental rebate scheme which protects low-income earners from paying unreasonable rents. In the Territory, this works to limit rents to 25% of income for low-income earners, and there is even more generous treatment for aged and invalid pensioners, and supporting parents. In fact, all honourable members would know that the level of aged pensioner rents in the Territory is the lowest in Australia. It is below 15% now. For example, a single pensioner pays only $19 per week for rent as a result of the government's decision to freeze pensioner rents some 2½ years ago. It is the lowest pensioner rent in Australia, and it is a clear indication of this government's concern to protect and support people on low and fixed incomes. Direct comparisons of these rebate schemes are also meaningless without a full understanding of regional cost differences. However, the Territory's situation is not significantly different in this respect from that of the states.

If members of the opposition want to learn more about this subject, I suggest they read the Commonwealth's published annual report on the

Housing Assistance Act. The latest release copy is for 1987-88, but I understand the 1988-89 edition is about to be printed. I would be very happy to have my office provide the member for MacDonnell with a briefing on this quite complex matter. I would like to add that, in the Northern Territory, in contrast to other areas of Australia, we have no means test on the availability of housing. Housing is available to all people. We do not have a means test and we do not intend to have one. To try, as the member for MacDonnell did yesterday, to suggest that in some way the Territory's housing situation is out of kilter is incorrect. In fact, if we did not have to comply with the Commonwealth State Housing Agreement's cost-rent formula, we would be in a position to provide rentals that reflected more input from the Territory government rather than ...

Mr Bell: The rent is 27% higher here than anywhere in Western Australia.

Mr MANZIE: Mr Speaker, the member for MacDonnell can live in Western Australia if he wants to.

Mr Bell: No, I do not want to. But, Housing Commission tenants should not be encouraged to.

Members interjecting

Mr MANZIE: Mr Speaker, the cost of a house in Perth in Western Australia is about half the cost of a house in the Territory ...

Mr Bell: That is not true!

Mr MANZIE: The sooner you get your head out of the sand, the better off you will be. If the honourable member wants to contribute to the welfare of the Territory, he might prevail on his federal colleagues to get out of the housing area and to stop trying to constrict the Territory. I did not heard one positive comment from him when the Commonwealth State Housing Agreement was under attack by the Commonwealth. The member for MacDonnell was blatantly misleading the Territory by claiming that it would not cause a problem for Territorians. I would like him to stand up here and explain to people how the loss of over $100m from our housing funds in the next 4 years will ensure that our rents drop.

The honourable member's contribution in relation to the decimation of housing provision in the Territory by the Commonwealth is abysmal. I think that this is the first step in the ALP's policy to introduce means testing for housing in line with Commonwealth policy and in an effort to kowtow to the concepts that the federal minister was proposing in relation to matters such as the transfer of listings and positions on housing lists throughout the country. I will certainly resist any attempt by the ALP to means test housing in the Territory, and I think it is incumbent on all members of our community to be aware of the hidden agenda of the ALP. I refer the honourable member to the Annual Report on the Housing Assistance Act 1987-88 from which he might learn what it is about.

Mr Speaker, today is the 48th anniversary of the Battle of the Coral Sea ...

Members interjecting.

Mr FINCH: A point of order, Mr Speaker! The honourable member for MacDonnell is making comment across the Chamber from a place other than his own seat.

Mr SPEAKER: There is a point of order. Would the honourable member return to his seat and make the comment.

Mr MANZIE: Mr Speaker, today is the 48th anniversary of the Battle of the Coral Sea. I have here a copy of a speech made by Mr Sam Calder at the commemorative service. I had intended to read the contents for inclusion in Parliamentary Record because I think we are all aware of the important part the Battle of the Coral Sea played in ensuring that our country remained a country under our control. If that battle had gone the other way, I believe we would not be sitting here or living in a democracy. Because of the shortness of time, I seek leave to have the speech incorporated in Hansard, and I commend it to honourable members.

Leave granted.

Ladies and Gentlemen

48 years ago for Australia, one of the most decisive battles of World War II took place. Today, we commemorate the Battle of the Coral Sea and welcome the US President's special representative, Rear Admiral Geoffrey L. Chesbrough, USN, and his wife, Mildred Anne.

On paper, the Battle of the Coral Sea would appear to have been almost a 'line battle', with the US Navy losing the Carrier 'Lexington' after an heroic battle by her crew to save her having USS 'Yorktown' severely damaged.

The Japanese lost the Carrier 'Soho' and had 'Shokaku' very seriously damaged as well as several smaller ships sunk.

What tipped the scales strategically in favour of the Allied Forces was the Japanese losses of aircraft and crews.

As a result of this, Admiral Yamamoto abandoned plans to mount a large scale attack on Port Moresby.

Thus the battle we commemorate today, which was fought by opposing Aircraft Carriers some 120 miles apart, virtually saved Australia from invasion.

Australia was well represented during the week long engagement, as Rear Admiral JG Crace, RAN, in HMAS 'Australia' with 'Canberra' and 'Hobart' as Task Force 44 were part of Rear Admiral 'Jack' Fletcher's TF17, which fought this action.

It is nearly 50 years since the Battle of the Coral Sea and only a month later Midway, which finally resulted in the destruction of the Japanese Carrier Force.

We should not let the years lap over the memory of those gallant and dedicated sailors and airmen as did the waves over 'Lexington' and others, lost defending us back in Australia.

Recently, we have seen the Anzac return to Gallipoli after 75 years, tradition was forged there; that tradition lived on throughout World War II and down through Korea, Malaysia and Vietnam.

Our 2 nations have stood side by side during the ensuing half century since World War II. Great cooperation and friendship

between Australia and the USA has developed very significantly; even to this week which is now named Australian - American Friendship Week.

This name has certainly applied to Darwin, as since the founding of the Australian - American Association of the NT (Inc), there have been some 5-6000 US service personnel visit us; in ships and aircraft.

Now we have the B52 'Darwin's Pride', standing ready to enter our Aviation Museum within the month. What a great example of American - Australian friendship and cooperation.

Some years ago, there was an attitude in the community that this sort of service was more a glorification of war than a tribute to those who were prepared to fight so they and others could be free.

Not as in Eastern Europe and the Baltic States. Even protesters must, in their own hearts, realise that they would not be in a position to act the way they do, but for the sacrifice of those who put their lives on the line, so many years ago.

Let us take heed of the mottos of the United States 7th Fleet 'United Power for Peace' and, the RSL 'The Price of Peace is Eternal Vigilance'.

This means that we should all be thinking and working, not solely for ourselves, but for the nation and improving the lives of others while defending freedom. In this, the United States and Australia can do much, working with the same cooperation now as in those far off days of war which were so vital to our survival.

The presence of Rear Admiral Chesbrough, his wife Milly and members of TF73, USN, here this week, proves that the spirit of friendship and togetherness is still very much alive today. It was seen last year during Exercise K89 and will be seen again in exercise Pitch Black 1990.

On behalf of Darwin and the Territory, we welcome the return of such a distinguished US Naval Commander to help us commemorate the victory of 48 years ago and to remind ourselves NOT TO FORGET. This is no myth, but sacrifice and stoic courage.

Rear Admiral Chesbrough, your record of which I apologise for mentioning incompletely, emphasises the importance your country places on not forgetting.

Admiral Geoffrey L. Chesbrough, USN, has spent over 30 years in the Navy and has, at sea, served in many capacities; engineering, weapons, 'Ops' officer in a DDG Destroyer (similar to HMAS 'Darwin') Commander of a Destroyer Squadron, Commission Officer of USS 'Briscoe'. He has served in the staff of Commander US Sixth Fleet and as an adviser with the Vietnamese Navy Fleet Command. This last assignment earned the Rear Admiral the Republic of Vietnam Gallantry Cross and the Honour Medal First Class.

In front of these 'gongs', he wears the Defence Superior Medal, the Legion of Merit (with 3 gold stars), the Bronze Star Medal with

Combat Distinguishing Device, the Meritorious Service Medal and Gold Star and the Navy Achievement Medal.

In fact, he has really been there, no wonder he was down in Australia for K89 and doubtless will be here again during Pitch Black 1990.

On shore, Rear Admiral Chesbrough has an equally impressive record. He has a Masters Degree in Physical Oceanography, has served in the Executive Office of the President, has been in the Department of Strategy and Policy; served as Surface Readiness Officer on the staff of the Commander-in-Chief US Atlantic Fleet, and Executive Assistant to the Deputy Commander in Chief-US Atlantic Command and US Atlantic Fleet. He was Director (of) Command Control Planning and Programming Division before assuming the duties of Commander, Naval Surface Group, Western Pacific, Subic Bay in the Philippines.

At the RSL later, we shall salute this great naval record and lift a glass to Milly for standing alongside such a man.

We say thanks to you sir, for coming with 'Orient Express' to Darwin on this occasion.

The presence of you and your wife at this time helps us to keep alive the spirit of Australian - American friendship.

May that spirit inspire Australians to think more of those who 'made it this way'; so hard won during many battles on the sea, on land and in the air; and work for peace in the years ahead.

Mr COLLINS (Sadadeen): Mr Speaker, this morning, I was called a guttersnipe and I was also told that I should look to see whether I was a fit and proper person. I feel some resentment about that, although I will put the proposition that what I was supporting in my interjection was the general principle, which is one I have long held because I had quite a bit of experience before I came to this House. That general principle is that Aboriginal students on the Aboriginal Secondary Education Grant should not receive that money when they stay away from school continuously and when they do not make any progress. I will never resile from that stand. Many people in the community see the ABSEG program as being racist.

Mr Smith: Well, it is.

Mr COLLINS: It certainly is, and the Leader of the Opposition does not deny that either. However, surely even he can see that, if students are receiving money and there is no responsibility on them to attend school and to try to improve themselves, then we are only leading them into that welfare mentality. Today, several members, including some from the ALP benches, have said that there is a need to change the welfare mentality that some Aboriginal people have. When ABSEG is abused, it leads to that, and often it is abused. I have had experience of that.

When I was vice-principal at the Alice Springs High School, I spent a great deal of time actually going to the homes of students on ABSEG who were not attending. I talked with the parents, and I know those parents appreciated the fact that I had bothered to go to them and did not call them to come to the school. I went to their territory, where they felt at home, to discuss this matter and the importance of attendance at school. I made recommendations to the federal government - but to no avail - that the ABSEG

money should go to the school and that it should be doled out on the basis of the work done and the attendance of the child. If the child is sick, that can be allowed for. However, when a child does not attend for a single day during the month - and that was fairly common - and still accepts the cheque, that must reinforce the mentality of receiving something for nothing. That is what the dole is about and it is destroying Aboriginal culture. It is not enhancing it. I will never resile from that view.

I will give the Leader of the Opposition the benefit of the doubt. Perhaps he thought that I was supporting the school principal who was withholding cheques. Certainly, in my day, the cheques did not go to the school. They went straight to the students, but the situation may be different in this case. If the principal was withholding cheques, he was acting illegally as the law stands.

If we are genuinely interested in helping Aboriginal people and giving them encouragement, we should not allow them openly to abuse the system, as has been happening. It is almost 10 years since I became a member of this Assembly. That was happening before that time and I believe it is happening today. It is a rort that should be stopped. It does not help the students. Let them receive this grant, if they attend and if they are improving as a result of making an effort. That is my point, and I will never resile from that.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, this morning I presented a petition from 2379 people in relation to the Stella Maris Seafarers Centre remaining on its current block down by the wharf. I asked the Minister for Lands and Housing a question regarding its tenure of the block. He replied to the question, but the information that he gave me was not the information that he gave to the committee of the Stella Maris Seafarers Centre.

A petition with 2379 signatures is a large one. In addition, I have copies of other support for the centre's desire to remain where it is. This support has been expressed by Top End Wholesale Distributors, by Frances Bay Marine, by Turbocharger Sales, by KKFC Pty Ltd, by another 6 people in an informal petition, and by the NT Fishing Industry Council. All of those people are in sympathy with the desires of the Stella Maris Seafarers Centre.

The centre was offered that block of land on 13 October 1979. I have a letter addressed to Mr Cary, President of the Apostleship of the Sea Committee, from D.J. Williams, General Manager of the Australian National Railways Commission. The pertinent paragraph says:

> Accordingly, the commission is prepared to release the area of railway land forming part of lot 4883, Town of Darwin, beyond the existing boundary to the extent shown on the right hand sketch plan of the drawing A01 to the Northern Territory Department of Lands and Housing for subsequent lease to the Apostleship of the Sea Committee.

Mr Speaker, it could not be plainer than that. Lot 4883 has subsequently changed because of a boundary alteration and has now become lot 5260.

It is true that the government has wanted the centre moved. The committee was agreeable to the move which was to be to lot 5585 McMinns Street, next to the Harbour View Plaza. The block is smaller than the centre's existing site but, nevertheless, it agreed to move. Because it had spent some $200 000 on improvements on the block, for the very first time it sought some help from the government in negotiating the move. It did not

receive a reply from the government although I have letters written to and from the minister's office on this matter.

It made plans for a new building. However, it then discovered that Mr Milatos had submitted a development application to the Planning Authority for a 12-storey building next door to it. Thus, the centre could be closed in by the proposed 12-storey development on 1 side and a 6-storey building on the other. It would be left like the proverbial shag on a rock on a tiny pocket handkerchief of land, without much breeze, much view or much of anything at all. Quite naturally, the centre withdrew its consent to the minister's request to move to that block and said it would remain on lot 5260.

It is useless for the minister to say that I do not know what I am talking about because I have been in touch with everybody who knows anything about the Stella Maris Seafarers Centre. I have been in touch with the president and members of the committee, the chaplain and the action committee. My contact started with a police officer whom I knew some years ago and who was on the committee of the centre. I have all the information necessary to make myself conversant with the situation.

The committee is not unreasonable. Provided the government provides it with another block of land as good as the existing one, it would move. It is obvious that a seafarers centre cannot be located miles away from a port. It has to be at least within walking distance of a port. I went to school in Fremantle and the bus from Perth to the convent went past the Stella Maris Seafarers Centre there. I believe it is still on the same site - within walking distance of the Port of Fremantle. Seafarer centres cannot be located in the middle of cities.

Mr Poole: What about the Navy base?

Mrs PADGHAM-PURICH: We are not talking about Navy bases. We are talking about Stella Maris Seafarers Centres. When the port moves, perhaps then the centre can move.

This Stella Maris Seafarers Centre is not some little crackpot organisation. It has a very large membership, not only of local seamen but also of interstate seamen and defence personnel. All persons, male or female, who have some connection with the sea are able to join. It also has associations with the British Sailors Society which is a well-respected organisation in the seafaring world.

I believe the centre has a peppercorn rental lease over the existing block. I do not have a copy of the minister's reply to my question, but he offered the centre something like a 10-year lease. On the surface, that might sound all right, but it cannot continue in its existing building which has reached the end of its life. Any further repairs would need to be considered in the context of additions. An architect was engaged and a building planned. The cost is of the order of $500 000. You cannot spend that much money on a block of land for which you have only a 10-year lease and not even the option of renewal.

In his reply, the minister implied that the centre should take the 10-year lease that was offered to it while the government and or the committee looked around for a new block. Nobody in his right mind would spend $500 000 on a new building while looking around for a new block. The committee has told me that the minister has not spoken to it. The committee has asked to speak to the minister about this. However, it has been told by

the minister's staff that there would be no point in it speaking with the minister.

Another point that has to be considered is that the statement of income and expenditure of the centre for the year ended 30 June 1989 indicates a surplus of income over expenditure of $102 747.90. That is not to be sneezed at. It demonstrates that it is a working organisation that is prepared to keep staff.

Mr Reed: Is that profit?

Mrs PADGHAM-PURICH: That is surplus of income over expenditure and it is a good enough figure to read out to you people at this stage of the night.

This organisation has never asked the government for any form of financial assistance except for a few hundred dollars when it was first established in 1979. Compare that with the help that is requested and given by the government to other organisations. The government has been very generous to organisations far less deserving than the Stella Maris Seafarers Centre. It has been very generous to organisations that could have stood on their own feet more but, because of interest by perhaps ministers, as we heard earlier, or members of the CLP, or other parties, these groups have received help from the government. This organisation stands far and away above many others as being a fitting group to receive help from the government.

Mr Speaker, I have to be fair. I did receive a complaint after I gave public support to the wish for the Stella Maris Seafarers Centre to stay on its current block. I received a complaint from a gentleman, who lives nearby, about the sometimes noisy parties that are held there. I suppose this is to be expected from a seafarers' centre, but I believe that, provided the centre can live in peace and harmony with its neighbours, and there has to be a bit of give and take to do that, the location where the centre is now is an ideal situation for it. I say that because it could be the sort of organisation that would cater for people who have been away at sea for a long time and who come into town to let off steam in one way or another and that can involve a bit of noise. It is far better that the centre to be located where it is at present than in a town, or close to a residential area, because that would occasion complaints about noise and perhaps other activities.

All in all, I consider the Stella Maris Seafarers Centre's wish to stay on its block of land to be a perfectly valid request to the government. I will be pursuing it further, and hoping for success as I believe it is a very reasonable proposition. One of the unusual and unique things about the membership of the seafarers' centre in Darwin is that it caters to a large number of fishing industry employees. That is not found in the states. The states have different memberships ...

A member: There are no seamen in it, are there?

Mrs PADGHAM-PURICH: There are seamen in it, and there are wharfies in it. Anybody connected with the sea can join it. The prawning industry here employs a large number of people who are not locals and who, consequently, do not have their homes here. They appreciate having available to them a clubhouse where they can meet people with interests similar to their own.

In wishing to stay on its block and build, the seafarers centre wants to put in some residential buildings and cater for the future needs of

seafarers. I fully support the Stella Maris Seafarers Centre in its wish to stay on its current block or, if that is completely impossible, its receiving long-term tenure on a block at least equal to, if not better than, its current block close to the wharf.

Mr BAILEY (Wanguri): Mr Speaker, I rise to talk about 2 significant buildings within the Darwin area that I believe are at a reasonably high risk of being lost to Darwin and the Northern Territory. I refer to the former Methodist Church and manse on the corner of Mitchell and Knuckey Streets. The buildings will be coming up for auction in a short time ...

Mr Hatton: They are only a motorcycle sales yard.

Mr BAILEY: I will pick up that interjection from the minister. They are only a motorcycle shop and, to many people in Darwin, they may not appear to be of any great value. What they are being used for is probably not seen by some people in Darwin as a significant industry that is contributing a great deal to the overall benefit of Darwin or the Northern Territory. I will use an example that was brought to my attention. At one stage, the Coliseum in Rome had a very large chunk removed from it. The rocks removed from the Coliseum were taken away by people in Rome to build houses. They thought that it was an old building that was not used any longer and that they might as well use materials from it. Anyone who visits Rome would a acknowledge that one of the problems with the protection of significant buildings is that those buildings are sometimes seen as worthless by some people. As a result, often the buildings are destroyed or damaged beyond repair before people recognise their importance.

I would like to read some information relating to these buildings. I start with the Methodist manse. The manse is historically significant as an essential part of the buildings associated with religious life in Darwin from the early settlement in the 1870s until the 1950s. The manse is one of the few remaining pre-World War II buildings in the centre of Darwin, and it forms part of a valuable historic precinct made up of the manse and church, the British Australian Telegraph, which is the BAT cottage, Admiralty House and the Esplanade. The buildings, of diverse construction techniques, varying from timber to steel to stone, form a concise history of construction styles not found elsewhere in Darwin. Architecturally, the manse is significant as an example of 1930s tropically-adapted architecture. The simplicity of the building contrasts with the grandiose designs of the executive public servants' housing which was being built at the time.

The following is a description of the building. The building was constructed as the manse of the adjacent Wesleyan Methodist Church. It remained the manse until the 1950s and is used currently as a motorcycle repair shop. The manse is an elevated, timber-framed construction, clad with fibro sheeting and incorporating large openable wall spaces with louvres to provide cross-ventilation. The prominent tropical architect B.C.G. Burnett was thought to have been associated with the construction of the building, although it now appears he may have been involved only in later renovations. The original manse and church were built on the site in 1873, but were destroyed by a cyclone in 1897.

It is interesting that their relative positions appear to have been reversed when they were rebuilt and the current manse occupies a portion of the site of the original wooden church. The current building, which has been preceded by a number of others, was built before World War II and is one of the few buildings in the centre of Darwin still surviving from this

period. The building is generally thought to date from 1938, although a photograph taken in 1935 shows a building very similar to the present structure. At the moment, minor repairs are required. Some of the original louvres have been replaced and the building continues to exhibit its domestic origins, including its domestic-scaled lawns and gardens. It is presently owned by Darwin Dynacycle which literally has a month-by-month lease that could be terminated at any time.

The other building, the former Methodist Church ...

Mr Poole: Doesn't the church still own it?

Mr BAILEY: I will come to that.

The building is considered to be of technical and historical significance. The frame is metal, thought to be steel, which was still unusual in ordinary building work at the time. The structural system, in which some of the principal members are flats wrapped around with lighter sheet metal to form a cruciform section, is without precedent. Prefabrication was very important in the development of Darwin and of the Northern Territory, and this is the oldest example in the town and the second oldest in the Territory. It is also of considerable technical interest because of the use of corner ties as a precaution against cyclone damage.

The building is also historically significant because of its association with the religious life in the Northern Territory from the 1870s until the 1950s. The modifications made to the church during World War II are an example of the impact of the influx of soldiers into Darwin during this period. The building has further significance as an important part of a precinct of older buildings in the centre of Darwin which illustrate a diverse range of construction styles from timber to stone to steel. The church is built on the site of the previous Wesleyan Methodist Church and manse which were erected in 1873 of the original pressed steel cladding on a supporting framework of steel or malleable iron. Some of these walls, which are of a type that is very rare in Australia, remain. In 1940, some of the walls were removed to expand the church to cater for the increased numbers which resulted from the influx of soldiers. The new walls are timberframe and clad in asbestos cement. Also, the roof was altered and reclad. As it exists today, the building includes the great majority of the original structure and framing, although only a little of the cladding sheets and original joinery remain. However, there is enough left to demonstrate clearly nearly all the salient features of the original size and form of the building.

I bring this to the House's attention for a number of reasons. We are reaching a crisis point in relation to these buildings. They will come up for auction in a few weeks time. At present, the land is owned by the Uniting Church. There is a head lease that is owned by some person or company in Adelaide, which I have not been able to ascertain, who leases it to Dynacycle and a couple of other people on the block, which includes another house and some sheds at the back. When the property is sold, it will be up to the person who buys the land to negotiate with the person who owns the head lease on what is to happen to the buildings. From talking to someone in TC Waters and LJ Hooker, which is conducting the auction, its suggestion is that the buildings can be destroyed and some form of office block or other new building built on the location.

The Minister for Conservation has introduced a draft bill for heritage protection which is being discussed within the community. Does the minister perceive that the proposed legislation will protect buildings of such significance as these 2 for the people of Darwin and the Northern Territory? If so, what action will he take to ensure that these buildings are not destroyed prior to the legislation becoming law? If, in his perception, his legislation would not protect buildings such as these, I believe the people of the Northern Territory need to know that the legislation he is proposing cannot be seen in any way as a genuine attempt to protect heritage within the Northern Territory.

Mr Speaker, I need to include the information that these 2 buildings are on the National Trust Register, on the National Estate Register and, to my belief ...

Mr Hatton: Not quite. They are up for listing.

Mr BAILEY: They are not on it yet?

Mr Hatton: No.

Mr BAILEY: If that is a fact, I will take that information. The information that I was provided with indicated that they were actually on the National Estate Register. It is my belief that the church is the oldest standing church in Darwin, and I believe that it should be preserved for this generation and generations to come. With so few buildings of this significance left in Darwin, even though our history is quite short, if we do not find some way of protecting them now, we will lose more and more. I put it to the House that these buildings need to be protected.

Mr HATTON (Health and Community Services): Mr Speaker, I rise to advise the House of some good news that has come to the Northern Territory. However, prior to that, the member for Wanguri referred to 2 buildings on properties on the corner of Knuckey and Mitchell Streets. He has asked me some questions. I am surprised that the honourable member asked the questions in the manner in which he did. Given that he has been attending meetings and receiving regular briefings in relation to the development of heritage legislation in the Territory - or so he has led me to believe in informal discussions - I assumed that he would have known what was occurring.

I tabled a draft heritage bill in this Assembly which has been the subject of considerable public debate. If my memory serves me correctly, I answered a question on that in the House last week. I outlined the process that is occurring to create effective heritage legislation. If the honourable member had listened, he would know that the draft bill that was tabled is not the final form of the legislation. No doubt, the legislation will be significantly different and it will reflect the views of organisations, such as the National Trust, which are part of the working group which is preparing a new draft. I can assure the honourable member that the National Trust, the Museums and Art Galleries Board, the Conservation Commission and others will ensure that we have heritage legislation that is effective. I can say with confidence that, when our heritage legislation is in place, it will be capable of providing effective protection for appropriate heritage buildings.

This is where the question arises. I am not prepared to make a definitive statement on these buildings at this stage, and I will explain why. I am advised that the 2 buildings were the first Methodist Church and manse in Darwin. Currently, these are owned by the Uniting Church. In the

NT News of Saturday 29 April, the Uniting Church announced its intention to sell the properties. I might say that the church has not maintained the properties. I am advised they have been entered on the Register of the National Trust, but the Northern Territory government has objected to the listing as the buildings are in a very run-down state. That is the advice that I have received. I am further advised that they are currently up for listing on the Register of the National Estate. It is my advice that they are not yet listed on the Register of the National Estate.

The matter needs further investigation. If the buildings are of such significant heritage value that it warrants their protection, obviously the government will take whatever action is necessary for the protection of those buildings. I will not give an unequivocal undertaking to protect those buildings at this time because advice from people within the Northern Territory government is that, because of their present state, they may not be suitable for such listing. I will seek professional advice on that matter rather than amateur emotion. As it has been since self-government, this government is committed to ensuring the protection and maintenance of the Northern Territory's heritage. We have an exceptionally proud history in that regard in the Northern Territory. I will not bore honourable members again at this late hour with a litany of all the buildings that we have protected and preserved for future generations of Northern Territorians. Instead, I will turn to what I see as some particularly good news.

A meeting of the Crocodile Specialist Group was held in Florida from 23 to 27 April this year. It was the largest meeting of crocodile experts ever brought together to discuss the problems of conserving, and utilising on a sustainable basis, the world's crocodiles, alligators, caimans and gavials. Over 300 scientists, farmers and administrators attended the meetings. The Territory was represented by a group of local crocodile farmers, including Messrs Michael and John Hannon, Leo Venturin and John Bache of Crocodile Farmers NT, together with Mr Tom Dacey the head of the Parks and Wildlife Division of the Conservation Commission and Dr Graham Webb, a consultant to the commission and one of Australia's leading experts on crocodiles who is also the Regional Vice-Chairman of the Crocodile Specialist Group for Eastern Asia, Oceania and Australasia.

Following the meeting, the Chairman of the CSG, Professor Harry Messel, a gentleman well known to the Northern Territory, praised the Northern Territory and issued the following public statement:

> Crocodile research results and expertise achieved in the Northern Territory are being widely used to assist conservation programs for other species of crocodilians in Africa, Asia and South America. When the pioneering survey work carried out by the University of Sydney in the Northern Territory was wound down, I was concerned about the long-term future, both of research and the crocodiles there. But, the Northern Territory government has accepted the challenge and now has consolidated one of the most progressive programs on crocodilians ever undertaken. It has set an example of responsible and practical conservation which other world centres are striving to follow.

I must say that congratulations of that magnitude from a gentleman like Professor Harry Messel must stand the Northern Territory in very high regard. Honourable members will be well aware that Professor Messel is not renowned for his complimentary comments on the Northern Territory, particularly considering a number of legal suits that have occurred in the

recent past. Nonetheless, Professor Messel has found it worth while making such comment.

In congratulating the Northern Territory on its achievements, Professor Messel referred to the dedicated work of Dr Graham Webb who is now Regional Vice-Chairman of the Crocodile Specialist Group for Eastern Asia, Oceania and Australasia. Professor Messel emphasised that there are still many problems to be overcome in relation to crocodile management. He is confident, however, that the Northern Territory will continue to play a leading role in the research to address these problems. He said: 'We are dealing with a subject that is of importance in both conservation and in the economics of many developing regions'.

I am pleased to advise that a local Darwin crocodile farmer, Mr John Bache, has been elected president of a world-wide organisation which represents the producers of crocodile and alligator skins and other products. At the biennial meeting of the International Crocodilian Farmers Association, which was held in conjunction with the Crocodile Specialists Group meeting in Florida, Mr Bache, who is Managing Director of Crocodile Farms NT, was the unopposed choice as leader.

The organisation represents producers from the United States, Latin America, Africa, Papua New Guinea and South-east Asia. It estimates that about 1.5 million skins, worth some $400m, enter international trade each year. For him to become chairman of such a significant body in the crocodile industry speaks very highly not only of Mr Bache, who has developed many of the farming skills in the Northern Territory, but also of the Northern Territory crocodile industry. I think that he deserves congratulations and the industry itself deserves high praise. Mr Bache said that the ICFA aims to replace the present illegal trade in crocodilian skins with products derived from managed programs approved by the International Union for the Conservation of Nature and the Convention on Trade In Endangered Species. It also plans to improve the communication and marketing cooperation between crocodile farmers around the world.

I will not refer to the other office bearers on that committee. The point that I wished to highlight was the significant role that is now being played by Territorians, by those working for the Northern Territory Conservation Commission and, in particular, by the Northern Territory private enterprise crocodile farms. I regard this as one of the really exciting prospective industries for the future of the Northern Territory and I look forward to catching up with Mr Bache and other members of the industry.

I have advised the House previously of the recently-formed Crocodile Industry Advisory Group, an industry advisory group to myself on setting future strategies for the development of the industry. From informal discussions with that group, it is clear that already it is developing some very interesting and exciting plans for the rational and ordered expansion of the industry. Some industry members believe that, properly managed, the Northern Territory should achieve the potential of developing its crocodile industry to the stage of producing 100 000 skins a year. It may take 20 years to reach that stage, but 100 000 crocodylus porosus skins represent a great deal of money. Crocodylus porosus skins are attracting the top price in the world, something like twice the price, I understand, of the United States alligator skins, and they are the first choice of the tanners and leather manufacturers because of the quality of the skin and the value of the product that they can achieve from it.

With the development by the subsidiary of Crocodile Farms of the NT at the tannery, which I also had the opportunity to visit, I believe that the value-added benefits will expand exponentially for the Northern Territory. Employment opportunities will be created not only in relation to crocodilian skins, but also in relation to artifacts produced from the back skins of the salt-water crocodiles and exotic leathers from the skins of fish and snakes. Tanning experiments are likely to occur with a number of other potentially usable exotic skins. At the moment, there has not been any tanning of the processed skin because equipment is still being tested. These skins are so valuable that no risk will be taken of spoiling them as a result of guesswork. Some equipment has still to arrive. However, when it comes, I have no doubt that, with the professional manner in which the organisation is developing that industry, we will see some exciting results.

Mr SMITH (Opposition Leader): Mr Speaker, I would like to congratulate the honourable minister on his statement. It would have been better if it had been 5 minutes shorter, but it is an important issue. Many people have identified the crocodile industry as one that has enormous potential, and it is good to hear these regular reports from the minister about the progress that it is making. Certainly, I hope that the industry will continue to flourish. From the visits I have made to crocodile farms, and having spoken to the people involved in the industry, it is obviously in good hands.

I want to speak tonight about the problems that the Centre for Aboriginal and Islander Studies at the university is having at present. Most honourable members would be aware of the operation at that centre over the past few years. It has been a tremendous success story. It started with a very small number of students and now it has reached a stage where there are some 300 students at the centre. Unfortunately, it has a major funding problem at present, a funding problem that is so severe that, unless it is resolved very quickly, the centre will find it very difficult to advertise courses for the second semester, and I think that would be most unfortunate.

It is a mixture of problems relating to the Commonwealth Department of Education and Training and various Northern Territory funding bodies. Tonight, I want to outline the problems in respect of the Northern Territory funding bodies. I am not seeking to lay any blame, but simply to see what can be resolved. It is rather disappointing, although perhaps understandable, that the Minister for Education is not here at present. As I understand it, there are 3 bags of money of which the Northern Territory government has control.

First, there is Commonwealth money, called the Aboriginal Participation Initiative Money, which is directed basically to the purpose of tertiary education. In fact, there is a sum of $300 000 in the kitty but, over the last year or 2, the Northern Territory University has been diverting that money into TAFE and that has placed 58 students at the advanced educational level at some risk. A request from the centre to the Northern Territory University, which I understand is being considered at present, is that that money be allocated for its proper purpose which is tertiary education. The second category is NTU TAFE which receives $8m. Of that, at present, only $0.277m goes to the Centre for Aboriginal and Islander Studies. $0.277m out of $8m does not really seem to be all that much. The third category is the National Aboriginal Education Policy money. The Northern Territory government receives $10.5m. That is controlled by the Department of Education and, at present, not 1¢ of that money goes to the Centre for Aboriginal and Islander Studies.

If things do not change, the centre will be forced to lay off staff and to cut courses. That means that it would not be able to enrol students in the second semester this year. It needs about another $300 000. That is not an enormous sum of money. I know that discussions are occurring between the university and the centre and between the centre and other bodies. I hope that sense will prevail and that the centre will be able to find the money that it needs.

Quite clearly, the centre is doing an outstanding job in providing TAFE and higher education courses to Aboriginal people. Those people are starting to flow into government, where they have taken up many jobs, into private enterprise and into Aboriginal organisations. Often we talk about the need to provide training and education for Aborigines. This centre has established an enviable record in achieving that. I hope that sense will prevail and a solution will be found to its current funding problems in the near future.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

LEAVE OF ABSENCE

Mr COULTER (Deputy Chief Minister): Mr Speaker, I move that the Chief Minister be granted leave of absence for today.

Motion agreed to.

TABLED PAPER
Draft Land and Business Agents Amendment Bill

Mr MANZIE (Attorney-General): Mr Speaker, I table draft amendments to the Land and Business Agents Act which would provide a scheme for the licensing of conveyancing agents in the Northern Territory.

This Assembly has debated the question of conveyancing on a number of occasions in recent years, particularly in respect of the present legislative regime which restricts conveyancing for reward to lawyers. The main subject of debate has been whether or not people other than lawyers should be allowed to provide conveyancing services to the public for a fee. In view of the fact that this government has a free enterprise policy, it has been decided that the conveyancing area should be open to a greater range of people. However, the decision to remove the present monopoly enjoyed by the legal profession on conveyancing for reward does not extend to the removal of all regulation in this area.

The government acknowledges that there is a perception in the community that, to a large extent, conveyancing involves merely the completion of relevant forms. The reality is that the forms, particularly the contract of sale, can be complicated legal documents which control the legal issues relating to what is for many people the major financial commitment of their lives. Like any other class of financial transactions, not all property transfers go smoothly. One of the parties may change his or her mind about the sale, the buyer may have difficulties with arranging finance, or some other new factor may emerge in the course of the transaction. In these circumstances, the person who is providing the conveyancing service should have arranged the written contract so that the legal consequences of any of these events can be resolved quickly and efficiently.

For these reasons, the government believes that certain levels of regulation must be in place to ensure that basic educational qualifications are a prerequisite before someone is allowed to practise as a conveyancing agent. In recognition of the fact that the buying and selling of land is a process which may require a high level of professional competence, the government proposes to introduce a system of certification for conveyancing agents. This system will act as a guarantee to consumers that people practising as conveyancing agents in the Territory have acquired the knowledge and skills necessary for them to provide such services.

The question of exactly what services should be provided by conveyancing agents has also been considered by the government. As some honourable members may be aware, conveyancing is something of a loose term which may cover a range of activities from the ordinary conveyancing of suburban properties to the preparation of complex leasing and security documents. Accordingly, the government proposes that the range of services to be provided by conveyancing agents should be prescribed by the legislation. In this regard, I draw honourable members' attention to proposed clause 12 of the draft legislation and proposed part I of the schedule which sets out the

functions. Basically, they relate to the preparation of documents for land transfers, the provision of searching services and attendance on settlement.

The government has also considered what safeguards should be put in place in relation to the licensing of conveyancing agents, the maintenance of conveyancing licences and the provision of appropriate measures if conveyancing agents are negligent or commit some wrong against their clients. The government takes the view that conveyancing agents will have defined responsibilities in this area, not dissimilar to those of lawyers and real estate agents. They may hold trust funds, and they will be required to exercise professional skills. For these reasons, the government believes that conveyancing agents should be subject to the same kinds of controls as lawyers and real estate and business agents. In particular, the draft legislation proposes that conveyancing agents would be required to hold trust funds in approved trust accounts and to have their records audited by independent auditors. It is proposed also that they would be required to have professional indemnity insurance, as proposed by the Land and Business Agents Amendment Bill (Serial 284) introduced previously in these sittings. Under this proposal, the victim of defalcation by a conveyancing agent would have access to redress from the fidelity fund.

It is proposed that the licensing process would be the same as that for real estate and business agents. This would involve advertising the intention to apply for a licence, a right of objection by the Commissioner of Police, the Registrar-General or the public, and meeting various requirements in terms of education, experience and being a fit and proper person. Honourable members will note that the precise educational requirements have not been defined in the draft legislation. It is envisaged that they will be set out in the regulations, following detailed consultation.

The question of conveyancing has been considered by the government's Land Law Review Committee. This is a committee comprised of a range of government lawyers, private sector lawyers and a representative of the Real Estate Institute, and it is chaired by the Parliamentary Counsel. The committee's basic role is to review the laws relating to land in the Northern Territory. I have asked it to consider also various issues which have arisen in respect of regulating conveyancing. Having noted the government's intention to allow the introduction of conveyancing agents, the majority of the committee made a number of recommendations regarding the proposed legislation.

I should point out to honourable members that, while the Law Society representative participated in the development of these recommendations, the society's submission to the committee was not received until last week. That submission is being considered. However, the representative of the Law Society cannot be considered to be a member of the majority of the committee which made the recommendations to me. The recommendations are as follows:

(a) there be legislation so as to ensure that all conveyancing services provided as part of the business, whether for direct or indirect reward, can be provided only by a person who is competent to provide them and in respect of whom there are adequate safeguards such as indemnity insurance and controlling of the holding of any trust moneys;

(b) the criteria for competence for the purpose of paragraph (a) be developed having regard to the service being provided;

(c) there be established a legislative regime that will allow for the licensing of agents providing conveyancing services of the more basic kind; and

(d) the draft legislation for the purpose of paragraph (c), together with a condensed version of the committee's report, be published for public comment before the legislation commences operation and prior to any final determination of:

(i) the required education and qualifications for those who do not have a law qualification who will be able to provide conveyancing services;

(ii) the precise services that will be able to be provided by conveyancing agents; and

(iii the interrelationship between real estate agents and conveyancing agents so as to ascertain whether conveyancing agents can also be real estate agents, and real estate agents will be able to continue to provide free conveyancing services, such as arranging for the execution of the standard form contract of sale, the preparation of memorandum of transfer or the attendance of settlement on behalf of clients.

As honourable members would appreciate from this draft legislation and my comments in relation to it, the government has accepted all of these recommendations from the Land Law Review Committee. It is the government's intention to release a discussion paper on the proposed legislation for public comment. Comments will be sought, particularly from the public and industry and professional groups, regarding issues such as the proposed code of conduct, the necessary educational requirements, the required experience, the application of fit and proper tests for licensing, the use of prescribed forms of contract and the question of whether or not real estate agents and banks should be able to provide conveyancing services. These comments will be fully considered prior to finalising the legislation.

The government is not claiming that providing for the licensing of conveyancing agents will provide a magic solution to the high cost of conveyancing in the Territory. The government acknowledges that, in the Territory, the costs of conveyancing appear to be higher than in a number of the states. One reason for this may be restrictions contained in the Legal Practitioners Act. However, research shows the costs of conveyancing are related more directly to the services provided by conveyancers, be they lawyers, land brokers or settlement agents. The government's objective is to facilitate competition in this field so that a greater range of services can be provided and hence a greater choice can be made available consumers.

I have no doubt that there are many buyers and sellers of land who require only a comparatively low level of assistance in preparing the documents necessary to transfer land. Generally, such people would be only too willing to attend to many of the more routine inquiries and searches themselves. Indeed, I understand it is this self-help ethos which has allowed for lower conveyancing costs from both lawyers and settlement agents in Western Australia. To put it simply, the professionals are paid less for providing less service.

It would be wrong of me to conclude my remarks without paying tribute to the contributions of the member for Sadadeen on this matter. I thank the

honourable member particularly for his detailed work in researching and highlighting a number of issues which must be addressed in a scheme such as that which the government now proposes.

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

Debate adjourned.

STATEMENT
Tourist Industry

Mr VALE (Tourism): Mr Deputy Speaker, I would like to take this opportunity to advise the House of the current status of the tourist industry now that we have entered this season following what was regarded as the worst industrial dispute that the Northern Territory has ever experienced. The indications are that the industry is now well on its way to a post airlines' dispute recovery which we did not expect to occur so soon. It is appropriate also to place on record the factors which have been instrumental in the Territory's early recovery.

With the resignation of the pilots, scheduled airline services to the Northern Territory virtually ceased and, at some places, they did cease. Yulara, Gove, Katherine and Tennant Creek learned very quickly just how dependent their tourist industries were on the airlines. Indeed, if my memory is right, Yulara did not receive one commercial airline flight during a period of 108 days and it was some weeks after that before Tennant Creek and Katherine received their first flights. Darwin had 41% fewer passengers in the December quarter last year compared to the previous year. Gove's visitor figures plummeted to 81% less. Alice Springs experienced a 72% downturn and Yulara 76%.

Northern Territory Tourist Commission estimates reveal a direct expenditure loss of $53m to the Northern Territory tourist industry between 14 August 1989 and the end of March this year. For the duration of the pilots' dispute, revenue lost to the industry was $7.5m a month, and that figure does not take into account the flow-on effect into all other sections of the Territory community. Of this loss, 47% was incurred in the Top End and 43% in the Centre. These are estimated losses only. Actual losses were probably much higher as no allowance was made in these estimates for growth in visitor numbers. Furthermore, in estimating these losses, no provision was made for price increases. Additionally, visitors using international carriers have been excluded from calculated loss figures as has revenue generated by Northern Territory residents travelling by air within the Northern Territory.

It was a black time indeed for the hundreds of large and small operators who wondered when the depression would end and whether the industry could ever recover. They wondered if the reputation of Australia had been damaged irreparably, if overseas agencies and indeed interstate agencies who promote and sell destination Australia could ever place their clients into Australian holidays again with any confidence or whether, in fact, they should stamp 'cancelled' across the glossy pages of their travel brochures. That was the message delivered to me while on my trip to Berlin. I had the privilege of visiting the world's largest showcase of tourism product at the International Trade Fair in Berlin in early March and was able to speak with the world's leading entrepreneurs and agencies who can make or break the Australian international tourism product. It was brought home to me very clearly there that Australia generally, and the Territory in particular, can never be complacent. Tourism is now a global product.

While we look to the domestic marketplace for the bulk of our visitors, we find that, with our declining currency, more and more international tour planners are looking to Australia as a good value product for their clients. If we cannot guarantee the product, our potential overseas visitors simply turn to another part of the brochure and find a page which does not have 'cancelled' stamped across it. One of the major benefits of my trip to Berlin was to come to a first-hand realisation of just how critical things were. Had the strike gone on for much longer, Australia would have run the risk of being left off the global tourist map for a very long time and a very damaging time.

I am happy to report that, in the global context, the Northern Territory holds its own in any company. Our operators who make an annual pilgrimage to ITB and then to other overseas marketplaces - and this includes the Northern Territory Tourist Commission - are identified as professionals in the global marketplace selling a product which enjoys uniqueness in the 4 corners of the world. I have no doubt that, as we move into the reality of deregulated airlines, there will be a new and rich era of international tourist activity into Australia and, because of our readily identifiable and professional image, the Northern Territory will get more than its fair share of that market.

Much of this is due to the efforts of the Chairman of the Northern Territory Tourist Commission, Mr Bob Doyle, who only late last week was elevated to board level of the prestigious and influential international group, the Pacific Asia Travel Association or, as it is commonly known, PATA. This is one of the longest-established, internationally-respected travel associations with more than 30 member countries dedicated to the advancement of travel in the Pacific-Asia region. Additionally, Mr Doyle has been appointed to the chairmanship of the associated government category of PATA membership, an elevation which deserves congratulations.

It is this personal level of credible representation of our Northern Territory entrepreneurs which carried the Territory through our darkest time. Of all of the states and territories on the stand in Berlin, the Northern Territory had the greatest number of tour operators and officials from tourist bureaus, myself included. All other Australian ministers cancelled their visits to the trade fair as a result of the election. I was indeed impressed by the Northern Territory Tourist Commission's display in Berlin, the effectiveness with which it sold the product, and the dedication of the commission's representatives and of the tourist operators who attended. The latter were a great credit to Australia in general and to the Northern Territory in particular.

It was a blend of the tough nature of the Territorians and the cohesiveness of the industry, coupled with both government and industry initiative, which stimulated recovery much faster than even the most optimistic could have expected. It will take several years to recover fully and there may be some operators who will not be able to withstand the long recovery period and may eventually be lost to the tourist industry. However, in the main, the Northern Territory's ability to fight back through aggressive promotion and creative marketing has been laudable. In many respects, we have become the beacon of recovery initiatives for the nation.

The essence of those initiatives, taken by the government and the Tourist Commission in the early days of the dispute, included the issuing of 23 000 vouchers to give incentives to Northern Territory residents to take intra-Territory holidays, to explore and to increase their knowledge of their own Northern Territory. In fact, that was one of the side benefits of

the dispute. It meant that many Territorians visited places that they might not have visited previously. The other thing which must be recorded is the fact that a vastly greater number of Territorians are now more aware of the importance of a strong tourist industry to the general economy. It was a fairly expensive way to learn a lesson, but that was the end result.

Further, there was the chartering of the Royal Brunei aircraft to maintain a flow of business and some holiday personnel to and from the Territory. There were requests from the Tourist Commission to all Territory operators to discount their product and a similar request from myself, supported by a commitment to allocate funding for a $1m national advertising campaign and a scheme to stimulate the close South Australian marketplace over a 3-month period. This scheme was rebate-based and it resulted in sales from the Territory bureau in South Australia being doubled. A second phase of this rebate scheme was directed to the South-east Asian market. The South-east Asian scheme was for a 9-month period ending in mid-June this year.

In all, the scheme - jointly funded by the Department of Industries and Development and Tourist Commission of the Northern Territory - is costed at about $2.02m. Entry fees for the 1990-91 Tourist Commission Holiday Travel Planner were waived for operators at a cost to the Northern Territory Tourist Commission of $105 000. Honourable members will be aware that I tabled that document at the last sittings of the Assembly. Additionally, at the end of the dispute, the Northern Territory Tourist Commission cooperated with Australian Airlines in a very successful promotion which brought tourists from southern states to the Territory with a theme that read along the lines that 'The best thing about Alice is that you also get to see Darwin free'. From memory, that is somewhere near its wording.

Quite separately from any Commonwealth promotion aid which came later, as a result of intense lobbying from all states and territories, these initiatives spearheaded the Territory's management of an unprecedented crisis. As a result, I am happy to report that early indications are that we are heading towards one of our best tourist seasons. I am confident that our high season months of June, July and August will be fully booked. That is not a bad outlook when, a few months ago, we were looking at zero levels. It is early days yet, but I am looking forward to giving a detailed update of the industry's recovery record at the August sittings when figures for the first peak-season months will become available.

In the meantime, I would like to turn to the reported success of the Territory's Tourist commission in North America. The chairman of the commission, Mr Bob Doyle, has been kind enough to fax these comments from some of the key operators who are part of the special mission and who have staged 4 shows so far in Vancouver, Toronto, Connecticut and New York. I seek the indulgence of the House to read a selection from them.

The first is from Gaynor Cooper of Yulara, possibly the hardest hit region in the Northern Territory during the dispute. The report says: 'This mission has been invaluable. It has presented a major opportunity to educate in more detail the agent and wholesaler on the depth of attractions at Yulara. Responses to the presentation have been overwhelming ...'. From Steven Rattray of Territory Rent-a-Car: 'We have exposed our product to the key decision-makers in this vital marketplace. The Territory is well positioned to gain a lot more from this major region ...'. From Nick Smail of Frontier Camel Safaris in central Australia: 'A very positive response to our tours, the most vital aspect being our unspoiled environment and the novelty of seeing it from a camel'. He does not miss a chance to get a free

advertisement. From Darrell Tutty of Top End Australian Kakadu Tours: 'A great success. We have greatly impressed the vital North American market, key travel personnel and the media who control the travel directions of the North American public ... We'll be seeing to a lot more North American tourists in the Northern Territory ...'.

The comments from our operators are heartening at such a troubled time for the tourist industry. The opinion of the chairman of the commission, Mr Doyle, is that the mission has been an outstanding success to date. The key travel industry personnel, that is the wholesalers, retailers and the airlines in each major city, attended the Northern Territory seminars in one of the largest turnouts seen for this type of promotion. The chairman was congratulated constantly for the professional representation of the Territory's unique product by its operators who deserve congratulations for their professional approach to the promotion. In New York, the trade mission spoke to most of the key wholesalers, who were favourably impressed, and - and this is important - the commission chairman expects the Territory to gain an increasing share of the eastern USA market which is rapidly rivalling the west coast as a significant producer of Australian tourist traffic.

This report from the Territory's travel mission is a stop press insertion into this statement to the House, and it underlines the theme of my statement that, because of their professionalism and the high regard in which operators are held, and that includes the Tourist Commission and the government, the Northern Territory should recover from the disastrous pilots' dispute much faster than was at first anticipated. A substantial part of this recovery will come from major sporting functions which include the internationally-acclaimed Australian Safari Rally scheduled for August this year. More than 200 vehicles will move into Darwin via Ayers Rock, visiting us not just with valuable international publicity, but with a substantial boost to the economy. I should advise the House that the Australian Safari was formerly known as the Wynn Safari. It will come in with up to 1000 competitors and officials via Ayers Rock, where they will be for 1 night, and it will conclude in Darwin on 26 August, with a run down Mindil Beach, finishing in front of the casino. Recently, the safari was rated again by an international body and, as I understand it, has now been placed second behind the world famous Paris-Dacca Safari. That is quite an achievement. We have gained an agreement from the operator that this rally will always either start or finish in the Northern Territory, in their words, 'for as long as we are welcome'.

Of course, in October, we will be staging the Third Honda Central Australian Masters Games. When this event was staged in 1988, it generated an estimated $1.4m in the Alice Springs economy over a 7-day period. Indications to date are that this year's event will attract even more competitors than the 1900 who took part in the 1988 event. Meanwhile, Darwin can look forward to its own spectacular, with the staging of the first Arafura Sports Festival in May next year. Over 200 athletes from throughout South-east Asia will converge on Darwin for over 8 days. Again, this inaugural and colourful event will play a substantial role in the recovery story of the Northern Territory tourist industry.

In closing, I emphasise that it will take several years for the industry fully to recover from the pilots' dispute, and some operators will probably fall by the way and become victims of that dispute. I should point out also that one Darwin operator, who is in Berlin, is negotiating with a group of East Berliners for them to visit the Top End later in the year. At this stage, I am not at liberty to make any other announcement apart from that,

but I think it would be a great move if we could be among the first parts of the world outside of East Berlin to bring a group of tourists or tourist operators into the Top End of Australia.

For the information of honourable members who are interested in figures, in 1988-89, approximately 835 000 visitors came to the Northern Territory of which 178 000 were international visitors. It is estimated that visitors to the Territory spent - and this is the total picture - $414.7m, with the expenditure of international visitors being estimated at $171m. For the record, given the nature of the dispute, we have taken up the recovery trail much faster than anyone could have imagined.

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

Mr SMITH (Opposition Leader): Mr Deputy Speaker, it is unfortunate that the honourable minister was not in a position to circulate this statement earlier than he did. It is an important area and it would have been useful to have had the statement overnight, as happens with most statements circulated to us by the government. That would have enabled opposition members to make a more detailed response. However, not having had the statement earlier, of necessity my response will be somewhat limited.

I guess the honourable minister has stated pretty much what I feel is happening in the industry in terms of its recovering from the effects of the pilots' dispute. There is no doubt that many people were hurt very badly, and equally there is no doubt that some of them have gone to the wall although the number in the latter category is fewer than we had feared at the height of the dispute. I think it is also fair to say that a significant number of tour operators in the various fields are hanging in there by the skin of their teeth, and that this tourist season is very important indeed to them. Let us hope that it will be a good season for them. As I understand it, the indications are that it is shaping up to be a fairly good period. I have not seen an objective analysis of this but my subjective observation is that, basically, the backpackers seem to be here all the year around now. I have said before that they form a section of the market that is sometimes very much under-appreciated ...

Mr Collins: They are in Alice ...

Mr SMITH: I know ...

Mr Collins: Spending ...

Mr SMITH: Do you mind if I have the floor?

Mr DEPUTY SPEAKER: Order! The Leader of the Opposition will be heard in silence.

Mr SMITH: Mr Deputy Speaker, shrewd operators like Michael Anthony have obviously picked that up. Backpackers form a significant part of the market because, although they spend very little on accommodation and food, they always seem to have money to tour extensively. Obviously, that is the reason why they are here. I have said before that my perspective of backpackers was changed quite dramatically when I went out with Terri-Tours into Arnhem Land 3 or 4 years ago. In fact, my son and I were the only Australians in the party and the rest were backpackers. We went to the YWCA, the YMCA and the Youth Hostel and picked up all these people in their daggy shorts and daggy T-shirts, who each had $300 or $400 to pay for a 2- or 3-day tour into Arnhem Land. Certainly, that opened my eyes to the

amount of money that backpackers have and their very clear priorities on where and how they want to spend it. I think that the tourist industry has now recognised that they form a very significant sector of the market. The other advantage that they have is that their visits are less determined by the seasons than are those of some of the more affluent travellers ...

Mr Manzie: They can be affluent too. I met a French billionaire backpacker.

Mr SMITH: A French billionaire backpacker! Of course, the domestic travellers are very much influenced by the seasons.

In view of the fact that there has been a shake-out in the industry, this is really an appropriate time to address again the question of standards. I am of the belief that we still have quite a way to go in the establishment of appropriate standards in the various sections of the industry. Probably, most of the people who have fallen over already are the inefficient operators, those who were operating a less-than-effective service. We have the opportunity now to address seriously the question of standards and how to go about achieving those standards.

I think we would have to have serious concerns about whether the voluntary code that the Darwin Regional Tourist Promotion Association, in particular, is asking members to follow is working. From the outsider's point of view, there seems to be considerable dissent about the operations of that body, and obviously that cannot help it and the government with putting in place appropriate standards. Probably it is time that this legislature had another look at whether there is the need to take a stronger stance on standards in the tourist industry through legislation or regulations. One of the most regular complaints that I hear from people who operate in the industry relates to the activities of backyard travel agencies. Frankly, I think it is time that we had a very serious look indeed at the activities of backyard travel agencies ...

Mr Collins: It is in the consumer legislation.

Mr SMITH: If it is covered by consumer legislation, that is good. Certainly, those agencies are doing the industry a considerable disservice at present. They are indulging in some quite vicious cutthroat competition with other operators. They play favourites and they provide no guarantee that, if something goes wrong, their customers will receive any redress. Such operations allow unscrupulous rogues to get into the industry, operating on a shoestring. I am very tempted to name one of those rogues, but I will not do so. His first name starts with 'B' and I am not sure what company name he is operating under this dry season. For the sake of the industry, we need to get rid of operators like that.

One way of doing that is through a proper regulation scheme for travel agents. Of course, we have the perennial problem of providing training to tour operators, bus drivers, hotel and motel staff and so on. I do not have a firm view in relation to that, but I do have a very strong message to give which is that, increasingly, our market consists of professional people. Our tourists, whether they are backpackers or millionaires staying in the penthouse suite at the Beaufort, are demanding quality. They want a quality experience and value for money and, if they do not get it, they will go somewhere else. More importantly, they will talk about any bad experience they have had here. With the industry beginning to get back on its feet, we cannot afford any bad publicity. That is why the question of standards, and

how we set and achieve them, is very important. Many people in the industry are starting to say that there is a role for government in that regard.

Another area of feedback to me from the tourist industry indicates that perhaps we need a rather more directed effort overseas in terms of the operations of the Tourist Commission. On the face of it, it seems that our Tourist Commission officers are not terribly well placed geographically at present. We have excellent people, Sonny Kent and Rudi Heymann, trying to cover the whole of Europe between them, which is obviously a market with major potential, while in the view of some operators, some other areas are probably relatively overstaffed. It may be time to conduct a thorough review of the centres where our officers are located and the results we are obtaining from their efforts. To be more specific, I know that operators are very happy with the service they are receiving in the United Kingdom, Scandinavia and Europe. I know too that the north Italian market is growing rapidly and that we could probably benefit from the location of an office in that area. Equally, I know that there is some concern about the amount of effort we are putting into North America.

I was interested in the comments made by the people who went to North America. I look forward to following up those comments personally because the feedback to me has been that, after the initial Crocodile Dundee rush, the success rate in North America has been somewhat disappointing. If I am correct, and if that does not improve during the next couple of years, I think that we need to consider whether we want to continue pressing hard in that market or whether we might be able to use our limited Tourist Commission resources more profitably in some other part of the world.

I am certainly not meaning to be critical. My comments should be seen as part of the ongoing process of review which is necessary in all government operations, particularly in operations such as this which affect the livelihood of so many people. The budget of the Tourist Commission is limited. It is essential that we get value for money from its operations and we can only do that by subjecting its operations to continual internal review.

The aspect of this statement that most disappoints me is that it contains no reference to what is happening with domestic tourists. Too often, we forget that domestic tourism is the bread and butter of the industry in the Northern Territory. As I recall the figures, we have about 835 000 tourists altogether, of whom 178 000 or about 20% to 22% come from overseas. That means that 75% to 85% of the tourists who come to the Territory are domestic tourists. I hope that, at some time in the future, the minister will make a statement which concentrates more fully on the domestic tourism area. As I have said often, it is the mainstay of the industry in the Northern Territory and it will continue to be the mainstay of the industry in the Northern Territory. Obviously, the international industry is the cream. Whilst it may provide almost the entire livelihood of some people, for the industry in general it is the cream on the cake.

I imagine that the domestic market will become a tougher market in the future. State governments right across Australia are putting more and more effort into tourism. They see it as we do, as a potential money earner. Our economic prospects are uncertain for the next 3 to 4 years. It is quite clear that the federal government intends to slow the economy down. Obviously, that will have an impact on the ability of many people to travel. We have a situation where domestic travellers themselves are demanding higher standards. If they are to come to the Territory, they will

expect value and comfort for their money. That is of particular relevance to those people who are travelling in caravans.

Last week, a cousin of mine was in Darwin. He had travelled here with a caravan. One would expect to pay quite high prices for caravan accommodation at Yulara. However, in other places, caravan costs are around $14 and $15 a night. I must admit that I have not travelled with a caravan for quite some time, but I was staggered by that figure. That makes it costly for somebody travelling around the Northern Territory or Australia by caravan. It costs around $100 a week simply for somewhere to park your van. That surprised me somewhat. Another factor of importance to people travelling up and down the track is the quality of service. I know that services are starting to improve. I hope that, nowadays, one can obtain lead-free petrol at Renner Springs - which was not the case a couple of years ago. I am told that lead-free petrol can be obtained at Renner Springs. There has been a quantum leap in the services available at Renner Springs.

Mr Poole: For over 18 months.

Mr SMITH: Certainly, there is a need for the industry itself to be aware of the need continually to improve facilities for road travellers. It is something that I have talked about on previous occasions in this House and there is still quite considerable room for improvement.

I conclude simply by saying that everybody will be watching with some anticipation to see what happens to the industry this year and, at the end of this year, we may well be in a more realistic position to recognise what the long-term future of the industry is. As with so many developments in the Northern Territory, I think that some of our original projections were very optimistic indeed. In fact, from memory, I believe that 1990 was the year in which a previous minister, Mr Ray Hanrahan, said we would top the 1 million visitors mark. I do not think that we will get ...

Members interjecting.

Mr SMITH: Hang on! I do not think we will reach that figure, but I do think we need a body of information that will enable people in the industry to make realistic assessments about where the industry is going in the next few years, because there is nothing worse than putting your money into something and finding that it does not give you a return. I conclude by saying that each of us will be looking forward with some interest to seeing what happens in the industry, and I hope that the honourable minister will be in a position to provide us with an update in the next sittings.

Mr LEO (Nhulunbuy): Mr Speaker, I will be brief in the extreme. I have a simple question to ask the honourable minister. He might be able to address it by means of a circular to honourable members or to the industry generally. Have any calculations been done on changes that will result as a consequence of the deregulation of the airline industry? I anticipate that it will lead to considerable changes in the air schedules to my community of Nhulunbuy. Undoubtedly, it will mean considerable changes to schedules to Alice Springs, Yulara and elsewhere in the Northern Territory. I ask the minister to ascertain, in conjunction with the Minister for Transport and Works, the likely outcome of deregulation and its effects on tourism. I accept that he may not be able to reach any conclusions on the consequences of deregulation. However, if he is able to reach any conclusions, I ask him to provide us with that information.

Mr POOLE (Araluen): Mr Speaker, I note with interest the minister's statement on the present status of the tourist industry in the Northern Territory and the comments of the Leader of the Opposition. The Northern Territory owes a debt of gratitude to people involved in the industry for the way that the majority of them have recovered - albeit in some cases only just - from the effects of the domestic pilots' dispute.

It is a fact, and I do not think that enough emphasis has been placed on it in the Territory, that many operators went down the gurgler during the course of the dispute. Unfortunately, I believe that is continuing to happen. People who have managed to survive the last 6 months of very poor trade, and who are now gaining some inflow of funds, are being told both by banks and finance companies that they must begin to catch up on the payments they did not make during the months of the dispute. I know of an operation in the Northern Territory which was employing about 21 people in its particular area of the industry prior to the dispute. It cut staff numbers to about 7 and is now trading even more profitably than it did prior to the dispute. Unfortunately, that private company lost some $800 000 in revenue. That money is lost forever and there is no way that the company will meet its financial obligations during the coming months. Unfortunately, it is probable that the company will be wound up.

I would like to take a couple of moments to speak about the backpacker side of the industry and the upmarket side of the industry. It has always been a tradition in the tourist industry that neither backpacker accommodation nor the middle-to-low range of hotel accommodation suffers much in times of industrial disputation. That is because, by hook or by crook, commercial travellers continue to travel, albeit not as much as usual, and because, in the main, backpackers do not rely on the airlines.

It was interesting to note the Leader of the Opposition's comments in respect of backpackers. It is fortunate for the industry that the Northern Territory Tourist Commission recognised the value of backpackers 8 or 9 years ago. Apparently, the Leader of the Opposition has seen the light during the last 2 years. I think that he has been a bit slow in coming forward in support of backpackers. Many people who are classified as backpackers actually stay in quite high quality hotels. As I understand it, the Tourist Commission has been promoting the backpacker side of the industry for many years. If the Leader of the Opposition spoke to the youth hostel organisations, he would find that they are all reasonably happy with the amount of support that they have been getting over the years from the Tourist Commission.

The Sheratons have the status of comprising the only chain of 5-star hotels in the Northern Territory. As far as international standards are concerned, it is irrelevant whether such hotels are called Sheratons or Hiltons. At the time when they became part of the Northern Territory tourism scene, there most certainly was a perceived need - and there will always be a perceived need - for 5-star accommodation. I guess, if we went wrong ...

Mr Collins interjecting.

Mr POOLE: I do not think that anybody foresaw the downturn in the tourist industry which occurred last year. High occupancy rates in the upper end of the market have always been hard to achieve, and one of the arguments which has always been put to the government by the tourism industry and the Tourist Commission is that 5-star accommodation has to be marketed very selectively. The best standard of marketing is probably that

which is done by the hotels themselves and it is pitched at corporate magazines, incentive travel groups and so on. Traditionally, the Sheratons have done well in the convention area and no doubt they will continue to do well. It is indeed unfortunate that the dispute lasted for so long and had such a lasting effect on the industry in the Northern Territory. Personally, I believe that some of the federal government's ideas, promoted through the Australian Tourist Commission, with regard to stimulating the domestic tourist market are as disjointed as they were 5 or 6 years ago when it did the same thing.

I am sure that most honourable members would have seen advertisements on television in the last couple of months featuring the well-known entertainer Johnny Farnham encouraging people to take a holiday. They suggest people pick up the phone and dial the advertised number right away to get details of an Australian holiday. Personally, I feel that the advertisements are fairly disjointed and do not really sell a particular message. They just tell people to go on holiday. I have not yet met anybody who has told me that he has been stimulated by those advertisements to jump on a plane or jump in the car and go south on holiday.

I congratulate the Queensland Tourist and Travel Corporation again but, unfortunately, in its advertising, the Australian Tourist Commission seems to concentrate on tropical island resorts featuring sandbars, blue skies and sunshine, rather than taking in other places of beauty and interest throughout Australia. One criticism made by the industry some 8 or 9 years ago of the first of the advertisements of that kind was very similar. The industry believed that that line of advertising confused people's minds about their destinations. I think the money would have been better spent on single-destination advertisements for particular regions, providing a couple of ads on the Northern Territory, Tasmania, Western Australia, South Australia, Victoria, New South Wales and Queensland and relating the timing of those advertisements to the holiday-tourist season for those particular areas. Despite that, I do not think we should be greedy. We should accept whatever help the federal government offers in its efforts to retrieve a situation that, in any event, was largely created and certainly encouraged by itself.

The Leader of the Opposition referred to value for money and industry standards. I think I should spring to the defence of the tourist industry in the Northern Territory because, from my involvement in that industry since 1979, the standard of product that has been offered has advanced a million miles. The Territory is perceived by travel sellers, wholesalers and retailers to be an excellent destination and generally one that offers value for money. That is not to say that there is no room for improvement in some areas or that all operators are always consistent in the standard of service that they offer.

When we relate the Minister for Tourism's statement to his comments with regard to the resignation of pilots and the scheduled airline services to the Northern Territory, it is important to remind people in the Northern Territory of the important part it played in the expansion of the industry. Mr Speaker, you will remember talks with Singapore Airlines, Royal Brunei, Continental and Garuda and other airlines that have resulted slowly in increased services to the Northern Territory. However, our penetration of the international market is still very low as a percentage of the number of international tourists who come to Australia. It is an area that we can always improve on.

I am a bit bemused by the comments of the Leader of the Opposition in respect of figures from North America and the location of the overseas Northern Territory Tourist Commission offices. We can honestly say that we are probably the only government tourist organisation in the world that still has the same regional marketing directors and international marketing directors. Apart from the marketing director in Japan, who resigned last year because of his age, every other international director is the same person who was employed some 5 or 6 years ago. They all do an outstanding job and they all cover huge areas. I remind the Leader of the Opposition that, in North America, some immense obstacles are presented by the retail travel trade. There are some 44 000 travel agents in North America and some 20 000 bank travel agents. It is beyond the capacity of 100 people, let alone the 2 or 3 that we have in North America, to service every one of those travel agents. Of course, we do not do that at any rate. We rely on promoting to the trade.

The Leader of the Opposition referred to travel agents and consumer legislation. Obviously, he is not aware of the proposed consumer legislation which covers the insurance package with regard to the AFTA travel agents in Australia. We will conform with this legislation which applies throughout Australia to accredited travel agents. The problem does not really lie with travel agents. I do not think I can remember a travel agency collapsing in the Northern Territory - although there might have been one - in the last 10 years which left a trail of debts around the Territory. The problem that we have in the Northern Territory is that many retail businesses also sell tickets, whether they be tickets to go to the zoo, to travel on a coach or to experience the delights of Indo-Pacific Marine. There is no legislation to cover a reimbursement scheme to people who simply sell tickets.

It is worth noting that there are many operators in the Northern Territory who, whilst they are recovering from the pilots' dispute, are operating now with a skeleton staff in an effort to keep their heads above water. Unfortunately, when people do that, they do not have the time and resources to train staff properly and ensure that their apprentices, if I could use that word, progress through the industry to become the new managers in the 1990s.

With regard to domestic tourism, the minister's statement indicates that the figures look extremely good for the coming few months. I am told that the campaign that the minister mentioned, 'See Alice and Get Darwin Free', has already sold over 1000 packages. That is a great result for a program that has been going for only about 5 weeks. I remind honourable members that one of the most successful retail packages that was ever sold in central Australia was the 'See Alice While It Is Hot' program. At the peak of its popularity, I understand that it sold only some 1600 packages over a full 12-month period.

The indications are looking extremely healthy for the industry but, in saying that, the government has to be very careful not to say to the industry that it will have a bumper year. With the losses which people have sustained during the first part of the financial year, I doubt whether anybody will have a bumper year. I imagine that the industry will consider it to be a great year simply if most people survive. What we have to do, through the government tourist bureaus and the Northern Territory Tourist Commission, is to offer every encouragement and support to people in the industry to keep trying, to offer a product which offers value for money and to ensure that service standards do not drop.

Mr Smith: The minister said that the 'indications are that we are heading towards one of our best tourist seasons'.

Mr POOLE: I accept that, and I have commented about the number of packages which have been sold this year. What I am saying is that, despite having one of the best seasons on record, people will be pleased at the end of that season if they survive, because they have lost 6 months revenue. That is the point that I am trying to make.

There are still some problems in the marketplace. Anybody who has driven up or down the Stuart Highway in the last few weeks will have passed up to 30 or 40 caravans per day, heading north or south. I am assured by service station operators that, at this time last year, up to 80 or 100 caravans were on the road each day. Obviously, there is still a long way to go. However, things are certainly getting back into gear. I would argue with the overall assessment made by the Leader of the Opposition in relation to projections about 1990. I believe that, had it not been for the pilots' dispute, we would certainly have passed the magic million mark in terms of visitors to the Territory this year.

On the subject of deregulation of the airlines, I foresee some benefits. I have spoken about the matter previously in this House. I do not think that we can look forward to greatly discounted air fares but I do foresee the possibility of an expansion in the domestic marketplace which will make available late night flights, cheaper holiday fares in off-seasons and so forth.

I think it is important that we all offer the industry every encouragement to work together with the domestic airlines and so try to pick up what we have lost over the last few months. Hopefully, in 2 years time, all honourable members will be able to stand in this place and say that we have achieved the magic million, and that the industry has come of age and is operating at a very profitable level.

Mr COLLINS (Sadadeen): Mr Speaker, I welcome the minister's statement. It gives us a chance to talk about something which is, I am sure, dear to all of us, and even more so after the pilots' dispute which, as the minister said, taught us a pretty hard lesson.

People in Alice Springs have said to me: 'I did not think that my business was connected in any way whatsoever with the tourist industry but I now understand that really it is'. Of course, when the tourists do not arrive and hotels and motels are largely empty, they do the natural thing and reduce staff numbers. That means that the contents of fewer pay packets are being spent in the community. Sales drop and that puts pressure on other businesses to reduce staff. People tighten their belts. The money is just not there and all sorts of businesses suffer. They have suffered and it is not only a matter of the pilots' dispute. That has been coupled with the fact that we are located in one of the highest interest rate regions and, for businesses, interest rates can be 22% to 28%. Those are huge interest rates, and there is no other way to describe them. Not only that, the banks tend to calculate interest every quarter, and that introduces a compounding factor which adds another 2% or 3%, in real terms.

If a business is not obtaining the income that it was expected that it would and that the businessman based his borrowings on to get the business up and running, and he finds he cannot meet the repayments or meet his rental payments, he gets further and further behind, and that debt accrues interest then as well. We will need a bumper season in the Territory to

help people to survive. A year or 2 ago, people would speak with their bank managers and were able to borrow money for any reasonable proposition without any great difficulty. The banks would lend money to anybody who presented a reasonable proposition. Today, they are becoming very frightened and they are putting the screws on people. Many people are in continual contact with their bank managers and the people to whom they owe rent.

It is to the credit of a number of people, particularly those more fortunate people who actually own their buildings in the Alice Springs area, that they have been sensible enough to lower their rentals to help businesses to survive in the shopping centres and so on. They believe that, if some premises fall vacant, more will follow in the same centre and then everybody else is likely to collapse. That is good thinking and, as a result, they have lowered the rents to try to help the people to maintain their businesses - and that sacrifice is well appreciated. Others, of course, borrowed big money during the building boom in Alice Springs, and are not a position to do that because they themselves are dependent on the fairly high rents that they seek to extract from their tenants in order to pay their own mortgages. Thus, it passes down the line. There are many people who are very worried.

It is good news to hear that the minister sees strong signs that the tourist industry is recovering but, because of the 9 months since the pilots' dispute, the accrued debt owed by people is certainly very large. A number have gone under already and others are very shaky. One can only hope that, at the end of the season, they will have been able to accrue enough funds to enable them to keep going. It is important that they do because, if they do not, businesses that are not allied to the tourist industry will suffer as well.

When I was at the Alice Springs Airport on Monday, I was talking to one of the Ansett staff, and he said that flights this coming Saturday would exceed, for the first time, the level that they were at on 14 August last year when the pilots' dispute started. That certainly is good news. I recall at the time that many people were saying that it might take several years to reach that level again. Hopefully, this trend will continue and the situation will improve, although I am sure that the type of tourists coming through will be looking for low-cost accommodation and that will place some pressure on that sector of the industry. Some fairly smart people in Alice Springs have realised that backpackers, with their few dollars a night, are the people who it can be almost guaranteed will come. No matter how hard times may be, the caravanners and backpackers continue to travel. If these people are catered for adequately, then people in that area of the industry can survive, and that is good.

Since the pilots' dispute, I have driven to Darwin a number of times for sittings of the Assembly. It is a fairly long drive but I have enjoyed it. I am sure that particularly the member for Barkly would like to see the Stuart Highway completed as a 2-lane highway. There is stretch south of Tennant Creek and another to the north of Tennant Creek where the highway becomes so narrow that, effectively, it provides only 1 lane. With careful driving, 2 cars can pass and still remain on the bitumen, but it is not possible to pass a road train or a bus on either of those stretches. I hope that the Minister for Transport and Works will push for the completion of that highway throughout to dual-lane standard, and that particular attention will be paid to those stretches north and south of Tennant Creek that I have mentioned. Perhaps the minister may be able to give the Assembly some dates by which those 2 stretches will be completed.

There is not very much more that I can add. I am sure that the lesson has been learnt in Alice Springs and I trust that it will be a long time before anybody forgets it. The lesson is that the tourist does help our town to survive and to thrive. Every one of us ought to do our little bit, even in small ways. You may be walking down the mall and see some tourists trying to read a map and locate something. It does not take much to say: 'I am a local. Can I help you?' It may sound silly, but it is not. People appreciate and remember those little gestures which show that someone has cared enough to be helpful. We can each play our part in those small ways and, if we do not, we hurt nobody but ourselves and our own families.

Mr FIRMIN (Ludmilla): Mr Speaker, I rise to support the minister's statement on the tourist industry and I congratulate him on it. I agree with him entirely, having had something to do with the tourist industry over the years. Certainly, as had other members, I had an opportunity over the Christmas period to travel within the Northern Territory and see the parlous state of the tourist support operators, particularly along the Stuart Highway, as a result of the lack of tourist numbers in the Territory last year. I have friends in the industry who were caught up in the necessity to compete for an ever-reducing market during the pilots' dispute last year.

Whilst the Leader of the Opposition recognised the plight of some of the operators and that several operators had gone broke, he made a statement with which I disagree entirely. He said that, obviously, the operators whose standards were not high or appropriate were the ones who went broke. I take exception to that on behalf of my friends in the industry. That was a comfortable throwaway line and certainly a very easy thing to say if you have not researched the reasons for an operator going broke. It is easy to assume that somebody has gone broke because he provided a substandard service and did not attract custom. In many cases in the Territory, that is quite contrary to the actual facts. I applaud the member for Sadadeen for recognising some of those points.

In the last few years, the tourist industry has burgeoned as a result of the excellent publicity that the Northern Territory received through the Crocodile Dundee movie and the enormous effort made by our Northern Territory Tourist Commission. As we know, packages have to be put in place many years in advance and large investments made before any rewards are reaped. Many operators responded to what they anticipated would be ever-increasing visitation numbers. Many of them borrowed extensively to provide the necessary high-class international service. They believed that the industry was buoyant and that they would be able to repay their debts over time. Of course that did not happen. It is all very well for the Leader of the Opposition to suggest that they did not meet the appropriate standards and therefore went broke. In fact, they were caught up in the ever-increasing interest rate spiral in Australia and by a strike which effectively cut their legs off.

Mr Reed: It was not a dispute.

Mr FIRMIN: That is right. It was not a dispute and it still is not a dispute. Whilst it is fine that we have recovered to some extent, there are other places in Australia which are still suffering from the non-strike.

Certainly, the people I know who fall into this category are rather bitter - and rightly so - that people make spurious comments about their not meeting the necessary standards and say that that is why they went broke. On the contrary, they met standards that were set too high in anticipation of the continuing development of the industry that they believed was

supported not only by the Northern Territory government at a high level but also by the Australian government. It did not happen.

A couple of other comments were made about shonky sellers of cheap travel and it was suggested that, now that the industry is back on its feet, the CLP ought to address the problems of the industry. The last thing the industry needs is a set of new regulations controlling its day-to-day management. I believe the member for Sadadeen rightly interjected that we have a Consumer Affairs Office. We do have consumer affairs legislation in place. Adequate avenues are provided under existing legislation if people have problems with the industry at the moment. It does not need more red tape.

Comment was made about a better effort being required overseas. Unfortunately, I have not travelled to our overseas bureaus. One of these days, I might have an opportunity to do that. However, I have met a couple of our overseas commission chiefs in Darwin and I have a great respect for them. I believe they do an extremely good job. I met our British commission chief at a corroboree when I was representing this parliament at a meeting of the Commonwealth Parliamentary Association in London several years ago. I sat in on a corroboree for an afternoon and helped the commission staff sell some overseas travel to the agents. I was extremely impressed with their dedication to duty, the way in which they sold their product and the enthusiasm that they demonstrated in selling the Northern Territory.

I agree with the Leader of the Opposition that they provide a very good shopwindow for the Northern Territory there. He may well be right in saying that that southern Europe and northern Italy are areas which need to be investigated. I am certain that the honourable minister will take those comments on board. Having paid a compliment to the government and having suggested that it expand its support to an area, I would not like the Leader of the Opposition to turn around at the next sittings and slap us on the wrist, as he is inclined to do, for spending too much money on that area. I would not like to see him do that.

Reference has been made to caravanners moving up and down the Stuart Highway and to backpackers. I certainly support the backpackers. It is a marvellous way to travel and I have done it myself in several countries. Several members have pointed out that, whilst backpackers may not appear to be spending a great deal of money, they still have to move from place to place and, apart from those who hitchhike, pay transport costs. They still have to pay for a roof over their heads, at whatever price. It is also a fact that they save up their money to spend on specific things which attract them to an area. In the Top End, most of them want to see crocodiles, Litchfield Park, bird life and Kakadu. They spend their money on those things.

Backpackers do not seem to spend quite so much money on the things that we would expect an international traveller to spend money on. The international traveller moves in a slightly more cosseted situation, usually paying more than $100 a night for a room, taking his meals in air-conditioned comfort and so on. Nonetheless, backpackers are very good contributors to the tourist market and they are certainly well worth supporting. This government has been supporting them for quite a considerable time. As a result of government support from the days of the youth hostel operations, at the very lowest end of the backpacker market, the message has spread and numbers have increased steadily. It takes a long time to attract backpackers to an area because they are very selective about

where they spend their dollars. If they think that they will get value for money and will be supported, they will travel to an area. The word passes from person to person within the hostel organisations as people move throughout the world.

As far as caravans are concerned, I do not believe that $14 a night is high for a caravan site in the Northern Territory when one considers that most caravan sites have electricity, are well-grassed and offer well-constructed and clean ablution blocks. There may be occasions when that is not the case but, in my opinion, these are rare. I say that on the basis of having travelled up and down the Stuart Highway quite frequently during the last couple of years. Whilst trying to cope with the problems of high overheads and lower returns, in order to provide services on a 24-hour basis, as most do, park operators must employ staff. I do not know what represents a low fee for an overnight stay in a caravan park. I do know that the charge in Western Australia is roughly $10 or $11 per night and that, when crossing the Nullarbor Plain, one can expect to pay up to $20 a night. It is all relative.

Mr Bell: We pay to make the grass grow!

Mr FIRMIN: It is interesting that you should say that. I presume that you have been across the Nullarbor in the last year or so. There are several caravan parks on that route which actually have grass lawns, swimming pools and powered sites. Perhaps you ought to get your facts right before you make a comment like that.

Before I conclude my speech today, I would like to talk about the Sheratons for a moment. It really is easy to have a shot at a soft target. Some people might not believe that the Sheratons and Yulara are a soft target but they are to the extent that we all know that they represent what I would have to call an expression of faith by producing an environment for tourism in the Northern Territory. When we went into those operations, we all knew that it was a costly move. Like any businessman borrowing money over a long term and amortising it, we hope and pray that, at some stage, we will be able to pay off the debt. However, we know that it is a good move for us and, in many cases, our families, because we took all the information into account at the time when we chose to go into debt. In a situation like that, a businessperson accumulates all the facts but ultimately it takes a quantum leap of faith to make the initial step. That is what we did in the case of Yulara and the Sheratons and, for a number of years, we did extremely well out of them.

Mr Smith: What nonsense!

Mr FIRMIN: I love that interjection. That is what the soft target is all about. The Leader of the Opposition makes these spurious little interjections. He is like a shareholder saying to the chairman of a company: 'You have not given me a return on my dollar after a year'. He attacks the soft target, forgetting about the role Yulara and the Sheratons have played in creating a flow of tourists to the Northern Territory by giving us the opportunity to sell our product in the international market. Does he think that we could have gone overseas and sold the Red Centre Resort or the Poinciana Inn? Some honourable members would remember the time when the Poinciana Inn was one of the largest motels in Darwin. Most of them probably do not even remember where it is today.

Mr Reed: Excuse me!

Mr FIRMIN: Some of you may stay there occasionally but the point I am making is that, if we are to sell in markets of that kind, we must have something to offer. We have to make an expression of faith in some areas and the result is a flow-on into other areas.

I am sure that we will hear a great deal more about the Sheratons and Yulara in the next month, particularly with the budget coming up, but there is very little that we can do about the situation at the moment. The Sheratons and Yulara are an expression of faith. They bring in enormous numbers of visitors. Every day, 5000 visitors go to Yulara. I would guess that they spend about $100 a head per day, and that is a conservative estimate. Is a contribution of $0.5m per day to the Territory economy something to be sneezed at? It is certainly not a cause for throwaway lines or cheap shots. Whilst, in respect of our support for Yulara and the Sheratons, we may not be returning a dividend on the corporate balance sheet, we are certainly returning a dividend on the Territory balance sheet.

Mr BELL (MacDonnell): Mr Speaker, I have a number of comments to make in respect of the minister's statement. The first relates to the impact of the pilots' dispute on the tourist industry in central Australia, and I would like to support the comments made by the minister in respect of the energy with which the industry throughout the Territory responded to that dispute, particularly in the Centre. As did other Centralian members, I had the opportunity to attend a conference entitled 'The Desert Rose Blooms Again'. The energy and enthusiasm for recovery and the determination to get through what continues to be a difficult situation was highly commendable. I read with interest some of the recommendations from that seminar.

I am keen to ensure that we are able to put our best foot forward. Tourism is one of those fascinating economic activities that relies on a very interesting mixture of public and private enterprise. Private sector service deliverers in the tourist industry abound in Alice Springs and right around my electorate. Many of those people are operating in various centres, including Yulara. The balance includes important public sector initiatives and, to a large extent, the public dollars involved are expended by the Tourist Commission. The energy and the efforts of many people in the commission are a vital part of the industry in the Territory. I do not hesitate to pay tribute to the people who have provided that energy in both the public and private sectors.

Regardless of his lamentable political affiliations, I regarded the member for Araluen, in his former capacity as Chairman of the Tourist Commission, as a very able operator in that environment. I have no hesitation in saying that it is not a job that I would feel myself capable of doing. I do not have the particular blend of necessary skills. I appreciate the opportunity to be able to recognise them in others.

There are many people in that industry around my electorate. I think of people who are employed by large international organisations right through to the sole operators. I have developed a great deal of respect for and learned a great deal from many of those operators. I think of the large firms, like the Sheratons, which have employed people of the calibre of Roger Wright and Ike Perquin and others who have worked with the organisation in the Centre. I refer also to the recently-departed Territory manager, Mr Art Lopez, who put so much energy into the Territory. We have recently seen the Four Seasons chain depart from Yulara. Ted O'Day and his wife, Rosa, put a great deal of effort into Yulara as a whole and their contribution must be recognised.

At the other end of the scale, we have Ren Kelly and the people who are providing services at Yulara. I refer to people such a Kerry and Ruth Williams, John Beasey and Russell McKenzie with BMAC. We also have people like Dave Bullard. These people are providing vital opportunities. I am delighted to be associated with many of those people. I am sure that I will get myself into all sorts of trouble by leaving somebody out. Be that as it may, I have indicated the appreciation I have for their efforts.

I could go on at length about Yulara, but I will not. However, I must say that, as the local member, I am deeply concerned that the finances of Yulara are so opaque to somebody in my position. I frequently receive representations from constituents at Yulara in respect of the security of the financial operations of that resort. Time and time again, when I pursue those representations, I am fobbed off. I am never informed. If the government feels hard done by because, to its mind, it is falsely accused because of the financial relationships at Yulara, it has nobody but itself to blame. When the member for Ludmilla tells us what a terrific idea it is, it is a dreadful shame that the government is not prepared to be a little more open about it. We need a little more information in that regard. I believe that the undertakings given to this Assembly in the early 1980s in respect of Yulara have failed dramatically and that an open and honest assessment of our responsibilities in that regard is overdue by a matter of years.

In his otherwise constructive statement, the minister could not resist having a shot at the federal government. I have already said how vital it is to have a constructive private public sector relationship in the Territory. Equally, it is vital to have a constructive Territory Commonwealth relationship in this regard. I believe that, through encouraging the advertisement of the Territory overseas, we were able to re-attract many of those overseas tourists who had decided that they would never be able to come to the Territory again, partly as a result of the efforts of the federal government. I appreciate that the Territory government has put its best foot forward and that its advertising campaigns have been progressive. It has not always been completely patent about that and I have a written question on that subject. With that proviso, the marketing effort has been a very positive one.

How about giving the federal government credit where credit is due? The honourable minister could not help himself. In an extremely curmudgeonly statement, he said: 'These initiatives, quite separate from any Commonwealth promotional aid which came later as a result of intense lobbying from all states and territories, spearheaded the Territory's management of an unprecedented crisis'. I am not going to rehearse the pilots' dispute debate, but I did think the minister could have been more constructive in his approach to the federal government. Of course, he rejected the opportunity to be constructive. He maintains that negative attitude towards the federal government that, in the final analysis, is acting against the very interests that he is seeking to protect and promote. In my view, the only epithet that one can apply to that type of comment is silly.

The Leader of the Opposition mentioned that we are still highly dependent on the domestic market. I am not sure if the minister gave figures in his statement. Yulara is dependent on the domestic market to the extent of 70% or 80%. That estimate might be conservative; it might be nearer 90%. That needs to be borne in mind when we are considering our marketing strategies in the Territory. It is very easy for us to concentrate on the high roller and the international tourist because we

believe that they are likely to put more money in. In fact, that section of the market, for which we still have to compete, is a relatively minor part. I believe that not enough consideration has been given to the feelings and experiences of the domestic traveller. I believe that our collection of tourism statistics is about the sum total of our assessments of the domestic market.

One of the axioms of the tourist industry is repeat business. In terms of the viability of Yulara and the ongoing success of many of the operators there, a realistic assessment of the experiences that domestic travellers have is important. Let me give an example from Yulara. This is personal and anecdotal, but I doubt that it is isolated. I am sure that other honourable members have had the experience. The majority of my friends are fairly typical domestic travellers. They usually have 2 or 3 kids with them. If they are away for 2 weeks, they cannot afford to stay in a motel every night. In fact, most of their overnight accommodation is likely to be in a caravan park or camping ground. A friend who was staying with me recently said, in relation to Yulara: 'We would have liked to have stayed 2 or 3 nights, as we did at the old camping ground for $5 or $10 a night. However, at $30-odd a night, we could not afford to'. That is one of the answers to the well-understood problem the Yulara Corporation encounters when trying to encourage people to spend an extra night or 2 at the Rock.

I know how important it is, but then I think we need to be aware of the sort of budgets that our staple market is reliant on. We are under these pressures. On one hand, we are trying to increase the length of stay and, on the other hand, we have to keep prices high in order to service some debt the extent of which we do not know. Although the Yulara Corporation is receiving taxpayers' money, it has become an unknown burden to the Territory taxpayer because the government keeps on insisting that it will not release that information because the corporation is a private company. Thus, there are those pressures. Presumably, it cannot drop its prices to attract more people although, if it did drop its prices and that did attract more people, it would work quite well.

Of course, that ignores the process of negotiation between operators and the corporation. I have received representations at various times from operators who have been disgruntled to some degree with the deal that they have received from the corporation. Of course, they are at arms length from government and, in particular instances, they have not seen the light of day. I believe that there are concerns in that area. If the industry as a whole, both private and public, has come through this - and, in saying this, I include the minister and the Tourist Commission, and I think that we have played our part as well in that regard - if the industry has come through the effects of this dispute, I hope that the loss of operators along the way is not serious. We have seen Toddy's go to the wall in Alice Springs over the last month, and I think that is a matter of concern. I hope that other operators do not follow but that, as the season develops, they will be able to generate the cash-flow that will enable them to service their capital commitments. I look forward to providing whatever support I am can to operators, both within my electorate and in any other capacity around the Territory.

Mr FINCH (Transport and Works): Mr Deputy Speaker, tourism is no different from any other business. It relies as much on preplanning as it does on the confidence of the marketplace.

Mr Bell: Oh, no! We are not going to get into desert oaks, are we, Fred?

Mr FINCH: Mr Deputy Speaker, let me say from the outset, for the benefit of the member for MacDonnell, in retaliation for his provocative statements about the government never giving the federal government credit where credit is due, my entire delivery will be about giving the federal government the absolute total serve for each of 4 items.

The first of these items concerns a very important component in building business confidence - infrastructural development. Unfortunately, the confidence which leads people to build hotels, Yularas and a tourism industry generally is, in the main, within the domain of the federal government. I have to give credit to the federal government for now promising to proceed with the 2 airports. I do so with some scepticism, which is shared by the general community. We all remember 19 August 1988. That is a date indelibly traced on my mind. That was the day on which our 2 Labor federal representatives said that, if the airports were not transferred within 1 month and if construction did not commence prior to the end of that calendar year, 1988, then their necks would be on the line. Let me say that I did forewarn those federal representatives at that time that, given the constraints being placed on the FAC, it would be difficult for them to deliver their promise of airports expeditiously - and airports with no additional charges being imposed on users - unless the federal government got off the tail of the FAC and let it act in a fully-commercial manner.

The transfer of Darwin Airport took place some 6 months later - and I suppose that was reasonable, given the bureaucratic obstructions that had to be overcome - and commitments were made for some construction by the end of that year. Of course, we all remember the fuss created by Senator Collins and the honourable federal member, Warren Snowdon, when some local business people who were becoming a little impatient suggested that perhaps things were not running to schedule. The retaliation was, and it came not only from Senator Collins and Mr Snowdon but from the FAC itself, that construction on both terminals would commence by November 1989. That was November of last year.

Mr Hatton: And all their jobs would be on the line, chuckle, chuckle!

Mr FINCH: Or, again, all their jobs would be on the line.

I recall the Leader of the Opposition pooh-poohing in this House my statement that I had received a draft construction program from the FAC which indicated construction for April 1990 - the April that has just gone. He described that as nothing but a figment of my imagination which ought to be taken in context. I did not realise of course that they would not meet even that draft program. The latest information is that the construction of the Alice Springs terminal will commence in August this year at best, and construction at Darwin may commence in July.

Of course, the federal government can also take total responsibility for the fact that the Stuart Highway and Barkly Highway, which were supposed to be completed in 1988, will be completed at some time in about 1993. I say that for the information of the member for Sadadeen. As for the Victorian Highway, a very important tourism link for the west, in the federal election campaign, we heard announcements made by not only the 2 federal Labor candidates but also the President of the ALP in the Northern Territory, that, $100m would be spent in top-up funds on the Victorian Highway between now and 1994. The latest information from Canberra is that, whilst really we could do with only $94m over the next 5 years, what has been made available to date indicates a shortfall of either $26m or $38m - one of the 2 or perhaps somewhere in between - from the announced $100m. We see now

that an extension of the program to upgrade that highway to dual-carriageway status, an election promise by the Prime Minister, a federal minister, 2 Labor federal candidates and the President of the ALP, is to be 3 years behind the promised schedule. The federal government can indeed take absolute credit for those decisions.

When it comes to deregulation of the airlines, there is a long way to go, but but it is my firm view that, unless we get some freeing-up of Australian airlines, then the results for the Northern Territory may not be all that glorious. The federal government can take credit for that too.

In regard to motor vehicle traffic, the people travelling with caravans that members on the opposition benches so correctly say provide a steady flow of income to our tourism industry, these people pay 24¢ tax on a litre of fuel and only 6¢ is returned to the road system. The announcement today of an additional 10¢ per litre will not exactly assist them or provide them with any great encouragement to travel.

For all those reasons, it is little wonder that it is a struggle for the Territory government to promote confidence, when promise after promise by the federal government remain unfulfilled. In my view, giving total credit to the federal government can do nothing more than see continued constraints placed on development and on the tourism industry. It is no wonder, of course, that we are quite happy on this side of the House to give absolute credit for that to the federal government.

Debate adjourned.

MOTION
Inquiry of Privileges Committee into the Legislative Assembly (Powers and Privileges) Act

Mr MANZIE (Attorney-General)(by leave): Mr Deputy Speaker, I move that, notwithstanding anything contained in any order or the standing orders of the Assembly, the time for reporting by the Committee of Privileges on the adequacy or otherwise of the Legislative Assembly (Powers and Privileges) Act be extended, and that the committee report as soon as possible.

The committee has given consideration to the large report on privileges presented to it by the Clerk and has forwarded part 2 of that report, together with a draft bill, to a number of interested individuals and organisations for comment. The committee has received submissions from some of those organisations, and intends to hold hearings on the matter early in the forthcoming recess. However, the committee is concerned to ensure that all interested parties have sufficient time to contribute to the committee's inquiry. To this end, the committee intends to commit interested parties, which have not made submissions, to give oral evidence at the forthcoming public meetings. It is hoped that the committee will be in a position to report to the Assembly before the end of this year. Mr Deputy Speaker, I commend the motion to honourable members.

Motion agreed to.

CONSUMER AFFAIRS BILL
(Serial 282)

Bill presented and read a first time.

Mr HATTON (Health and Community Services): Mr Deputy Speaker, I move that the bill be now read a second time.

Honourable members will recall that, in the February sittings of the Legislative Assembly, I tabled for discussion a draft Consumer Affairs Bill. Following tabling, it was made available for a 1-month period for public comment. Every opportunity has been taken to publicise the draft bill during the period of consultation and to make copies available to the public. Nearly 400 copies of the draft bill have been distributed throughout the Territory to members of the public. Ongoing consultation has continued with specific industry groups affected by the bill, in particular the motor dealers and travel agents. Briefing sessions have been conducted with business and community groups and interested members of the public.

This most recent period provided for public consultation following tabling represents the culmination of a long process of consultation which commenced several years ago when a working group was established to conduct a review of consumer affairs policy and legislation in the Northern Territory. The working group report was tabled in 1988 and was followed by a 6-month period for public comment and consultation. Ongoing discussion has been maintained since that time with various industry and community groups.

The recent period for consultation coincided with the World Consumer Rights Day on 15 March this year. The Office of Consumer Affairs made a particular effort this year to commemorate this special day. Public displays were conducted in all Territory centres and at 2 locations in Darwin, the Mall and Casuarina Square, emphasising the Territory-wide nature of consumer affairs activities. Apart from the public displays depicting aspects of the new legislative initiatives, copies of the draft bill and the consumer newsletter were made available to the public.

With the introduction of this bill, the Northern Territory is on the threshold of ushering in major changes for consumer affairs. The bill represents the most far-reaching and comprehensive reform of consumer law undertaken in the Northern Territory. It will result in a better deal and a fairer marketplace for all Territory residents. It represents a total overhaul of the existing legislative base and a broadening of the scope of consumer affairs, as recommended by the working group responsible for that review of consumer affairs. The reforms place greater emphasis on self-protection and business competition by providing effective remedies to both consumers and traders who suffer loss through the actions of dishonest and unfair operators. The decision to conduct the review was taken in recognition of the need to strengthen the role of consumer affairs in the Northern Territory. The present legislation in the Territory has been introduced in a piecemeal fashion over many years without any adherence to a consistent policy.

The package of reforms covers a wide range of initiatives which reflect modern business realities and community expectations. They will provide both consumers and traders with greater clarification about rights, responsibilities and methods of resolving disputes. The centrepiece of these reforms will be the fair trading provisions which will underpin the commitment to the maintenance of a free, fair and competitive marketplace in which traders will be able to compete and in which consumers will be able to rely on minimum standards of behaviour.

In the report of the working group tabled in May 1988 by my predecessor, the late Don Dale, the working group recommends the adoption of a set of

policy guidelines, the overhaul of the existing legislative base of consumer affairs and the development and implementation of a single consolidated act. Consolidation of legislation achieves a consistency of definition, administration and enforcement for the more effective and efficient operation of consumer affairs. The recommended package of reforms is based on a suggested set of policy guidelines with the objective of upgrading and rationalising basic consumer law in the Northern Territory.

The bill that I introduce today has been amended in several minor ways in the light of comments received during the recent period provided for public consultation following the tabling of the discussion draft in the February sittings. Many practical and positive comments were received, some of which have been included in this redrafted version. The bill's introduction should not be interpreted as meaning that further consultation and discussion about its provisions is closed off. On the contrary, I am prepared to receive further comments and, if necessary, to propose amendments later to ensure that this legislation meets the needs of consumers and businesses in promoting a fair marketplace.

As mentioned at the time of the tabling of the discussion draft in February, it was intended that the model uniform trade measurement provisions developed to replace the existing weights and measures legislation would form part of this consolidated Consumer Affairs Bill. I advised honourable members that, whilst it was still the government's intention to proceed with this legislation, separate legislation was to be introduced. Members will recall that this was done in February, successfully debated and passed earlier in these sittings. Our actions reflect similar processes being conducted interstate. This will ensure the introduction of identical legislation in all states and territories and will guarantee adherence to uniformity Australia-wide in this most fundamental of activities to ensure confidence in the marketplace. The passage of the trade measurement legislation represents a significant component in the package of reforms for consumer affairs which have been announced previously. These include the amendment of the Small Claims Act, the commencement of the vehicle encumberance system, known as REVS, and now the introduction of the Consumer Affairs Bill.

As I have said, the introduction of the Consumer Affairs Bill will usher in a new era in consumer affairs in the Northern Territory, providing greater access to services and remedies on consumer affairs in response to community expectations. It introduces modern, updated and generally uniform provisions which are in line with those operating interstate and which will contribute to the promotion of a fair market nationally, allowing the Northern Territory to participate with interstate consumer affairs authorities on an equal footing in the future.

At the time of tabling the discussion draft bill in February, honourable members will recall that I presented a major statement in this House, comprehensively outlining the proposed legislation. I do not intend to repeat those details again today. Suffice it to say that the consolidated bill recognises the expanded role for consumer affairs in the promotion of fair trading. It acknowledges that both consumers and traders have a legitimate interest in maintaining and promoting honest dealing and fair competition in the expanding Northern Territory marketplace. The emphasis is placed clearly on the promotion and maintenance of fair trading and not simply the advancement of mere consumer protection. I commend the bill to honourable members.

Debate adjourned.

PETROLEUM AMENDMENT BILL
(Serial 283)

Bill presented and read a first time.

Mr COULTER (Mines and Energy): Mr Deputy Speaker, this bill addresses 2 key objectives. The first relates to the introduction of drilling funds to the Territory and the second to the simplification of the transfer and registration provisions of the act generally. The remaining amendments are of a consequential or statute law revision nature only.

The drilling fund concept is designed to encourage further investment in the petroleum industry in the Territory; that is, to draw previously untapped funds to the local industry from persons and companies who would otherwise be unable or unwilling to invest. The objective is to mobilise risk capital by offering a direct interest in a permit which is not otherwise available through the normal stock trading avenues. The drilling fund concept is based on a publicly-held and listed drilling fund, subject to stock exchange regulations in the Companies Code, or on a trust regulated by an approved deed under the Companies Code.

The mechanics of establishing a fund are as follows. A management company proposing to offer to the public prescribed interests or units in a drilling fund must first apply to the minister for approval to establish it. In considering an application, the minister may require any information relating to the application, including information relating to the technical capacity, financial resources and standing of the management company. When approval is obtained and the requirements under the Companies Code have been complied with, the management company must then lodge a certified copy of any deed approved pursuant to the Companies Code with the Petroleum Registrar for registration. The deed is then a public document which certifies approval for the establishment of the drilling fund to which it relates. When a drilling fund is established, a transfer of assignment of any prescribed interest or unit in the fund is statutorily incapable of transferring or assigning an interest in the actual permit or licence in which the fund is established.

The drilling fund concept was introduced into the Australian petroleum industry in the mid-1970s. The concepts were complex and, to this day, do not have the same acceptance in Australia as they have in the United States due mainly to legislative impediments. Their limited success in this country is due largely to legal difficulties in achieving the 2 essentials for a successful fund: firstly, deductability for income tax purposes, which provides the incentive to invest; and, secondly, free trading in drilling fund units.

These amendments provide for free trading in units of a drilling fund established in the Territory and will allow an investor in a properly constructed drilling fund to take advantage of a concession currently existing in income tax legislation. This removal of the legal and thus the administrative impediment makes the Territory petroleum tenements a more attractive proposition for drilling funds and hence increases the potential for attracting previously untapped funds to the industry in the Territory.

I turn now to the second objective which these amendments seek to address: the alteration of existing transfer and registration provisions contained in section 93 of the act. The amendments relate to the system of conveyancing of farmouts, whereby a registered holder of an interest in the petroleum title, the farmor, agrees with another party, the farmee, to

transfer part or all of that interest to the farmee. It is difficult to overestimate the importance of the farmout system in the petroleum exploration industry. It is the prime mechanism for risk sharing and for matching available risk capital with the operational needs of petroleum titles. In addition, the farmout mechanism offers virtually the only way in which smaller explorers may participate in exploration.

The system of conveyancing of farmouts, which has developed and become established over the past 20 years, is a result not only of the provisions of the Petroleum (Submerged Lands) Act, but also of the administrative policy of the Commonwealth in relation to offshore titles under the act. By the existing conveyancing method, an absolute transfer of the whole of the permit is required to achieve a transfer of even very small percentage holdings in the petroleum title. The current method requires the consent of all registered holders as they must all execute the transfer. In practice, it is often difficult to gain cooperation in obtaining consent from the other registered holders who are not directly involved in the farm-in. They may quickly respond if they object, although objections are rare, but more often than not there is no response at all and one must divine from the lack of response that consent in fact has been given.

The next step in the process, the actual execution of the transfer, again frequently produces delays. This is not due to any ill will but simply because the companies not concerned in the transfer, the actual farm-in, place the execution of such transfers very low on their list of priorities. Given the unsatisfactory nature of the current method, it is proposed that it be changed to remove the existing restrictions of transfer yet maintain control on conveyancing of farmouts.

It will no longer be a requirement for approval of the minister that a transfer of a permit or licence requires the consent of all registered holders. The transfer need be executed only by the farmor and the farmee. A transfer may be for a part of the farmor's interest in the permit or licence. There is no restriction to the 'whole of the interest' as presently exists. Other registered holders of the interest in the permit or licence need involve themselves only if they object to the proposed transfer after they have been notified by the farmor of the intention to apply to the minister for approval of the proposed transfer.

In determining an application, the minister will take into consideration a number of matters, one of which is any objection or submission received from another registered holder. If no objection or submission is received in the prescribed period, the other registered holders are deemed to have consented to the proposed transfer, and the minister will determine the application as soon as practicable after the specified date.

The amendments make it clear that the farmor and all other registered holders shall be jointly liable for the performance of obligations in respect of the title and the conditions attached to it and the act and the regulations. The transfer and registration amendments proposed are deregulatory in nature and should reduce greatly the delays in the industry. The overall effect of all these amendments should be to stimulate the onshore petroleum industry with which close consultation has been maintained throughout the formulation of these amendments and from which valuable input was received.

The Territory's drilling fund concept proposed by these amendments is unique to Australia and, like the proposed new conveyancing provisions, breaks new ground in this area of the petroleum industry. It may be of

interest to honourable members to know that the original concepts of both these reforms were developed by the late Dr Ken Pocock of the Department of Mines and Energy. Both concepts provide a model for the rest of Australia to follow. I commend the bill to honourable members along with the work of Dr Ken Pocock.

Debate adjourned.

COMMERCIAL PASSENGER VEHICLES BILL
(Serial 287)

Bill presented by leave and read a first time.

Mr FINCH (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to provide a legislative framework for commercial passenger vehicle operations to meet the needs of the 1990s and beyond. The bill has been developed after very detailed consultation with the commercial passenger vehicle and tourist industries and a wide range of other interested parties.

The bill has a number of important aspects. Firstly, it places the emphasis squarely on quality and safety, rather than on commercial constraints on business. The only commercial regulation to be retained is for the taxi industry and for motor omnibus operations in urban areas and for pioneer route service operations declared under the act. Secondly, it provides for much greater flexibility for business to develop new services and approaches without being confused by the requirements that currently exist. Thirdly, it provides for much more effective control mechanisms to guide the industry as to what is good practice and to allow effective intervention where this does not happen. The emphasis is to encourage the industry to get it right. Fourthly, it provides much more effective sanctions against those carrying passengers for hire and reward that do not have the necessary approvals. Finally, the bill takes out of the Motor Vehicles Act all of those aspects not relating to the driving licence, and registration and roadworthiness of vehicles, and provides for a director commercial transport to administer the legislation.

For the benefit of members, I will run through the major features of the bill. A concept new to the Northern Territory is that of operator permits which has been introduced in part III. This follows discussion with various industry groups during the development of this bill. A strong desire was expressed for the introduction of enforceable quality controls. The concept requires the holding of an operator's permit as a prerequisite to being eligible to hold any of the classes of commercial passenger licences. An operator's permit will have no commercial value. The fee charged will reflect the level of administrative effort required for its issue. Issue of an operator's permit will mean that, at the time of receipt, the applicant is deemed fit and proper to hold a commercial passenger vehicle licence.

For the benefit of members, eligibility for an operator's permit will include an applicant's record with regard to serious convictions, either of a criminal nature or against the Commercial Passenger Vehicles Act. The significance of the operator's permit is that, without one, a person cannot either retain or gain a commercial passenger vehicle licence in any category. As members will appreciate, the concept provides a formidable incentive for operators of commercial passenger vehicles to conduct their business within the terms and conditions under which their licences are

issued. Serious misbehaviour may result in loss of the operator's licence and hence loss of the right to operate commercial passenger vehicles of any category.

Each licence category will require adherence to conditions of licence, and vehicles will have to meet and maintain minimum quality and safety standards, relevant to each particular category. Additionally, the industry will be encouraged to assume greater responsibility for the provision of a quality service, as this legislation provides for the recognition of industry-developed codes of conduct. Failure of individual licensees to comply with codes of conduct will be an offence.

The bill then provides for 5 separate classes of commercial passenger vehicles: taxis, private hire cars, motor omnibuses, tourist vehicles and special purpose vehicles. I will now address each of these classes. As I have already indicated, taxis will remain subject to numbers control. They will also remain subject to price control. However, the opportunity has been taken to rationalise many aspects of taxi operations. In particular, the act will introduce 2 new provisions designed to complement permanent taxi fleets. I refer to standby and supplementary taxis. Standby taxis will be vehicles licensed to substitute for permanent taxis which are temporarily out of action, whether it be for servicing, as the result of accident or for mechanical repair. Members will appreciate that this will ensure approved taxi fleet numbers are available to consumers at all times.

On the other hand, supplementary taxis will be vehicles licensed to operate supplementary to the permanent taxi fleet at specified times or for specified periods. The need for additional vehicles can occur on a daily basis or in certain months of the year, such as a heavy tourist season. Supplementary taxis will be licensed to operate during times when it is apparent that the permanent fleet cannot service the demand, but will not be permitted to operate at other times. Members would realise that, if permanent taxi fleet numbers were to be set to meet peak demand, logically there would be an over-supply during off-peak times, resulting in an erosion of the livelihood of licensees. As taxis will remain subject to numbers control, it is necessary, through this legislation, to continue to insist that an approved vehicle be kept against the licence. Should this not be the case for a continuous period of 3 months, the licence will lapse and will be valid no longer. Honourable members will recognise that priority is to be given to ensuring maximum fleet availability. On the other hand, in recognition of the high purchase price of taxi licences, the need to renew those licences on an annual basis will be dropped.

As stated previously, private hire cars will cease to be subject to numbers control on the introduction of the legislation. However, prospective licensees will be required to be the holders of an operator's licence, pay an entry fee that will be set to take account of the current value of these licences, provide a vehicle which meets the minimum vehicle standards as determined by the director, have any intended use of a communication network approved by the director, abide by the terms of any appropriate code of conduct/code of ethics approved by the director, and abide by conditions applied to issue of the licence by the director. Private hire car licences will remain capable of being sold privately with the new owner having to meet the same criteria. Licences will not need to be renewed and, in the absence of numbers control, will not require continuous holding of an approved vehicle against the licence for it to remain valid.

Part VI provides for omnibus licences and motor omnibus urban services areas and pioneer routes. The most significant changes to established motor omnibus licensing criteria will include deregulation of non-urban route services, declaration of motor omnibus urban service areas, and provision for pioneer route service operators. Again, the theme is quality rather than quantity control, with minimum red tape, whilst maintaining safety levels which can reasonably be expected by the consumer. Whilst there will no longer be a need to be licensed to operate non-urban route services on commencement of the legislation, timetables will be subject to audit with the director being able to require amendment as necessary in the interests of public safety.

Declaration of urban motor omnibus service areas reflects the government responsibility to the community to provide an integrated approach to public transport in the urban environs. To encourage non-urban route services, operators will be able to apply for the issue of a pioneer route service licence if developing new services outside declared urban route service areas. They will have to satisfy the director that they would be unlikely to establish the service in the first 12 months without an initial level of protection. Exclusivity will be available for a maximum of 2 years. It will be subject to review after the first 12 months, and an extension will be considered only if the applicant can show that the route could still not sustain competition and would not have been commenced otherwise.

A significant aspect of future motor omnibus licensing is the intention to introduce vehicle rating under this legislation. After its introduction, vehicles will be inspected for roadworthiness, as is the case at the moment, but also in order to establish status in accordance with set comfort, safety and hygiene standards. These standards are being developed at present by a working group comprising departmental officers and operators represented principally by the Bus Proprietors' Association and the Adventure Tourism Association.

Coupled with vehicle ratings will be the introduction of the minimum vehicle maintenance schedule. This will be based on schedules already operating in South Australia, and as endorsed by the Australian Transport Advisory Council. Put simply, licensed operators will be required to outline maintenance programs, have maintenance facilities approved, and keep records to the satisfaction of the director. Maintenance programs, records facilities and vehicles will be subject to random inspection to ensure continued compliance. As members will appreciate, aside from consumer confidence in the standard of vehicles licensed in the Territory and encouragement of good management practice, a major spin-off will be that, as an operation demonstrates compliance, requirement for the twice-a-year government test shed inspection may be cut back to one.

The object of this provision is not to bring those operations exceeding the minimum maintenance levels down to these standards, but rather to cause others to increase maintenance efforts to at least these standards and for any intending operator to be clearly aware of these obligations prior to gaining a licence. Motor omnibus licences will be renewable annually and there will continue to be no restrictions on the number issued, but controls on safety will be substantially enhanced.

One of the major problems with the current provisions of the Motor Vehicles Act which this legislation replaces has been frustration caused by its inflexibility. If anyone wishing to enter the commercial passenger vehicle industry dares to be different, then a problem is likely to arise. A stop-gap solution, well over-used and supplying no security over tenure,

has been the issue of carriage of tourist permits at the discretion of the minister. Those appointed in this regard include adventure tours and safari operators who must settle for this very restricted method of carrying passengers commercially if the operation is not on a scale which does not require or justify the use of a motor omnibus. Previously, these permits have been issued for work more appropriately done by private hire cars but, with numbers control, such licences have not always been readily available.

To satisfy an obvious need in this regard, part VII of Commercial Passenger Vehicles Bill introduces a licence category of tourist vehicle or TV. It is intended that these vehicles be available to consumers for sightseeing tours and adventure travel in the rural, outback, and nature areas of the Northern Territory with sightseeing trips within suburban environs usually included as part of a package. By 'package', I refer to a holiday tour and sightseeing arrangement entered into by a person by agreement with a travel agent or travel company, or through direct involvement with the tourist vehicle licensee, that combines travel segments with holiday accommodation and airport/bus terminal transfers.

Clearly, the transfer of individual travellers to or from an airport and a hotel or private residence/business address, with no further obligation to that traveller, is the realm of taxi, private hire car and motor omnibus, and is directly proportional to the degree of personalised service for which the traveller is prepared to pay. Honourable members will agree that it is equally clear that a licensed tour vehicle operator must be able legally to meet the requirements of tourists for whom he/she has responsibility well beyond their transfer to hotel accommodation, including their eventual departure from the region. Tourist vehicle licences will be subject to annual renewal and conditions as determined by the director commercial transport with the continued holding of an operator's licence as a prerequisite.

Part VIII covers the final passenger vehicle class which is special passenger vehicles. These will be motor vehicles, not being a taxi, private hire car, motor omnibus or tourist vehicle, licensed to carry passengers for reward. Importantly, they will be vehicles/operations that, despite all reasonable consideration, cannot be categorised into any of the other classes. An example of an existing unusual operation which might fit into this class is the tractor-pulling-trailer hayride at Mataranka Springs. Alternatively, the new legislation will allow scope for this or other types of activities to be exempted from requiring operator's permits or other commercial passenger licences, subject to conditions set by the director. For expediency, the trailer of the Mataranka unit is currently registered and licensed as a motor omnibus by ministerial declaration. Clearly, this is not appropriate, but it was the only way to make the operation legal.

Special passenger vehicle licences will be renewable annually. Holding of an operator's licence will be a prerequisite, as will operation in accordance with conditions of licence determined by the director. A further significant aspect of the bill is that, in conjunction with realistic penalties for major offences, most breaches can be dealt with administratively. The director will have the power to suspend or to cancel licences whilst, in turn, the operator may appeal such a decision to a local court unless, in the case of suspension, the period is for less than 4 weeks. In the case of a second conviction of operating for hire and reward without a permit and licence, the court will have the power to confiscate the vehicle.

The bill offers clear delineation between licence categories, the comfort of users, and quality controls for both operator and user, with realistic penalties which do not add a further burden to an already over-regulated system. Responsible operators will have nothing to fear from the introduction of this legislation. Indeed, the provisions of the bill offer operators considerable advantages over current regulation. For example, once an operator's permit is obtained, an operator may purchase any number or mix of PHCs, MOs, TVs or SPVs, to use that new vernacular. Also the bill offers established operators a level playing field where new members to the team can be welcomed as long as they play to the rules and act in accordance with the conditions as set out by the referee. Failure to do so will result in dismissal from the field and a likely permanent ban.

I expect the considerable consultation with the commercial passenger vehicle and tourist industries and other users that has already taken place to continue before this major new legislation is debated at the next sittings. This may well lead to further finetuning. At this stage, I would like to express my appreciation of the very considerable input made to date by these people. It is equally imperative that industry provide input to the development of the regulations to this legislation and, to this end, I assure members that the consultation process is still very much on. I commend the bill.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I move that so much of standing orders be suspended as would prevent my moving the following motion:

(1) this Assembly is of the opinion that the United Nations Convention on the Rights of the Child should not be ratified by the Australian government because:

(a) it has the potential to place the sovereign rights of Australians in relation to their children in the hands of the federal government which would be morally bound by the terms of the convention;

(b) it has the potential to rob the voters of Australia of their sovereign rights relating to the upbringing of their children; and

(c) it has the potential to undermine family life; and

(2) that the Speaker forward the terms of this resolution to the Prime Minister forthwith.

Mr Speaker, I believe that this issue has far-reaching consequences for every Australian citizen and, in particular, every family. It is a matter of considerable importance. The very fact that the ratification of this convention may happen in the very near future makes it timely for this Assembly to debate the matter. I requested that such debate be brought on during the February sittings and do so again at these sittings. I believe the matter is of a considerable importance to every Australian citizen.

Mr LEO (Nhulunbuy): Mr Speaker, the member for Sadadeen has asked for the suspension of standing orders to move what he believes is a very important motion. Beyond that, I do not really give a damn about it. He

believes that the ramifications of his motion will be felt between now and the next sittings of the Assembly.

The opposition has brought motions before this House consistently and we have recognised the standing orders of the House consistently by not pursuing our substantive motions outside General Business Day. Certainly, we have brought on motions of censure and raised MPIs, but we have recognised the importance of General Business Day. We oppose the suspension of standing orders to debate what is essentially a private member's matter. General Business Day is the time for such matters to be debated. The opposition opposes the motion.

Mr TUXWORTH (Barkly): Mr Speaker, on this occasion, I believe the honourable member's motion is perfectly reasonable. As the honourable member said, the debate could have been brought on during the last 2 periods of sittings. If this House had had any undertaking from the Commonwealth that the matter would not be dealt with before our next sittings, perhaps it could be left until the General Business Day. However, anyone who has been following the media recently would be well aware that the Commonwealth is keen to consummate this agreement with the states and sign the United Nations' convention. Under those circumstances, and because of the importance of the issue in the electorate, I do not think that it is unreasonable that we give a few minutes consideration to what is a very important issue.

Motion agreed to.

MOTION
United Nations Convention on the Rights of the Child

Mr COLLINS (Sadadeen): Mr Speaker, I move that:

(1) this Assembly is of the opinion that the United Nations Convention on the Rights of the Child should not be ratified by the Australian government because:

(a) it has the potential to place the sovereign rights of Australians in relation to their children in the hands of the federal government which would be morally bound by the terms of the convention;

(b) it has the potential to rob the voters of Australia of their sovereign rights relating to the upbringing of their children; and

(c) it has the potential to undermine family life; and

(2) the Speaker forward the terms of this resolution to the Prime Minister forthwith.

Mr Speaker, one of the faults of our federal constitution that was not foreseen by our founding fathers in the 1890s, and in 1901 when federation occurred, is that it allows international conventions to be ratified by executive power. They do not have to go to the Lower House of the federal parliament and they do not have to go to the Upper House, the Senate, the states' House, for ratification ...

Mr Bell: The states House! What a load of nonsense that is. The only mistake of the founding fathers was to allow the Senate to block supply.

Mr Tuxworth: What a wise move that was.

Mr COLLINS: The member for MacDonnell does himself no credit with his interjections. He does not even know about this. Obviously, nobody cares enough about him. He does not even know what this convention is about or what the concerns of many people across this nation are in relation to this convention.

The signing of international conventions, supported by the rulings of the High Court over the years, has undermined our constitution in a way that was never intended by the founding fathers. I believe that the founding fathers would turn in their graves if they knew what was happening. As far as I am concerned, this is the most important issue to have come before this House in the 10 years for which I have been a member. When the founding fathers put the constitution together, they limited the powers of the federal government. They limited the powers of the states because the sovereignty in this democratic nation of ours belongs to the people, the ordinary voters. It might be said that the ordinary voter does not have much say but, at election time at least, he has the chance to register his concerns and to toss out people who do things the wrong way.

The Northern Territory and each of the states has laws which aim to prevent the abuse of children and laws to punish those who do the wrong thing. Those laws can be changed from time to time if they become too draconian or too weak. As governments come and go, laws are amended and that is fair and right. This signing of the convention, however, will override the states. The Commonwealth will override the states through the external affairs powers, supported by the High Court. One has only to remember how Doug Lowe, as the then Premier of Tasmania, put south-west Tasmania up for World Heritage listing, apparently without even discussing the matter with his Cabinet. His action allowed the federal government to take control of that area through the back door and, in essence, to put it in the hands of the United Nations.

This convention is not just a matter of transferring from the states to the Commonwealth the power to make legislation regarding the protection of children and their rights. By signing this convention, we are morally bound in the terms of the United Nations, not the terms of the federal government. The key to this convention comes straight out of the 1978 Manifesto of the Polish Communist Party before being accepted by the United Nations. It is of grave concern to people who have looked at the rights rather than reading the honeyed words which our Australian United Nations representatives have issued and which are full of sweetness and light. The people who have looked at the convention itself have very grave concerns. They are concerned about reference to such things as 'the rights of children to express, to possess, to think and to associate with whatever and whoever they like, in complete privacy from their parents'.

Nobody will deny that certain parts of the United Nations Convention appear to be fair and reasonable. Many areas, however, are ambiguous. They may seem all right on first reading but the provisos which also appear in the convention chop and change things around. It could be interpreted in all sorts of ways. Let me repeat the quotation which I read out because it is very important. It refers to 'the rights of children to express, to possess, to think and to associate with whatever and whomever they like, in complete privacy from parents'. Mr Speaker, I ask you whether there is any parents here who would like to find themselves in the position of trying to control the people with whom their children associate, only to find that they are violating the rights of their children. The child is not his

parents' child but the state's child and, if parents persist, the federal government's assent to the convention will oblige it to enact laws which will lead to their children being removed from them.

Mr Smith: What crap!

Mr COLLINS: The Leader of the Opposition will have his chance, but I doubt whether he has bothered to read the convention ...

Mr Smith: I have indeed read it.

Mr COLLINS: ... or has seen the studies prepared by people who are learned in international law. That is a situation which, I believe, Australian people would not tolerate. However, so many of them do not know ...

Mr Bell: They tolerated it with Aboriginal kids for years.

Mr COLLINS: Indeed. I take that very point. We did take children away from Aboriginal people, supposedly in their own best interests. We know what harm that has done. The member for MacDonnell raises a very good point, and one which I wholeheartedly support. I feel as though the same type of thing is being pushed here. I support his point. Aboriginals were taken away from their parents and we have seen what a bad thing that was.

Interestingly enough, in recent days, people from the United Nations Australia Group have been quoted in The Australian as saying that the treaty must be ratified or children in the third world will not be protected. Interestingly enough, in the convention's 7000 words, the children of the third world, who are supposed to be the people for whom we are doing this are mentioned on only 3 occasions, each time in the same 4 words. That is how much care there really is for those children.

Mr Speaker, I have quoted a passage from the convention which states that your kids can associate with whom they like. One could say that, if they are to do that, they must also have the right to be out at any hour of the day or night. We tried in Alice Springs, and the Mayor of Port Augusta is trying, to curb children going out at night. We have before the House a bill which seeks to make parents more responsible. How can we make parents more responsible if we have overriding legislation which does not allow us to discipline our children?

Mr Bell: For a start, it is not legislation, Denis.

Mr COLLINS: It requires legislation to be enacted. Ratification of this convention puts a moral obligation on the federal government to enact legislation overriding the states and overriding parents, to give these rights to children. Children will be able to say what they like.

Mr Bailey: Denis, if you had a choice, women would not have received the vote.

Mr COLLINS: Mr Speaker, that is a ridiculous and uncalled-for comment. It shows nothing more than a lack of interest and concern. In my view, parents must have the primary responsibility for their children. They cannot be responsible for their children unless they have the right to control their children and to guide and direct them. I will bet that there is no member of this Assembly who does not believe that they have the very best interests of their children at heart.

Mr Bailey: That is what most child abusers say when they beat their children.

Mr COLLINS: Let us put that one on the record.

Mr Bailey: Read the information on child abuse. The parents say that it is for the children's own benefit.

Mr SPEAKER: Order! I have let this drift on for a little longer than normal, but I do not want these cross-Chamber discussions to continue.

Mr COLLINS: Mr Speaker, there are child abusers in this community of ours. Personally, I do not believe that there are as many as some people would like to make out, but the place for us to attempt to control that and to legislate to control it is in the state parliament, where we are as close as possible to the people. I condemn people who abuse their children, and so does every other member of this House. However, just because some people do that, that is no reason for us to give our rights away, not to merely to the federal government but to a federal government constrained by this United Nations convention.

If parents try to guide and discipline their children, to prevent them from going out and to prevent them from expressing views contrary to their family's beliefs, the convention requires the state to step in and to walk over the parents and their rights. As far as I am concerned, the fundamental which has made this nation great is that the individual and the family are paramount and should be paramount. Where they fail, we need to legislate. We have the ability to do that.

Mr Bailey: Child abuse should be kept in the family where it belongs. That is what you are saying.

Mr COLLINS: Mr Speaker, that is an interesting point. The member for Wanguri says that child abuse should remain in the family where it belongs.

Mr Bailey: That is what you are saying.

Mr COLLINS: Mr Speaker, I did not.

Mr Smith: Yes, you did. We heard you.

Mr COLLINS: I have already mentioned an article in which the United Nations people in Australia say that the convention must be ratified because the rest of the world will fall apart if we do not do it. Near the end of the article, it is stated that most abuse of children occurs in institutions. The children who go through institutions are the ones who will come out as the misfits of this world. They are the children who are taken away from their parents.

It seems ironic to me that this proposition should be put forward. Your kids will have all of these rights, some of which may be reasonable and some of which definitely are not. To take away the rights of parents to discipline and guide their children is total anathema to the people of this country. Nevertheless, the situation is that one federal minister, the Attorney-General, has only to get in touch with the Attorneys-General of the states. Having done that, he can ratify the convention. He does not have to take any notice of our Attorney-General. I thank our Attorney-General for having told me that he has expressed his concerns that, at this stage, he is not prepared to give it his blessing. However, that does not really

matter. If the federal government wishes to, it can go over the top of all the states' Attorneys-General and sign anyway. Thus, 1 person can cede the sovereign rights of the people of this country into the hands of the United Nations.

I am no great lover of the United Nations. No doubt, the ideas behind it were right, but I believe that today it is in the hands of people from repressive regimes and for whom I have no time. I believe the people of Australia need to be told. The worst of it is that we cannot even get it before the federal parliament ...

Mr Bailey: Denis, you make Attila the Hun look like a social worker.

Mr COLLINS: That is a ridiculous comment. They will laugh and they will be stupid. If they were reasonable people and if they believed in democracy, they would accept that all conventions proposed by the United Nations should come up for debate before at least the federal parliament so that the media ...

Mr Bailey: Yes!

Mr COLLINS: Good, you agree. But, they do not. The federal government goes over our heads. I was told this morning by a member of this House, who has had considerable experience, one former Prime Minister, Mr Gorton, on one occasion tabled in the Senate 92 conventions that he had signed on behalf of the Australian people, and that was the first we knew about it. It has been going on for a long time.

My view is that, as politicians, we are nothing but servants of the people, of our electors. We are put in a position of trust. On most occasions, people in my electorate say that they do not want to know the nitty-gritty of every bill. They have their lives to lead, their businesses to run, their families to look after and they cannot take that interest. They tell me that I have been elected to get on with that job, and that they put their trust in me. But, on this occasion, this is a situation which will erode the rights of every Australian, and that is a very strong matter. I believe that it is my duty to raise this matter. I have sought to initiate debate on it in this Assembly because I believe that every person in my electorate and every Australian should know the ramifications of this. Even if this convention contained the most beautiful proposals in the world, proposals that one could not pick fault with, I still say that we have no right to take away from the voters of Australia the right to indicate, through the ballot, their support or otherwise of policies of political parties and of those laws which will control parents and those in charge of children who abuse their trust. That is where it belongs.

The sovereignty of individuals is at stake here. A stroke of the pen, a signature from the federal Attorney-General, can create a situation whereby the matter is out of the hands of the states. I believe that the closer people are to their elected members and the smaller government is - and the states are certainly smaller than the federal scene - the better people feel about it. The people can kick the politicians harder. It is a darn sight more difficult to kick the federal people and get things changed in Canberra. It is easier to do that on the state basis.

I appeal to the members of this Assembly, especially those who have had only a superficial look at it, to examine some of the material which is available. At least, let us try to get in on the agenda for discussion in the parliaments of this country. Anything less would be less than

democratic. As far as I am concerned, anything less than that means that we are abusing the position of trust we have been put in by our constituents. When an issue as heavy as this arises, it is our duty to make the people aware of it. It has to be debated. The pros and cons have to be picked up by the media, and then the decision has to be made at an appropriate time. If ever there has been a time ...

Mr Bell: Has the issue ever been raised by the federal opposition?

Mr COLLINS: I am not the federal opposition.

Mr Bell: No, but has it raised it?

Mr COLLINS: It has been raised by many concerned Australians. I can provide you with a number of letters and other material.

Mr Bell: Has it ever been debated by the federal parliament, which is where it should be debated?

Mr COLLINS: Mr Speaker, apparently the member for MacDonnell does not listen. I have told him that it does not have to be. That is the way that the Australian Constitution is. It is a flaw. I believe that the Australian Constitution needs to be changed and that the people of Australia should rally behind a call for the Australian Constitution to be changed so that all conventions of the United Nations are debated in all Houses of Parliament and the Senate must be in agreement with the ratification of a convention before we become a signatory to it. That is democracy. I am not asking for anything more than that. I want to preserve the democratic rights of all Australian people, and that is what this is about. A very important issue is involved. Our children are of paramount importance to each of us and I do not believe that any of us would be satisfied with even the possibility that these rights could be eroded by, in effect, ceding our sovereignty to the United Nations. We are old enough, capable enough and sensible enough to do it for ourselves, and we should not be signing this convention.

Mr TUXWORTH (Barkly): Mr Speaker, if there was any reason why this matter should have been brought on for formal debate, that has been provided by the interjections indicating the feeling of some members in respect of the rights and wrongs of the convention. I must say that, whatever the rights and wrongs or the benefits and disadvantages of this convention, it is perfectly reasonable that, as Territorians who will become signatories to the convention, as one of the states, because the Commonwealth will not sign until the states have signed and ...

Mr McCarthy: That is not true.

Mr Collins: I wish it was.

Mr TUXWORTH: That is normally how United Nations conventions...

Mr McCarthy: Not any longer.

Mr TUXWORTH: Mr Speaker, the honourable member has just added another reason why we should be debating this matter and putting on record how we feel and whether we support it or not.

Mr Speaker, whether you agree with the honourable member who moved the motion or not, we have a right to be heard. I must say that, whatever I

think about it, there is no doubt that some people in the electorate who know of it and are aware of it do not like the proposals that are being put forward because they believe they are being asked to surrender responsibility for their children. Whether that is true or not, that is how people feel. If, as a parliament, we are not prepared to listen to that or take account of it, then that is another matter.

This parliament has been involved in the past in the signing of conventions between the United Nations and Australia. These related to the the environment, the operation of prisons and issues of human rights. I recall that, in the 1970s, we were even party to a convention relating to the illegal use of psychotropic substances. In the main, each of those issues had a pretty fair airing in the community. They were debated heavily in this House and recommendations were forwarded through the minister to the Council of Ministers for the Prime Minister before the conventions were signed.

If the Commonwealth is about to sign a convention of this nature, it behoves us to send a message to it stating that we do or do not support the signing of the convention. We must accept that the Commonwealth may not take any notice of us, and that it might sign it despite us, but it is important that ...

A member interjecting.

Mr TUXWORTH: Mr Speaker, in my view, we are obliged to put on record what the parliament thinks.

The member for Sadadeen raised the point that he believes that this convention originated from the Manifesto of the Polish Communist Party. It does not really matter where it came from. Wherever it came from, the people of Australia and the parents of Australian children are the ones who ought to decide whether they want it. That debate has not taken place in the community. We can argue about the rights of children and the responsibilities of parents and what the convention is supposed to effect but, at the end of the day, I do not know very many Australian parents who will surrender to anybody the responsibility for bringing up their children.

I have to pick up the interjection made earlier by the member for Wanguri who obviously feels quite strongly about this. There are people in the community whom I regard as probably being unlikely and unsatisfactory parents in terms of the way that they raise their children. I do not see that the convention started out originally to address those people in particular. However, if you look around the world today, some of the conditions in which children live are absolutely horrific. They can be seen starving as a result of neglect in some parts of the world. Child labour is used in some areas. Children are abused physically in different parts of the world, and we all condemn that type of behaviour where it happens. If a United Nations convention is likely to terminate or correct some of that behaviour or activity, then I am sure that we would all endorse it.

The issue seems to be whether we are prepared to agree to have our rights and responsibilities for our children handed over to another group in the world and for it to decide how that behaviour should occur. As I say, there are some people in the community who are aware of this proposed convention and who do not support it. They would like to register their disapproval quite strongly. I do not think it would be unreasonable at all for this debate to be continued and for members to obtain a reaction from their communities about what people think.

I support the obvious need for legislation to take account of those parents who are, what we might call, unfortunate parents for some children in the way that they treat their children. That is one of the facts of life that we have to deal with. We have done it before and I have no doubt we will need to do it again in the future. However, I do not believe that the issue of the signing by the Commonwealth of a convention which affects all the parents and children of the Northern Territory is one that should be treated lightly and with contempt simply because a person does not agree with the views of the proponent.

In my view, this debate should continue. I am more than happy to register my own views with the federal government and, if this Assembly wishes to send a recommendation at a later stage supporting or opposing this convention, we ought to do that. We do not have the time to do it today nor, in my view, do we have the opportunity simply to reject the matter out of hand. This subject is on the minds of Territorians and many Territorians do not like what the convention proposes.

Mr MANZIE (Attorney-General): Mr Speaker, most certainly there appears to be widespread concern about the potential consequences of the federal government agreeing to sign and ratify the United Nations Convention on the Rights of the Child. There are 2 steps to introducing the convention to Australia. The first is taken when it is signed by the federal government, which is simply a statement that Australia supports the convention and undertakes to act consistently with its text. Australia does not accept the obligations of the convention formally until it ratifies the convention. Ratification does not alter Australian domestic law but signifies that Australia will accept being bound by international law under the convention. Australian domestic law can be altered only if the federal government introduces legislation in relation to the area covered by the convention.

The main concern appears to be that, in conferring rights on children, the convention may remove the right of their parents to guide, supervise and discipline their children. In turn, this leads to concern that the convention might be destructive to families or that it would give governments powers to intrude into normal family matters without the consent of parents. Another concern is that the convention would confer rights on children without conferring on them also obligations and responsibilities. Our legal advice is that these concerns are without foundation, although there are other difficulties with the convention which I will detail later. It is true that the convention will confer rights on children. However, those rights are not unfettered and do not disregard parents' rights to influence their children's decisions and lives. Article 5 states specifically:

> The rights of parents shall be respected by governments which are a party to the convention. Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, or legal guardians or other persons legally responsible for the child and provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognised in the present convention.

Further to this, each of the articles which appear to be the main cause of community concern - that is, articles 13, 14, 15 - contains clauses which qualify that particular right. Article 13(1) confers a right to freedom of

expression of the child. However, article 13(2) provides that restrictions may be imposed which are necessary for the protection of public health or morals, among other things. Article 14(1) confers on a child the rights of freedom of thought, conscience and religion. However, article 14(2) provides that rights and duties of parents to provide direction to the child shall be respected by state parties. Article 15(1) confers rights to freedom of association and peaceful assembly. However, 15(2) provides that restrictions may be imposed for the protection of public health and morals and public order, among other things.

It should also be recognised that the convention confers rights on parents and families as well as children, and places restrictions on the ability of governments to intervene in families. Article 18(3) provides that state parties should take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible. Article 9 provides that state parties shall ensure that children shall not be separated from their parents against their will except when, in accordance with applicable law and procedures and subject to judiciary review, competent authorities determine that such separation is necessary in the best interests of the child.

While the concerns of the community may be largely unfounded, I do not believe that the federal government should sign or ratify the convention while those concerns exist. The federal government should not sign the convention until the community has had adequate time to consider and debate its contents and to become informed about what it actually contains. I am concerned too that the convention is inconsistent with some areas of Northern Territory legislation. I believe that, before the convention is ratified by Australia, the federal government should register a reservation over those areas of it so that it does not conflict with state laws.

I raised this matter with the Standing Committee of Attorneys-General earlier this year and I expressed doubts about what powers the convention would give the federal government to legislate in areas which, traditionally, have belonged to the states. There are precedents where this has occurred in the past, and this is another issue which I believe should be fully debated before the convention is ratified. In other words, because of concerns in the community, I believe that it is important that the matter be aired and debated fully so that, whether they be founded or unfounded, the concerns that people have can be addressed. I will be bringing this matter before Cabinet formally in the near future and, in so doing, I will certainly take into account of what has been said today.

Mr Speaker, I seek leave to continue my remarks at a later hour.

Leave granted; debate adjourned.

DIRECTOR OF PUBLIC PROSECUTIONS BILL
(Serial 277)
DIRECTOR OF PUBLIC PROSECUTIONS (CONSEQUENTIAL AMENDMENTS) BILL
(Serial 278)

Continued from 28 February 1990.

Mr BELL (MacDonnell): Mr Speaker, the opposition's position in relation to the creation of a position of Director of Public Prosecutions was placed before this Assembly during debate in the May sittings last year. The opposition supports that proposal. At that time, the government did not

support such a proposal and the opposition is pleased that the government has decided finally that it is desirable that the Territory have such an office.

In that debate, a number of issues were canvassed. It is worth while pointing out to honourable members that the recent initiatives to create such offices in the states have been introduced in response to the need to ensure that decisions to launch or not to launch prosecutions, or to issue warrants of nolle prosequi, are taken more independently of government than they have been in the past. I was delighted to note that, finally, the Attorney-General has come to understand that he did have the power to launch those prosecutions. I remind him that, in his second-reading speech, he said:

> Considerable pressure has been placed upon those politicians, particularly Attorneys-General, who are responsible for determining whether to prosecute or discontinue a prosecution, whether to institute an appeal against leniency of a sentence, whether to accept a plea to lesser or fewer charges, or whether to grant immunities from prosecution.

Clearly, the Attorney-General has developed that understanding that he does have the responsibility to launch such prosecutions. Those words in his second-reading speech, delivered during the last sittings, contrast starkly with the comments he made in a debate in May last year. The opposition moved a motion that the Assembly support the creation in the Northern Territory of an office of Director of Public Prosecutions. The Attorney-General and the government voted against such a proposal. In that debate, the Attorney-General said:

> First of all, I would like to cover some of the areas that the honourable member spoke about concerning the responsibility of the Attorney-General in relation to prosecutions. I think it is accepted, even by the member for MacDonnell, that the Attorney-General does not become involved in assessing information and directing whether or not there will be a prosecution for a criminal offence. As I have pointed out on a few occasions, such a practice would result in the Attorney-General being charged himself.

It comes as a great relief to me to find that, finally, the Attorney-General has worked out what his powers are and are not. It is to be noted that, in the context of this bill, the Attorney-General will not cede all of his powers to launch prosecutions, but will retain some of them under certain circumstances.

As I said, the purpose of these bills is to vest the Crown's right, in respect of conducting prosecutions, in a non-elected legal practitioner. This follows the practice adopted in most state jurisdictions. The decisions with respect to prosecutions need to be seen to be separate from political considerations. Since this matter has been debated already in this Assembly during these sittings, without offending standing orders, I think it is worth while pointing out the importance of that role, particularly since the Attorney-General did not seem to understand it less than 12 months ago. It needs to be stressed that decisions to initiate Crown appeals are political decisions for which the government answers at the ballot box. That is part of the democratic process, and it is one of the checks and balances in the system.

If the government does not approve of a particular decision in the courts, it has the prerogative of launching an appeal. It may appeal because it considers that a sentence is too low or because it believes that a decision is wrong. It is because such appeals are initiated on the basis of political decisions that I have asked about them in a question I have placed on notice - and I will be very interested to hear the answer to that question - in the context of my investigations into the fate of Crown appeals.

Another point needs to be made in that regard, and I hope that the Attorney-General will pick it up in his response to this second-reading debate. It concerns the extent to which the Director of Public Prosecutions will launch those appeals on the basis of his own decisions. If his decisions are to provide the basis for appeals, what will be the nature of his continuing relationship with the government in respect of those appeals? I would appreciate some comment from the Attorney-General in relation to that matter.

The powers and functions of Directors of Public Prosecutions include: the preparation and conduct of trials for all indictable offences; the preparation and conduct of committal proceedings; the assumption, where deemed desirable, of control over summary prosecutions; the power to discontinue any criminal prosecution; the right to appeal against sentences imposed at all levels of the court hierarchy; the power to grant immunity from prosecution; and the power to furnish guidelines related to the prosecution of offences to both Crown prosecutors and members of the police force.

While we are on the question of the police force, it is probably worth clearing up another misconception on the part of the Attorney-General. That is that the Director of Public Prosecutions will have the power to direct police prosecutions in that regard. At one stage, the Attorney-General gave this Assembly the impression that the Commissioner of Police had a sole discretion to launch prosecutions. It needs to be made clear, and I trust that this will be endorsed by the Attorney-General when he speaks again, that any decision by the Commissioner of Police to launch prosecutions is subject currently to the will of the Attorney-General and, as a result of this legislation, will be subject to the will of the Director of Public Prosecutions. I trust that the Attorney-General will make that quite clear.

Having discussed the broad-brush issues which are of concern to the opposition, I want to canvass a number of other issues. The first of these is the degree to which the Attorney-General retains the power to initiate prosecutions. I have mentioned that already in passing but I would like to refer to it in a little more detail now. Similar legislation concerning the office of Director of Public Prosecutions at state and Commonwealth level provides for a process of consultation between the Attorney-General, as first law officer, and the Director of Public Prosecutions. It should be noted by the Assembly that, as does the Western Australian legislation on which it is clearly modelled, this bill circumscribes the power of the Attorney-General to direct the director more severely than, say, does the Commonwealth act. The Commonwealth act gives the Attorney-General the power to direct the Director of Public Prosecutions in a particular case, which is expressly forbidden in this bill. The Commonwealth act balances this increased power for the Attorney-General by requiring that the Attorney-General report such a direction in the gazette and to the parliament within 15 days. The Director of Public Prosecutions Bill requires only annual reporting, and honourable members are directed to clause 28 and clause 33 for the specific annual reporting requirements.

The second issue that I want to raise is the question of the status of the Director of Public Prosecutions. As the Attorney-General said in his second-reading speech, the director is not a public servant. It should be noted that, in other jurisdictions, the position has been equated with that of a Supreme Court judge. I wonder how the terms and conditions of the director will compare with those of a Supreme Court judge. Obviously, this will relate to the recruitment of a person to fill such a position, a matter to which I will refer in due course. I note that the terms and conditions of employment are to be determined by the Administrator, presumably on the advice of the Executive Council. I would like the Attorney-General to clarify how that determination by the Administrator will be reached and how that process compares with the process for setting terms and conditions for Supreme Court judges.

Related to the status issue is the question of removal of the Director of Public Prosecutions from office. Under the Commonwealth act, I believe this is accomplished by the Governor-General on the advice of the Executive Council. I believe that the arrangement under this legislation will parallel that situation and that the director will be removed from office by the Administrator, presumably also on the advice of the Executive Council. I draw the attention of the Attorney-General to the removal provisions in the Victorian act, whereby the director is able to be removed only by resolution of the parliament.

Another issue in respect of the status of the director is the question of the term of his appointment, whether he be appointed for his working life, as is the case under the Western Australian and Victorian legislation, or whether he is appointed for a fixed renewable term. The government's proposal is in line with the Commonwealth act. Of course, this is a live issue. Honourable members will be aware of the contention which surrounded the non-renewal of the appointment of a former Commonwealth Director of Public Prosecutions, Mr Ian Tenby QC. That raises the question of whether or not a Director of Public Prosecutions, who knows that he has a fixed term, will be able to act without fear or favour. I am concerned about the possibility of a fixed, renewable term.

I remind honourable members of a related issue: the appointment of the Ombudsman. The Ombudsman is appointed on the basis of a fixed term and, without going into details, it is appropriate to indicate that, in fact, the actions of the Ombudsman may incur the wrath of the government of the day. He may feel concerned and constrained in that regard if he does not have the sort of security of tenure that we accept without question in the case of Supreme Court judges.

A further issue that I wish to mention is the question of the distinction between investigation and prosecution. I must admit that, on my being elected to the Legislative Assembly, some of the subtleties of this distinction were not immediately clear to me. The practical principles involved are pretty clear to me now but they were not clear to me then, although, perhaps with a little reflection, they might have become so.

Mr Speaker, if I might digress for a moment, I will refer to representations which I have received from police officers. These are conscientious, good-hearted police officers who work very hard to maintain law and order and they become very disgruntled when, after putting a great deal of hard work into an investigation and laying charges against the person whom they have pursued so relentlessly, and having decent coppers' instincts about the guilt of the person, they find that the case is turfed out of court for some reason. My understanding is that the Attorney-General

worked as a police prosecutor and I find it difficult to believe that, at some stage in that period, he did not have the experience of having to go back to investigating officers to tell them that the case did not succeed in court for various reasons. I wonder whether the officers involved were mollified by his explanations. That, of course, is one of the tensions involved in the situation.

Let us look at the principles which apply in such situations. Obviously, it is vitally important in the forensic process in court that consideration of the facts and the legal issues be carried out in an unemotive fashion. In order for the rule of law to operate, there needs to be an objective assessment of those facts and issues. Quite clearly, the hard work that an investigating officer, and the emotion, instincts and all the considerations that go into tracking down often highly dangerous criminals, must be kept separate from the court processes. On delivering a paper to the Law Summer School this year, the Director of Public Prosecutions in Victoria had this to say:

> The Office of the Director of Public Prosecutions has no powers of investigation, nor should it. It is highly desirable that prosecutorial authorities do not become involved in investigative activities. Such authorities should always be in a position to exercise an independent and objective judgment in assessing material proffered by police or similar agencies in support of putative criminal prosecutions. Such activity may be compromised when lawyers become intimately involved in the inquiry phase of potential prosecutions.

I think these points need to be made and I do not believe that the Attorney-General referred to that particular issue, but I am sure that he will endorse it. He may even entertain us with an anecdote of his own based on more hands-on experience than I am able to bring to this task.

There are 2 other issues that I want to raise. I mentioned briefly the question of the employment of an appropriate person as Director of Public Prosecutions in the Territory. The status of the position must be seen to be important. It will not be easy for us to attract an appropriate person, and I hope sincerely that it is possible to do so. We have experienced difficulties in this regard in the past but I trust that that can be resolved. In conclusion, I would like to extend my thanks to the staff of the Department of Law, particularly the Crown Law Prosecutor, for providing me with a briefing and substantial material in respect of these bills.

Mr SETTER (Jingili): Mr Speaker, the member for MacDonnell has raised quite a number of issues relating to this legislation. No doubt, during the committee stage, he will address those issues further. I do not intend to respond to those during my contribution to this debate, but I am quite sure that the Attorney-General will refer to those matters when responding to the queries posed by the member for MacDonnell.

There is nothing new about the appointment of a Director of Public Prosecutions. Precedents abound in Australia in various states, and I am pleased to speak today in support of the creation of such an office and the appointment of such a person as a Director of Public Prosecutions in the Northern Territory. Circumstances have changed quite considerably, and even the member for MacDonnell will acknowledge that. They have changed quite considerably in this country over the last decade or so, and more particularly in the last several years. The member for MacDonnell mentioned the appointment of Mr Tenby QC as the Director of Public Prosecutions for

the Commonwealth of Australia and, of course, in more recent times, we have had the Fitzgerald Inquiry and all of the ramifications that flowed from that. What that has done, over this last 5 years or so, is to highlight the need to create such an office and appoint such a person.

Prior to that, one thought of the Attorney-General as the highest law officer in the state or the nation and as the person who was best suited to be responsible for all matters relating to law and prosecution within the various jurisdictions. But post-Fitzgerald, that situation has changed. I think the community at large now expects far more from law officers and those responsible for law than has ever been expected before, and they are coming under far greater scrutiny than has been the case in the past. These days, the public at large expects that all criminal prosecutions will be conducted in such a manner that they will be absolutely and totally beyond reproach. Obviously, quite a number of concerns have been expressed as a result of the Fitzgerald Inquiry in Queensland. We want to make sure that no opportunity ever exists for those concerns to be expressed about the way that law matters are administered in the Northern Territory.

As I indicated a moment ago, in the past, the ultimate responsibility lay with the Attorney-General. He was the person who was responsible for making the ultimate decision on whether to prosecute or not to prosecute, or to appeal against the leniency of a sentence or perhaps to negotiate with the defence regarding the plea or the charges. However, the reality is that, in most of those cases, those negotiations would have taken place between an officer of the Department of Law and the legal representation for the defence. This is my personal opinion because I am not a legal person but I would think that the Attorney-General himself would have been required to make decisions only in major cases. Most of those decisions would have been made by the appropriate law officer within the Department of Law, depending on the gravity of the offence.

One of the difficulties that Attorneys-General face is that they are politicians. They are not simply faceless legal people within the Department of Law. They are politicians who have to stand in this House and justify the decisions that they make or that are made on their behalf. They have to go into their electorate and move around in the public arena. They have to talk to people eyeball to eyeball and, when approached by members of the community, they have to be able to justify the decisions that have been taken, not only by themselves but by officers of their department. Of course, in many cases, the community at large does not understand the delineation between the executive and the judiciary.

I do not question for a moment the right of the judiciary to make decisions on the appropriateness of those decisions but, on a number of occasions, members of the community have questioned me about decisions made by the judiciary and, indeed, those people have questioned those decisions. Ultimately, those members of the community hold the Attorney-General responsible for those decisions. As a politician, the Attorney-General is responsible to the community. Not only is he held responsible for the decisions of the judiciary, he is also held responsible for the decisions made by officers of his department in negotiating with the defence in respect of how a particular matter will be proceeded with in the courts - in other words, the decision to prosecute or not to prosecute, to appeal against leniency of a sentence, or perhaps to negotiate with regard to the gravity of the plea.

I recall a case a few years ago, which I think was mentioned in this place recently. A young naval recruit had been murdered by 2 fellows at a

place on the Barkly Highway. He picked them up separately to give them a lift to Queensland and, as a result of that, experienced a horrendous death at the hands of these 2 fellows. Subsequently, they were apprehended and brought to justice. I stand to be corrected, but I think I am correct in saying that the original charge of murder in that case was negotiated to that of manslaughter. In the community, that caused quite a furore. I was not a member of this Assembly at that time, but I was very upset about that matter. Yesterday, I said in this House that the charge and the sentence must be appropriate to the gravity of the crime. There must be none of this nonsense of deals, of plea bargaining, which can mean that a charge is altered or dropped if the defence agrees to a certain course of action. The community will not accept that any longer. People believe, as I indicated, that the sentence and the charge must suit the gravity of the crime, and they will accept nothing less.

That is the sort of thing that can happen and, as a result of those types of negotiations, Attorneys-General are held directly responsible by the electorate at large, and I think it is totally appropriate that, as politicians, that responsibility be taken away from them, and that there be an office of a Director of Public Prosecutions and the appointment of a person to that position who will be responsible for that type of decision. The responsibility for such decisions will be removed from the Attorneys-General, the politicians, and it will be put directly into the hands of the people best qualified to carry it, the people with high legal qualifications. I am quite sure that the Director of Public Prosecutions whom we appoint in the Northern Territory will have qualifications equal to some of the highest in the land.

I believe that the result of this move in the Northern Territory will reinforce the public confidence that already exists, albeit that it becomes a little frayed in the course of the administration of the criminal law process in the Northern Territory. This is absolutely critical because, as we learned from Fitzgerald, the public expects the process of the law to be beyond reproach. I am talking about the way that police enforce the law, the way that the Crown Prosecutor enforces the law through the courts and the way that the judiciary handles matters in the court process. It is very important that all of those areas are seen by the community to be totally beyond reproach and totally impartial.

The appointment of the Director of Public Prosecutions is indeed a step in the right direction for a whole range of reasons. We are following a course that was recommended by Fitzgerald. This government has implemented already a number of the recommendations made by Fitzgerald. Some of them were implemented even prior to the Fitzgerald inquiry. Perhaps he gained some of his ideas from the innovative way in which we have approached legal matters in the Northern Territory. With those few words, I support the bills.

Mr MANZIE (Attorney-General): Mr Speaker, I thank honourable members for their support for the legislation. I will try to answer some of the queries raised by the member for MacDonnell. In relation to his comments that I stated that I have had no responsibility for prosecutions, in the context of those remarks, I was pointing out that I certainly had no role in interfering with prosecutions. If I interfered with prosecutions, it is probable that I would end up in jail. I was pointing out that any inference that, as the Attorney-General, somehow or another I had become involved in a political sense in prosecutions, was a furphy. However, I have never resiled from the fact that I am held responsible for prosecution policy. I

do not think that that changes even as a result of the creation of an office of Director of Public Prosecutions.

With regard to the ability of the police to carry out a prosecution role through the Commissioner of Police, I believe the member for MacDonnell has made a mistake in saying that I have the power to tell the commissioner what summary prosecutions he should institute.

Mr Bell: That is not what I said.

Mr MANZIE: It is important to understand that the Commissioner of Police is certainly in a position to institute a summary prosecution. In relation to information, there may be some doubt, but I have been advised that I certainly do not have the power to direct the commissioner in relation to the laying of complaints for summary matters.

The terms and conditions of the office of Director of Public Prosecutions would be similar to those of the office of Solicitor-General and of judges of the Northern Territory Supreme Court. It has to be at that level in order to attract the type of high-quality person who is required to carry out this role. As the member for MacDonnell pointed out, we are looking at a situation similar to that of the Commonwealth. We know that we need to attract a highly-experienced criminal lawyer. Unfortunately, I have to say that we do not have anyone at the moment. However, we are in the middle of some very encouraging negotiations in regard to the position.

In relation to limited period appointments, I certainly agree that the director should be totally independent of government. That is something that is deeply entrenched in the Director of Public Prosecutions Bill. For example, clause 4(3) provides specifically that the Public Service Act does not apply to the director and clause 4(5) goes a long way towards giving the director the status of a Supreme Court judge. Clause 8 provides that the director can be dismissed in very limited circumstances only. Clause 28 provides that the Attorney-General cannot give the director a direction in respect of a particular case unless the director himself requests direction. Clause 33 requires the director to prepare a report for this Assembly every year. Obviously, the director can say what he likes in that report. I would have absolutely no doubt that, if there had been any improper political interference with his duties, he would make it very clear in that report.

Given all those safeguards, it is not necessary to give the director any further security or to make him dismissible only on a motion of the Assembly. However, it is important to recognise that, from time to time, a change may be a good thing. I am not at all sure that it would be wise to leave the same person in the job for 20 years or more. Obviously, at times, the introduction of new blood and new ideas can be very useful. It has to be borne in mind also that a director may well be a suitable appointee as a judge at some time, and hence it is probable that an initial appointment of about 5 years would be a correct time. However, the type of person whom we are looking for may be available for only a 2-year or 3-year period. If we have the opportunity to attract someone of very high quality for a shorter period than 5 years, that opportunity should be grasped.

In relation to the prosecutor being the investigator and the investigator being the prosecutor, I have no problems with the views expressed by the member for MacDonnell. Nobody has any argument with that. I think that covers all of the matters that were raised by the member for MacDonnell.

Mr Bell: I want some of your police prosecutor stories, Daryl.

Mr MANZIE: I do not think it would be appropriate actually. Suffice it to say that it was a situation where you could please no one - neither the clients nor the people for whom you were prosecuting. It was a very rare occasion that you finished a day where everyone was happy. I thank honourable members for their comments and I commend the bills to all members.

Motion agreed to; bills read a second time.

In committee:

Director of Public Prosecutions Bill (Serial 277):

Clauses 1 and 2 agreed to.

Clause 3:

Mr MANZIE: Mr Chairman, I move amendment 112.1.

This amendment has been included at the request of the Commonwealth Director of Public Prosecutions. Put simply, it enables the Territory director to institute and conduct proceedings for offences against Commonwealth laws when the Commonwealth requests him to do so.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4:

Mr MANZIE: Mr Chairman, I move amendment 112.2.

This amendment will entitle the director to exercise his powers and perform his functions as if he held an unrestricted practising certificate. It puts him in exactly the same position as the Solicitor-General and the Secretary of the Department of Law. Otherwise, the clause puts the director in broadly the same position as the Solicitor-General as far as terms and conditions are concerned.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 12 agreed to.

Clause 13:

Mr MANZIE: Mr Chairman, I move amendment 112.3.

This amendment enables the director to institute proceedings for summary offences as well as to take them over. Obviously, it is a necessary power.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clauses 14 to 33 agreed to.

New clause 33A:

Mr MANZIE: Mr Chairman, I move amendment 112.4.

This new clause makes the director an accountable officer for the purposes of the Financial Administration and Audit Act as it is intended that he be responsible for his own budget.

New clause 33A agreed to.

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

Director of Public Prosecutions (Consequential Amendments) Bill (Serial 289):

See Minutes for amendments agreed to without debate.

Bills passed remaining stages without debate.

SUPPLY BILL 1990-91
(Serial 286)

Continued from 8 May 1990.

Mr BELL (MacDonnell): Mr Speaker, I would like to give a due indication, both to the government and to members of the opposition who may wish to raise particular points in respect of the Supply Bill, that there may be particular issues that have to be raised with respect to the fiscal performance of the government. I have no doubt that, in fact, there may be issues of importance relating to the government processes involved in this particular bill that my colleague may very well enumerate.

Mr SMITH (Opposition Leader): Mr Speaker, the Supply Bill is the means by which the government provides to itself money for the start of the next financial year whilst it determines its final budget. Of course, today the Chief Minister left for Canberra for the start of the process leading up to the Premiers Conference and, ultimately, that will lead to the budget in August.

The Chief Minister dropped a bombshell before he hopped on the plane and left town, the bombshell being that the Bond Corp-style management practices of this government have left us with the very real threat of further deficit budgeting and, for the first time, deficit budgeting in the Consolidated Fund. This government's time is up. In June, the Chief Minister will have his last chance at representing the Northern Territory at the Premiers Conference. Given his recent letter to the Prime Minister, voicing his concern about the Territory's finances in 1990-91, I do not think he is looking forward to it.

Let me tell you now, Mr Speaker, that I am looking forward to representing the Territory at the 1991 Premiers Conference. I am looking forward to improving the Territory's credibility in the eyes of the federal government and my counterparts interstate. I am looking forward to talking straight. Talking straight will be a pleasant surprise to all those listening after years of the CLP government avoiding the facts about the state of the Territory. Talking straight means facing up to the problems for only then can any real attempt be made at solving them. Only then will we be in a position to negotiate a fair and forward-looking economic package within the context of the Commonwealth Grants Commission's annual reviews

and the Premiers Conference discussions. The CLP government has not been able to accept that circumstances are different now from what they were in the period prior to 1986. For the information of members opposite, the boom time is over and it has been for a while. The government has been fighting against that fact and, in refusing to accept it, it has been unable to undertake a productive course of action.

This morning, the Deputy Chief Minister advised us that, at the end of the March quarter, this government had already poured $23.4m into Yulara and the Sheraton Hotels. That figure will be $26m by the year's end. That is almost two-thirds of the $45m special revenue assistance we received from the Commonwealth government last year. Mr Speaker, imagine going into negotiations for financial support from the Commonwealth government, when you have a black hole of that size into which the money goes.

Labor recognises the need for a new direction and Labor will provide that new direction. We want to get things moving and, in order to get things moving, we have to fix the machinery of government. The loud and clear message coming from business in the Northern Territory is that people want to get on with the job with minimum interference from government. The Labor government will eliminate unnecessary red tape and make it easier for businesses to determine their rights and responsibilities.

Mr McCarthy: Oh, yes. You will just take all the work away from them and give it to government. You have said that. It is in here. That is how you will dispense with the red tape. You will take all the subcontracts away from the private sector.

Mr SMITH: You will have a heart attack if you keep going.

We will be reviewing legislation and regulations in order to achieve that goal. Already, we are moving on this front with the Territory's diverse planning and environment legislation. Labor will hold taxes and charges within the CPI ceiling during its first term. Payroll tax will be indexed to annual wage movements. Labor will trial a rolling triennial funding strategy so that identified departments will have guaranteed baseline funding for 3 years in advance. Selected programs, for example, grants-in-aid, will operate on a rolling triennial basis. The Labor government will require departments and authorities to report on and project future expenditures on the basis of programs. Funds managers, appointed by the government, will have to pay special attention to investment opportunities in the Northern Territory.

Under Labor, the Legislative Assembly Superannuation Funds will be managed locally with maximum local investment. Labor's budget strategy will be to determine accurately the existing level of debt and reduce that level of debt by means of establishing and sticking to set targets. Labor will contain recurrent expenditure, allowing no real term increases in the first term of government. Obviously, this policy is subject to population increases and changes in present arrangements with the Commonwealth. When new initiatives are proposed, they must indicate where savings are being made to fund those new initiatives. Environmental, economic and social cost/benefit analyses will be undertaken on all government programs and projects over $1m. These will ensure that the taxpayer is getting maximum return for the dollar.

A Labor government will develop a comprehensive assets register. We will use this register as a basis for coordinating and rationalising assets and providing for an effective replacement and maintenance schedule. Labor

will insist on payment of government bills within 30 days. Penalty clauses will be introduced for departments which do not meet this requirement.

Already Labor has announced some initiatives to stimulate activity and to get the Territory moving again. More will be announced as policies are released over the next few months. Labor has demonstrated its commitment to small business in the Territory with its announcement of the guarantee schemes. Small businesses are the foundation of sustainable economic stability in the Territory and they will be supported and encouraged. The guarantee schemes provide assistance for new business ventures and for the expansion and diversification of existing Territory businesses. It is the financial institution, not the business itself, that recommends projects to the government for consideration, and it is the financial institution's reputation, as well as money, that is on the line. The CLP's ad hoc granting of funds which, in the past, has come very close to political patronage, will become a thing of the past. For major projects and TDZ firms, we will negotiate development agreements to ensure that links are developed between new industries and existing industries, and that maximum local input is achieved.

Labor will expand the role of the Industrial Supplies Office. It will provide the ISO with additional resources and give it the responsibility of negotiating development agreements for major projects in the Territory. Labor will encourage the TIO to expand its banking role and broaden its role as a financial institution and, 2% of payroll tax or about $1m will be used to develop a strategic research unit attached to the university. Together with the private sector, the unit will generate ideas for economic growth in the Territory.

We will have to achieve all of those objectives within the context of the 1990-91 budget. There is no doubt that the Country Liberal Party is having problems with framing the 1990-91 budget. Last year's budget was framed in the context of a mix of bad indicators. The problems can be understood by looking at those indicators that both describe the economy and give an unbiased comment on the management ability of the government. I will address just 4.

The first statistic that gives us a snapshot of the Northern Territory is population. We are suffering badly from net interstate migration. Immigration from overseas and new births have almost replaced those we have lost interstate, but 75% of the offset is new births. Therefore, our productive capacity is decreasing. In other words, the number of people of working age in the population is decreasing. Next is housing starts and prices. These have dropped off, but the problem has been compounded by the policy values of this government. The government's failure to read and react to the population slowdown since 1985 has led it to continue to develop and build houses at a rate that has reflected its hopes rather than the facts.

A third indicator is employment. Today's April 1990 employment figure of 72 600 is a drop against the March 1990 figure of 73 500. The March figure was down on February's and February's was down on January's. The most significant reason for which people come to the Territory from interstate is for employment, a job for at least 1 member of the family unit. The Commonwealth build-up in the 1960s and early 1970s, the rebuilding effort after Cyclone Tracy in the late 1970s, and the massive infrastructure program of the early 1980s, which took place following self-government, all provided jobs in the Territory. Each of these boosts was based on external factors. This government seems to be waiting around

for the next big boost to come from somewhere else. It has been unable to adjust to the post-1985 circumstances. It has not been able even to admit that the circumstances have changed.

The final statistic that I will consider is our debt level. In the 1989-90 budget, the level of debt servicing reached $120m on a debt of $1500m. Mr Speaker, 2 points should be noted about that debt. The figure of $1500m gives us a per capita debt 1.75 times greater than the national average. The $120m for debt servicing consumes over one-third of the money raised from Territory sources. These figures show how the CLP government has steadily restricted the Territory's options, whilst continuing to tell Territorians that it is balancing the budget. It has now announced that it is looking at deficit budgeting in the Consolidated Fund. This government has borrowed money almost every year since self-government and, in fact, in 1989 the amount was $95m. Effectively, we have been deficit budgeting for years and, unlike the rest of us ...

Mr Finch: You do not understand economic terms. This is a basic and fundamental problem with you.

Mr SMITH: Why don't you talk to the Premier of New South Wales about deficit budgeting and what it means.

Members interjecting.

Mr McCarthy: And who started it? Labor Parties, in order to fund their social activities.

Mr SMITH: What is your excuse? You do not have any social activities. What is your excuse?

Inevitably, our problems stem from comparing ourselves with the rest of Australia when it is convenient, and deciding that we need special treatment when it is not. The fact is that our circumstances are unique, but then so are the circumstances of New South Wales, Victoria, Tasmania and each of the states and territories of Australia. We share some common problems, and there are some common solutions, but the challenge is to look at ourselves as we are and at our circumstances as they exist, and to come up with solutions that will work for us. By itself, borrowing more will not solve our economic problems; it will compound them. Further deficit budgeting will do even more damage.

When the budget was brought down in August last year, we knew that the electricity subsidy would be reduced by $10m. We knew that, gradually, the Northern Territory would be treated on financial terms equivalent to those on which the states are treated, and that that meant the gradual phasing out of special assistance and special subsidies. We knew also that the government had raided all of its hollow logs. The self-insurance fund was down by $7.9m. There was a reduction in cash reserves. There was a reduction in the Treasurer's Advance. In other words, at the beginning of this budget year, we knew that our cupboard was nearly bare. In spite of that, the government increased spending by 1.5% in real terms - that is, 1.5% on top of the increase for inflation. The Institute of Public Affairs, a right-wing 'think tank', presumably philosophically on the same wavelength as this CLP government, commented at the time:

> In drawing heavily on reserves to finance higher spending programs this year, the Northern Territory government is gambling on an easing of the Commonwealth purse strings next year. If the dice

falls the wrong way, Territorians are in for a tough time in the 1990 budget.

The IPA was kind in calling this strategy a gamble. It was more than a gamble; it was a dereliction of duty. The only reason this government ignored the facts in bringing down the 1989-90 budget was that it intended to hold an election before the 1990-91 budget. However, then it got cold feet. When it saw the results of the federal election in the Territory, it was shattered.

Let us recall that the federal Labor Party was stating publicly that it would hold its economic strategy of restraint for some time to come, whether or not it was politically palatable, and the Liberal Party was advising that, if it was elected, it would cut funding to the states by $1000m. Thank God, it was not elected. The Territory's CLP government could not find relief from its bad budget decisions in either quarter and Territory voters demonstrated which quarter they supported.

In the wake of the federal election and no longer able to avoid the impact of the 1989-90 Territory budget, the CLP's ministers are now fighting for their own political survival. The threat of deficit budgeting is simply another example of this government's seat-of-the-pants management style. It has produced no evidence of serious financial planning. Instead, this government stripped the Territory of its cash reserves in 1989. It developed no financial management strategy to address what it and all Territorians knew would be a tight economic climate. This government is taking the last-ditch, last-minute, worst-choice option of getting us further into debt. Its real problems are lack of discipline and lack of direction in government.

The Territory's problem is the CLP government and its shaky budget is the symptom. Labor will remove the problem and the symptoms will disappear. In the midst of all the current gloom, the only good news is that the Country Liberal Party government finally will leave the Territory economy alone, and it will leave it in the good hands of a Labor government.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I did not really intend to speak on this matter this evening. However, when the Opposition Leader, who is now leaving this Chamber, talks about where we are going in the Northern Territory, his comments cannot go unremarked. I refer again to this famous document: the Australian Labor Party Platform. The Leader of the Opposition stands up in this House and talks about the actions of the Country Liberal Party government over the years, actions which have been taken to put this Territory once and for always on the path of development. I want to refer to sections of the ALP document which relate to the very things that the Leader of the Opposition says ought not happen.

The document refers to 'control and strategic social ownership of Australia's natural resources'. If we delve a little further into it, we note that it talks about membership of organisations. I want to use this document to indicate the plans of this opposition if it ever wins government. It says: 'Membership of Australia's Labor Party is open to all residents of Australia who are prepared to accept its objectives and who have associations with no other political party'. The Labor Party takes that concept well beyond party membership and makes it a prerequisite for membership of the Northern Territory Public Service. No member on the opposition benches has yet been able to deny, during the last 2 weeks, that that is not their plan. This relates to what is happening federally, with

the total control by stealth of the federal Labor Party. I believe firmly that this document means that, in time, the intention of members opposite is, by stealth, to put Labor people into every position of any consequence in the Northern Territory. That is their aim and they are setting about doing it.

I wonder where members opposite expect to find the money for such things as compensation under a treaty, which is also referred to in this document. They will expect ...

Mr Smith: That is nonsense.

Mr McCARTHY: It is here. It is all very well to say that it is nonsense. Let us hear what it says: 'The Northern Territory Labor Party recognises the need for the Australian government to provide appropriate compensation for Aboriginal people who have had their land stolen'.

Mr Bell: What is the difference between stolen and colonised?

Mr McCARTHY: You might be interested to know, Mr Speaker, that your block of land in the northern suburbs was stolen, and the member for MacDonnell might like to recognise here and now that he stole his block of land. He is prepared now to pay compensation for it, but I am interested to know just where members opposite intend to find the money to pay for that stolen land.

I turn to the subject of tourism. This is interesting because the first comments of the Leader of the Opposition in this debate referred to the Sheratons and Yulara. The Sheratons and Yulara put Northern Territory tourism on the market once and for all. We could never have competed in world markets without them. Members opposite know that, but they tell the community that we should never have done what we did. Let us look at their policy: 'Support and assist with the provision of low and medium cost accommodation'. That is probably about the level of their thinking. They intend 'to ensure that facilities cater for all groups within the tourist market'. Mr Speaker, you will find that the majority of accommodation already existing in the Territory is low and medium cost accommodation and that very few venues are available in the market which attract visitors from overseas. One of the factors which has put the Northern Territory on the map and which has brought it worldwide recognition is the proud role which this government has played in establishing the Sheratons and Yulara. If we had not done it, the Territory would still be a backwater, as it would be under a Labor government.

Members opposite have the hide to say that they could form a government. Let us have a look at them. Where are they? Faceless, as ever. They are not even in this Chamber. They are seldom in this room. It is all right for the member for MacDonnell to laugh, but the general public should know that they are seldom in this Chamber. They can laugh as much as they like. They do not even know what they are doing. The left does not know what the centre left is doing. Where is the centre left today? Obviously, he is off talking to his father-in-law. He is not here. He has not been here for 3 whole days. Mr Speaker, that is the opposition. Those are the people ...

Mr Setter: He resigned from the centre left.

Mr McCARTHY: Did he? Well then, he is the non-aligned. Where is the non-aligned? He is not here today. He has not been here for 3 days. He is

the would-be Deputy Chief Minister. The would-be Deputy Chief Minister is not prepared to spend even a day in this House in the 6 short days of the sittings.

Mr SPEAKER: Order! The honourable member has been granted leave from the sittings because of family matters.

Mr McCARTHY: Mr Speaker, I withdraw my comment if you so insist.

Here is another interesting quote from the ALP platform: 'Continue to provide financial and other assistance to new ventures in the tourist industry in a manner which ensures support is offered to ventures with pioneer areas or approaches'. If that is not what the Northern Territory government has done, I would be very surprised. It is exactly what we have done in order to turn a fledgling industry into one which is now recognised worldwide.

The man who has now left this Chamber does not bother to stay here and hear that his proposals are not worthy of any consideration by people in the community. He has left the Chamber. He thinks that people are not worthy of any consideration. All he does is gripe, gripe, gripe. Brother Grimm over there is another bit of fairyland which has been brought into this House. It is a very good name for the man. Hans Christian Anderson, Brother Grimm, and the rest of the Brothers Grimm over there, his merry men, have no rights to government because, frankly, they are devoid of any worthwhile comment and any worthwhile ideas for the development of the Territory.

They deny so much of this document. They do not have any faith in their own document. They have gone out over the last 6 days and denied this document because they have not costed it. They do not have any idea what their policies would cost the Northern Territory. They do not have any idea what it would cost to put every subcontractor and contractor out of work, as they would do. It is here in their policy document. They do not have any idea what that would do in the community. They do not know what the cost would be. They do not know the cost of diminishing the hours of work for the same pay, that they say they would give to every Territorian. They do not know what it would cost to seek alternative lifestyles and to pay people for following alternative lifestyles, which are referred to in this document. They have not costed any of that, but that is what they would do. It is in their policy and we all know that, if it is Labor Party policy, Labor Party politicians must do it. They are not guided by Terry Smith. We know that Terry Smith does not rule the Labor Party. The Labor Party is ruled by the faceless men of the TLC and the faceless men of the ABC. They are the ones who rule Terry Smith.

We know that Labor Party members in this House is obliged to implement the contents of this document regardless of what the Leader of the Opposition says. Regardless of what the member for MacDonnell likes to laugh about, the fact is that he has to follow his leader. He is obliged to do that but we know that, behind the scenes, he does not do that. The ALP would assist people to get out of work. It would also finance political parties. It would pay, Mr Speaker, for you and I to seek re-election. It would finance that with taxpayers' dollars. Where will it find the money to do that?

Mr Finch: More stamp allowances.

Mr McCARTHY: That is one way, I suppose. Do as the feds did and pay selected people a stamp allowance in order to get their message across. It would cost dollars, and it would not produce any return.

The opposition would take over mines. I am not making this up. If members pick up this document and read it, they will find that the Northern Territory ALP would take over mines once they are proven. It would say: 'Okay, fellows, do the exploration work and, if it turns out all right, we will mandatorily take a percentage from you. You will have no say in it'.

Mr Coulter: Only if it is successful.

Mr McCARTHY: That is what I am saying. If it is successful, an ALP government will take a percentage but, if it is not successful, the miners will wear the cost. And that does not apply only to mines, Mr Speaker. It is the ALP's ambition right across the board. It will apply to tourist operators and to every contractor. An ALP government will say: 'If we think the best thing to do is to take your work over and do it within government or within local government, we will do it and you will be out of a job. We want you to be a part of our social estate'. We all know what the social estate costs. We all know what is happening in the USSR where people are lining up for nothing, where they cannot buy even a roll of toilet paper. That is the type of place that the opposition would turn the Northern Territory into. That is where the federal government is leading us. It is screwing the states and screwing the Territory in order to get more money for itself.

Mr Bell interjecting.

Mr McCARTHY: Yes, go away, leave us. We are happy to see you gone, cannot stand your face in this House, have had enough of you. Go on!

Mr SPEAKER: Order!

Members interjecting.

Mr McCARTHY: Mr Speaker, I think it is worth while reading out once again some of those things which I am talking about. People in the community should be made aware of what the opposition is being guided to do by faceless men, by non-people.

The document says: 'Labor in government will assist those who choose not to be part of the normal labour market to establish economic independence to enable them to generate a level of income appropriate to their lifestyle'. It would finance the people of Cedar Bay. They would finance the people of Lameroo Beach. The opposition would finance such people so that they could choose their own lifestyle. It would give them the dole. It would not ask them to do a job. It would say: 'If you would like to have another lifestyle, that is fine. We will pay you. That is much easier than trying to find work for you. We are going to take jobs away anyway. We are going to take jobs from the contractors and the subcontractors. We will pay you to sit on your backsides on Lameroo Beach'. That is the sort of thing that Labor has in its policy document. 'Labor in government will adopt a more liberal definition of work to support those developing work programs not as important as paid work'. There are forms of work that are not as important as paid work, but Labor says that it will pay for them. That is outrageous.

I could go on. Labor has created a facade that its members are all working together. We saw it during the federal election campaign. We saw Bob Collins and Warren Snowdon together. We all know how much they hate one another. We really know it. They cannot stand a bar of one another. But, there they are - the team! The team! The big and the little, the wide and the narrow, the bald and the hairy, whatever you like to call them, Mr Speaker. They are the team. We know that they are not a team. They hate one another intensely. Nevertheless, that is the picture they present.

Over here we have the Leader of the Opposition, the honourable Terry Smith, and the member for MacDonnell, the honourable Neil Bell - Tinkerbell!

Mr Smith interjecting.

Mr McCARTHY: He wants to give an impression of being supportive of the undertaker over there. Tinkerbell and the undertaker were never mates. We know that. They have never been mates in their lives.

Mr Smith: Do you want to help with our publicity?

Mr McCARTHY: That is the face that they want to present to people. We have all of these people over there, this ...

Mr Smith: Where did you go for lunch?

Mr McCARTHY: I had a very quiet lunch.

Mr Smith: Are you sure you didn't have some magic mushrooms or something?

Mr McCARTHY: I had a very quiet lunch, and I was enjoying this afternoon until you started on your spiel and got me stirred up.

Mr Smith: Are you sure you did not have a magic mushroom or something?

Mr McCARTHY: Mr Speaker, I think that I have made it very clear ...

Mr Smith: You have made it very clear that you are an idiot.

Mr SPEAKER: Order!

Mr McCARTHY: ... that this document represents the intentions of the Australian Labor Party despite the fact that the member opposite wishes to deny it. We all know that that bloke has denied this document. It is like denying your own child. He birthed this. It is him. It is Terry Smith Incorporated, the Australian Labor Party. He has denied it consistently in this Assembly for 6 days. He has denied it consistently because he has not got the guts to say: 'That is mine and I endorse what is in it'. He has not had the guts to say it.

Mr Smith: You are making a fool of yourself.

Mr McCARTHY: If I am making a fool of myself, it is not anywhere near the level of fool you have made of yourself by denying that you will have anything to do with your party document. You do not accept it as being your philosophy. We know that it is your philosophy: take over ownership, get rid of the contractors and subcontractors, grow the public service to an enormous size ...

Mr Smith: Where does it say that?

Mr McCARTHY: Where does it say that? Mr Speaker, I read this for honourable members a little while ago.

Mr Smith: Where are the words 'to an enormous size'?

Mr McCARTHY: Mr Speaker, he can be pedantic about words, but look at this: 'A Labor government will review the current system of contracting and subcontracting' - it would review our system of contracting and subcontracting to the private sector - 'on behalf of government with the aim of increasing the government's permanent work force'. If that is not 'growing the government', I do not know what is. He can play with words as much as he likes ...

Mr Smith: You do.

Mr McCARTHY: If you are going to review subcontracts and contracts with the aim of increasing the public work force, it means cutting jobs in the private sector and putting them in the public sector. That is growing the public sector to the detriment of the private sector. We have a proud record of putting jobs in the private sector and of assisting private enterprise to develop in order to reach the present position where we are able to make a greater contribution to our own financial situation. We will continue to do that regardless of what members opposite say.

It is outrageous for members opposite to rise in this Assembly and say the things that they have said. They would assist new and unique enterprise to develop in the Northern Territory, as we have proudly done. The difference is that they would do it at the expense of the private sector whereas we do it to support the private sector. That is a philosophy of which I am proud and one that this government will maintain constantly.

Mr BELL (MacDonnell): Mr Speaker, I would like to move an extension of time to enable the member for Victoria River to complete his remarks.

Mr SETTER (Jingili): Mr Speaker, what can I say?

Mr Bell: Not much after that.

Mr SETTER: I will do my best and I can assure you that you will not like to hear it.

Some 45 minutes ago, we heard the member for MacDonnell filibustering for 10 or 15 minutes on behalf of his leader who was supposed to be in this Chamber to speak on this bill. The Leader of the Opposition slunk in here in front of the member for MacDonnell while that honourable member was on his feet filling in time so that his leader could address the bill. He should have been here all the time. It was absolutely terrible, Mr Speaker.

What do we have here? It is a wimpish attempt to discredit the Northern Territory government. The bill before us is all motherhood. We know that. It simply provides ongoing funding until the budget is brought down. It happens every year; it is nothing unusual. However, he saw it as an opportunity to kick the Northern Territory government where he thought it would hurt and to try to make some political mileage out of Labor Party policy. I can tell him that it will rebound in his face. The mortician has a reputation for attempting to torpedo every constructive economic

enterprise that this government has ever put forward during his term as the Leader of the Opposition and, indeed, when he was the deputy leader.

Mr SPEAKER: Order! I ask the member for Jingili to withdraw the word 'mortician', given that he referred to the Leader of the Opposition as being a mortician.

Mr SETTER: Mr Speaker, I was not aware that I named the Leader of the Opposition as being the mortician. However, if you feel that I have offended this House, I am quite happy to withdraw that. In the media recently, the Leader of the Opposition was reported to be the figurehead on the greenie yacht, crewed by Mr Bob Ellis, and someone sprayed him down with water. I hope they washed his mouth out at the same time. In that article, I think some reference was made to the Leader of the Opposition being the 'undertaker'. Far be it from me to refer to him by that term, but I think I am quoting fairly accurately from the media report.

I simply could not believe the way that he presented his comments. First of all, he criticised Yulara and the Sheratons. The Northern Territory government used its initiative some 5 or 7 years ago and put those programs in place. What he did not say was that 600 Territorians are employed at Yulara today. They are paid about $20 000 per year and that goes into the Northern Territory economy. That is about $12m per annum injected into the Northern Territory economy. Is the Leader of the Opposition saying that that has been of no benefit to the Northern Territory? Look at the multiplier effect of that.

In 1987, one of the campaign promises of the Leader of the Opposition was that he would provide public servants with cheap subsidised holidays at the Sheraton at taxpayers' expense. What do you think of that? Is that still your policy?

Mr Bailey: You did it during the pilots' dispute.

Mr SETTER: Absolute rubbish, Mr Speaker.

In the last 5 or 6 years, there has been a 26% reduction in our funding from the Commonwealth. That is rather like an employer saying to the average wage earner that, over the next few years, his wage will be reduced by 26%. This morning, we heard that a further $30m will be sliced from our budget. That amounts to hundreds of millions of dollars over that period. To return to the analogy of the wage earner whose salary is cut by 26%, how will he feel about going home and telling his family that they will have to tighten their belts: no pictures on Saturday afternoon, no takeaways from the fish and chip shop on Friday night and, instead of a roast once a week, bread and jam on that night? That is exactly what is happening here. Unfortunately, we are down to the bone. In economic terms, we are starting to feel very hungry.

Apart from all the verbiage and the garbage about what a Labor government would do in the Northern Territory, we did not hear about Entercorp, the new Territory small business corporation that he spoke about on the radio in the middle of 1989. We did not hear about Startup, a $20m guarantee scheme to get new small businesses operating. He did not tell us about Explan, a $10m guarantee program to help small business expand. It reads almost like an advertisement for the sorts of things you see in the local service station to make your car perform better. Slip a bit of Entercorp into your economy and that will really pep it up! How about some Startup? The economy will run really smoothly with that. Come

on, what are we talking about? Is he some genie? Certainly, he is no genius, I can tell you that. Does he claim that he will come into government and rub a magic lamp and, all of a sudden, the problems will be fixed?

Cast your mind back to 1983, Mr Speaker, when the opposition's federal colleagues came into power in Canberra. Cast your mind back to what the economy of this place was like then. We were going ahead like a steam train. This place was bubbling along like you would not believe and had been for a number of years - certainly since self-government - under a conservative federal government. What have the opposition's federal colleagues done since then? They have screwed us and screwed us in an economic sense and they will continue to screw us.

Let us have a look at some of these wonderful initiatives. The Minister for Labour, Administrative Services and Local Government mentioned a few points from this Australian Labor Party platform. I note that the ALP will not hold a conference in 1990 because it is too afraid that its members will be at each others' throats and stick knives in a few backs, resulting in blood running all over the carpet as has occurred in previous years. That would be seized on by the media and that would not suit the party's election aspirations. It did the same thing in 1986 and for exactly the same reason.

Members of the opposition do not have the guts to come clean and tell the community about the hidden agenda in this platform and the hidden agenda that is in this transition-to-government document. The Leader of the Opposition went pale around the gills the other day when we started to quote from it. He said that it was an old draft. It is an old draft all right; it is dated 17 April 1990! Let us have a look at the new one. Come on pal, put it up front. Tell us what the new draft is.

Mr Collins: Call him boyo. He understands that.

Mr SETTER: That is right. 'Boyo' is a term that he will understand. Mr Speaker, I would not sink to those depths.

I will quote from the ALP platform under the heading 'Business and Unions': 'A Labor government will support all possible means of union advocacy of a short working week with no reduction in wages and conditions'. What that is saying really is that Labor will cut the number of hours that everybody works, but will pay them the same amount of money and, of course, they will have the same working conditions. I dare say that they will want to improve those. Who pays? What about productivity? We all know that you cannot do the same amount of work in a shorter time and obtain the same value for the dollar expended, just by paying people the same wage and offering the same working conditions.

'A Labor government will provide parental leave'. I know that we have maternity leave. That has been a policy of this government for a long time, but I would like a further explanation on that. Does that suggest that men will have babies? Does it mean that, if the wife or the lady has a baby, her partner will also be entitled to parental leave? I would like them to come clean on that one as well.

'The Australian Labor Party stands for democratic control and strategic social ownership of Australian natural resources for the benefit of all Australians'. That is certainly not privatisation. That is socialisation and nationalisation. 'A Labor government will support union initiatives to discourage the use of modern technology to monitor performance in the

workplace'. Mr Speaker, I am sorry for them, because the wheel was invented a long time ago, and I am afraid that they are stuck with it. Are they suggesting that we do away with all the computers in the system, that we should discard word processors and go back to manual typewriters? Perhaps we should order a few dozen old-fashioned high desks and tall stools, throw away the biros and bring back inkwells and even feather pens. They want none of this modern technology.

'A Labor government would ensure that it would be mandatory for all employers to see that all persons in their employ are registered on the electoral roll'. Now that is a new twist. How can an employer enforce that? I would like to be told. When people front up for a job, are they to be asked if they are on the electoral roll? I know full well that Labor wants us to ask them whether they are members of a union or not. We heard about that earlier today. 'Are you a member of a union? If you are not, see you later'. But, they go even further than that. 'Are you on the electoral roll? You had better get yourself on the electoral roll because we will not give you a job unless you are'.

'Labor in government will assist those who choose not to be part of the normal labour market to establish economic independence to enable them to generate a level of income appropriate to their lifestyle'. Now that is a doozey, Mr Speaker. What they are saying refers to the situation where a person may want to opt out of the normal work situation and develop an alternative lifestyle. I wish I could have an alternative lifestyle. I wish I could opt out of the normal work situation and go and sit on a beach.

Mr Bell: So do we!

Mr SETTER: I suppose you do, because you do not like to hear the truth, do you? You like to live in cloud-cuckoo-land, to live in a dream world ...

Mr BELL: A point of order, Mr Speaker! If the honourable member wants to go on with this pointless diatribe, at least he can direct his comments through the Chair.

Mr SETTER: Mr Speaker, speaking to the point of order, if the member for MacDonnell wishes to continue to interrupt my comments by interjecting, then he can expect me to respond to his comments.

I would love an alternative lifestyle. I would like to forget about my mortgage. I would like to opt out of the system and wear some beads and go - I was almost tricked into that, Mr Speaker. I was almost going to say 'and smoke a bit of pot'. Oops! No sir, Mr Speaker, it has never crossed my lips, and I can assure you that, unlike all the students that the member for Stuart referred to previously, I never had a bong sitting on my mantelpiece when I was a student. No sir. However, I would certainly like to have been able to live an alternative lifestyle. However, I have commitments. In common with a large percentage of the community, I have a mortgage and a family. I have all the other commitments that a normal person has in our community. I have had to work hard to fund those and I cannot opt for this alternative lifestyle. However, the members opposite will use the hard-earned, taxpayers' money, that you and I and other people have provided, to enable people to have an alternative lifestyle if they so wish. They will fund them. It says so right here. 'A Labor government will assist those who choose not to be part of the normal labour market to establish economic independence to enable them to generate a level of income appropriate to their lifestyle'. It makes me feel sick in the stomach.

'Labor in government will support all possible means of union advocacy of a short working week with no reduction in wages and conditions', and I referred to that earlier. Mr Speaker, it is pathetic. I could go on and on. There is one particular item I wanted to quote to you. This comes from the transition-to-government document of 7 April 1990, the 'old' document. Under item 9, it says: 'Role of unions in the consultation process: the unions will be formally involved in decision-making at the political level affecting the public service'. Here is the old Labor caucus reborn. What that is saying is that the politicians who are elected by the community, by the people at the grassroots level, under the normal Westminster system whereby people select their representatives to represent their interests, their authority and decision-making power is to be usurped by the unions who will become formally involved, at a political level, in making decisions that affect the public service.

That will never happen while this conservative CLP government is in power. Somebody mentioned today that 65% or thereabouts of public servants are not union members. If I were a public servant, I would be shuddering in my boots because probably I would be one of those people the Leader of the Opposition mentioned a week or so ago in the media - one of the public servants whom he would see moving on. We have heard about his hit list, and I know that he has denied that since then. However, I remind him and the member for MacDonnell and anybody else who wants to listen about what happened in Tasmania recently when a Labor government came to power, and what happened in Queensland late last year when the National Party government lost power and Labor came into government. They put the cleaners through the public service. It sent a shudder through the public service like you would not believe. If anybody tries to tell me that the same thing will not happen in the Northern Territory, if ever we have the misfortune to see this mob come to power, then I will walk from here to Brisbane. That is exactly what they will do. They will put the cleaners through all levels of the public service. You can imagine the disruption that that would create. Let us not be conned by that group of economic wimps over there. What they do not tell us about with all their glib words is the hidden agenda. We have seen it happen time after time with Labor governments.

They talk about economic mismanagement by the Northern Territory government, and I have heard it spoken about ad nauseam in this place. Why the heck do they think times are tough in the Territory? It is because their mates in Canberra have stuffed up the economy of this country. They are continuing to stuff it up and they will go on doing that until they are finally thrown out of government, and the sooner that happens the better. What is of concern to me is that, when the next conservative government comes to power - and I am sorry to say that probably it will be 3 years before that happens - it will have to make the hard decisions. That is the problem for the Greiner government at the moment. It has had to try to pick up the pieces after some 12 years of Labor's economic mismanagement in New South Wales. It is having to make the hard decisions and it is being blamed. That is exactly what will happen with the next conservative government in the federal parliament. It will have to make the hard decisions that the opposition's federal masters do not have the guts to make. Mr Speaker, if you do not believe me, read Senator Walsh's column in the Financial Review. If anyone is really laying it on the line and embarrassing the mob opposite, it is Senator Walsh and, for once, because he does not sit on the frontbench, he is not gagged and he can speak the truth. They may not like to hear it, unpalatable as it is, but it happens to be the truth, and they will have to live with it.

Mr FLOREANI (Flynn): Mr Speaker, during these sittings, I have listened with interest to some of the comments made by the Treasurer and, this morning, the acting Treasurer. I found the statements made in the financial area very disturbing. Of all the subjects that we have discussed during these sittings, probably the impact of shortfall in revenue will have far wider ramifications than anything else that we have debated. The words that the Treasurer used, when he said that we are in a precarious position in the Northern Territory in terms of funding, and those used by the acting Treasurer this morning when he said that the Chief Minister was off to Canberra on the most important mission ever undertaken by any Chief Minister of the Northern Territory, really disturbed me.

Another matter that was raised this morning was the question of deficit budgeting, and I would like to foreshadow that the Territory Nationals will not be supporting the concept of deficit budgeting. Some 18 months ago, we predicted the situation that has now arisen. That proves to me that the CLP government is not a prudent financial manager. I think it is worth while looking at the overall picture in Australia at the moment. Any student of the financial picture would acknowledge that the federal ALP government has nearly destroyed the Australian economy and, against that background, it is obvious to me that every major corporation in Australia is reviewing its activities and operations in a great deal of depth. They are trimming costs, selling off assets and consolidating. Nevertheless, the suggestion this morning was that we might borrow funds. I find that quite incredible. There are many commentators in Australia today who are saying that Australia itself is heading into the worst economic circumstances that we have seen in this country for the last 20 years.

It is worth while looking at what is happening in the Northern Territory economy as well. It is clear that most families and small businesses are hanging on by a thread. If any family or small business runs out of cash reserves ...

Mr Coulter: What are you going to come up with?

Mr Hatton: What would you do?

Mr FLOREANI: Mr Speaker, you do not automatically dash off and borrow money and run into overdraft. I believe that the Territory government has to do what we are expecting our people and our small businesses to do.

The other point that is worth noting is the question of our approach to the federal government. I would not like to be in the Chief Minister's boots when he puts proposals to the federal government. What it will come back with is: 'What about the money you spent on the Darwin Joinery and on the Sheratons and Yulara? Why don't you use that money?' I sincerely hope that things go well for the Trade Development Zone because, if the federal government comes down heavily on us, we will be in real trouble.

It is time the Territory government did what every corporation in Australia is doing and conducted a total review of everything it is doing in respect of our economy. If that is not done, I believe that the federal government will continue to bleed us dry. I repeat that the Territory Nationals will not support deficit budgeting. We believe that it is time that the government took a long, hard look at itself and what it is doing, and acknowledged that its honeymoon period is over. We think it is time that the Territory government started doing what we are expecting our families and businesses to do and that is to become lean, mean and

efficient. It is time that this government started to live within its means.

Mr Coulter: You could not run a coin-operated telescope on Darwin Harbour.

Mr FLOREANI: That is a very interesting interjection from the acting Treasurer. He was not so cocky this morning when he was telling us about the true financial position of the Territory.

Mr Coulter: Tell us how your great economic expertise pulled the Verdi Club out of trouble.

Mr FLOREANI: Let us face it, Mr Speaker, we are in dire straits. We are putting our hands out to the federal government and we are hoping like mad that it will give us some money. It is time that we did what we expect businesses and ordinary people to do: tighten our belts, start to run a lean, mean and efficient operation, trim off all the surplus fat and live within our means.

Mr PALMER (Karama): Mr Speaker, the Leader of the Opposition's contribution to this debate was probably the most vacuous and shallow speech that I have heard in some years. No one denies that we are faced with some hard economic circumstances and no one denies that, during this year, the Northern Territory government will be faced with some fairly difficult economic decisions. There can be no denial that the real problem that we are faced with is that, over the last few years, in real or constant dollar terms, the federal government has cut its allocation to the Northern Territory in the order of $250m.

During that time, the Northern Territory has been able largely to maintain the level of government services provided to the community, also expressed in terms of recurrent expenditure. We have been able to do that by 2 means - firstly by plundering the capital works program and, secondly, by increasing Territory revenues or state-type taxes and charges. The Leader of the Opposition told us that Labor will contain spending and that there will be no real increases. There have been no real increases for some 4 or 5 years. I will admit that last year's budget was up by something like 1.5% on the previous year's budget in real terms. That can be attributed directly to the borrowings allowed for the State Square project. Without that project, the economy of Darwin and the Northern Territory would be in a significantly more parlous state than it is today.

I want to address the principle of government borrowings. Governments borrow money for capital investment or capital works. The principle to be addressed is whether the taxpayers of 1990 should pay totally for something which will benefit taxpayers during the next 20, 30 or 50 years. Of course, they should not. In each successive year, taxpayers should pay for the use of those facilities. It is the Sydney Harbour Bridge principle. Likewise, the taxpayer of 1995 or 1996 should not be expected to repay the recurrent or consumption costs of 1990. In real terms, the Northern Territory government has been able to maintain its recurrent expenditure or its expenditure on consumption. However, that era is quickly drawing to a close.

The Leader of the Opposition addressed the question of asset management. He said that a Labor government would manage its assets more closely. Obviously, he has not taken any notice of what has been happening in this House for a number of years because, if he had, he would know that,

2 years ago, the Minister for Transport and Works put together what is known as the Asset Management Group. The Northern Territory government does monitor closely and manage its assets properly. He said that a Labor government would ensure that all payments were made within 30 days. If he had paid any heed to what went on in this House, he would know that, on average, Northern Territory accounts take 7 working days to process from invoice to cheque. It is probably one of the best and most efficient systems in Australia.

Mr Leo: Absolute rot.

Mr PALMER: I am glad that the member for Nhulunbuy is here.

Members of the opposition choose to ignore facts presented in this parliament whenever it pleases them to do so. Some years ago, the Public Accounts Committee presented a report on actual and contingent liabilities. That report did not live up to the expectations of the opposition of the day. It was not the story of doom and gloom that it expected. Thus, in the ensuing period, it has been ignored. It has been relegated to the basket. It contained nothing to suggest then that the moneys borrowed in relation to the Sheratons and the Yulara projects, in the long term, would have an overly significant impact on the Northern Territory budget. There was nothing to suggest, from that time until the beginning of the pilots' dispute, that things had changed. Indeed, it was the pilots' dispute that caused a major blowout in our debt servicing requirements on both the Yulara project and the Sheratons. However, with growth in real terms in the tourist industry in the ensuing 3 or 4 years, that short-term problem will be overcome.

Much is being said about deficit budgeting. I am yet to become fully conversant with what deficit budgeting is. I did not believe that, in the Northern Territory, we had the option of deficit budgeting. In order to spend, you must have some money and, to get that money to spend, you must borrow. You have to be able to write the cheques. We simply do not have the ability to borrow or to write out thousands of cheques. That ability is not there. Our borrowings are controlled strictly by the Loans Council. Our ability to use more innovative methods to raise moneys is controlled strictly by the Loans Council. We do not really have the ability to get into what is known in the states as deficit budgeting.

I will conclude by responding to the member for Flynn, who suggested that we could have used up 'that money' - and I presume that, by 'that money', he meant the moneys borrowed for capital works - on the propping up of recurrent expenditure. That shows the vacuousness of the so-called Territory Nationals. To use moneys borrowed for capital works for the purpose of propping up consumption or recurrent expenditure is nothing short of immoral. The Whitlam government did it, and we are paying now for that. I, for one, would never condone the borrowing of money for recurrent expenditure.

I might add by way of observation that, in itself, this bill makes a good case for reviewing the budget period, perhaps on an Australia-wide basis. I have to agree with the federal Treasurer that it makes more sense to bring down a budget in May so that it has a full-year impact than to have supply bills and a budget brought down in August, by which time it is three-quarters spent or has only a 7-month impact. I do not suppose that the Northern Territory could go it alone on that. However, I am sure that, in EPAC and other peak forums, this government could support some move toward full-year budgeting rather than budgeting by stealth with at least

5 months supply voted in and only 7 months expenditure debated in the actual budget speech. I support the bill.

Mr LEO (Nhulunbuy): Mr Speaker, I look forward to finding out how states and territories generally are to organise their budgets before the federal Treasury organises the federal budget. I suppose that, if the federal Treasurer can pass his budget in the first week of May, we can pass ours in the second week of May, although there may be some mechanical problems there. Certainly, I foresee a few difficulties in states and territories passing budgets before the federal budget is passed because they do not have a cracker until that happens.

I would like to spend some time discussing a myth which has been perpetrated in this House for such a long time. It concerns the reasons for which we borrow money for infrastructural development. The reasoning and the moral principle behind the logic that has been put to this House for as long as I can remember is that the taxpayers of today should not be obliged to absorb the full cost of capital investments which may have a lifetime extending into the future. That makes some sense. I can understand what the government is saying there. What I cannot understand and what to me seems immoral is that the taxpayers of tomorrow have no part in the decision-making process which will land them in debt. Basically, what is happening is that a group of people today are making decisions on behalf of a group of people who will have absolutely no financial redress. We are prepared to write out cheques which our children will have to redeem. That is precisely what is happening with this extensive borrowing program that the government has become involved in. It is all very well to say that the schools, the bridges, the law courts, the new parliament houses, the Yularas and the Sheratons are not only infrastructure for us but also infrastructure for our children. What ability do they have to decide whether they want those damn things? None at all. They have no rights at all in terms of making a contribution to that decision-making process.

I can understand a deficit program which has event horizons, such as the life of a particular parliament. The life of a particular parliament is 4 years. The government can run up all the bills it likes provided they are paid out within that 4-year period. However, it would seem to be immoral to impose on people who have had no part ...

Mr Collins interjecting.

Mr LEO: Will you shut up, you niggling little grub! I withdraw, Mr Speaker, but will you keep that clown quiet?

Mr SPEAKER: Order!

Mr LEO: I withdraw, Mr Speaker, but will you shut him up?

Mr SPEAKER: I ask the member for Sadadeen not to provoke the member for Nhulunbuy at this late hour.

Mr LEO: Mr Speaker, it immoral for governments to incur debts on behalf of people who have absolutely no right of redress. They simply incur debts on behalf of people who have had no opportunity to reflect on that debt. I think that is immoral.

That is precisely what has happened in the Northern Territory. It is all very well for government members to say that, if it were not for the pilots' dispute, Yulara and the Sheratons would be doing fine. That may

very well be true. However, if it were not for the stock market crash of 1987, I do not doubt that there would have been 2 fewer Premiers through the post in Western Australia. Equally, nobody could foresee the stock market crash when those debts were written up. Nobody could foresee that there would be a pilots' dispute when the government went into debt over Yulara and the Sheratons. Nobody could have foreseen the effect of that same stock market crash on Victoria, and Victoria has been lumbered with the consequences of it. The good old Australian taxpayers have been lumbered with the debts. Those governments have bitten the bullet. They are trying to get themselves out of debt. In Victoria, the government came clean. The Treasurer resigned, or he was forced to resign, whichever way you want to put it.

Mr Vale: He did not come clean before the election.

Mr LEO: He admitted that the government ...

Mr Coulter: They still have not come clean.

Mr Vale: No, that is right!

Mr LEO: Listen here, you four-eyed twerp ...

Mr SPEAKER: Order!

Mr LEO: Mr Speaker, I withdraw.

Mr Vale interjecting.

Mr SPEAKER: The member for Braitling will allow the member for Nhulunbuy to be heard in silence. There will be no running commentary or chatter. That is a last warning to all members of the House.

Mr LEO: Mr Speaker, other governments in Australia have recognised their mistakes in meaningful ways and they have done that for one very good reason: they understood the electoral consequences of not cleaning out the cupboard and of not redressing those mistakes that had been made. In the Northern Territory, there has been no recognition that mistakes have been made. All we hear from every minister in this government is the continual line of federal government bashing.

It does not start with the Minister for Mines and Energy who talks extensively about the federal government's refusal to allow a potentially profitable mine to open up. It does not start with the Chief Minister, who goes on ad nauseam about how the nasty feds have been cutting our budget. It does not end with the Minister for Lands and Housing, who goes on ad nauseam about the viciousness of the Land Rights Act. It does not end with the Minister for Education who tells every Northern Territorian that we are right in building universities and that everybody in Australia should pay for them. It does not end with the Minister for Health and Community Services demonstrating to the entire Northern Territory public ad nauseam that, if it were not for the meanness of the federal budget, we would have biggers and betters of almost everything from A to Z. And it does not end with the Minister for Transport and Works who says that we should have 4-lane bitumen highways on every patch of earth in the Northern Territory, but don't dare ask any Northern Territorian to pay for them.

When you start talking billions of dollars to pay for that infrastructure, don't talk to the Northern Territory government - talk to

the feds. It doesn't start with any one of those people. They have all care and no responsibility. They blame everybody except themselves: it is because of the pilots' dispute or because the federal government will not give us enough money or the Australian taxpayer should give us more. It is everybody's fault but theirs.

That simply does not wash any longer. Nobody in the electorate of the Northern Territory, even those in this Alice-in-Wonderland piece of urban development called Darwin, will let it wash any longer. The government can continue to blame everybody else for so long but, sooner or later, it must accept responsibility for its actions. For as long as I have been in this parliament, members opposite have refused to accept responsibility for their actions. That is what has to cease, and it will cease by fair means or foul. I suspect that, as far as this government is concerned, the foul will be on polling day. If it had half an ounce of gumption and half an ounce of guts it could come clean as governments in various states have had to do, otherwise it will suffer the ignominy of what happened to the New South Wales Labor government. It will be put out in the street, which is probably where it belongs.

Mr HATTON (Health and Community Services): Mr Speaker, I must respond to the load of garbage that we heard from the member for Nhulunbuy. He continues to walk into this House and, in his sneering, sarcastic style, run the line that the only thing that is wrong is that we keep blaming the federal government. It is a great line. He referred to a series of scenarios, but not once did he indicate whether he thought any of the scenarios that he accused us of complaining about are true or not. He did not say whether it was true that the blocking of Coronation Hill and uranium mines is causing difficulties for the Territory. He did not challenge the issues that other members raised. He accused me of making many statements which I defy him to find. Apart from that, he runs the line that we blame everything on the federal government.

I ask all honourable members to reflect on the fact that, in real terms, 26% of our budget has been cut since 1986. That is in 3 budgets. In 1990 dollars, the capital works funding from the Commonwealth has reduced from in the order of $400m down to $44m. Recurrent spending, in real terms, has been cut at something like twice the rate of the cuts for the states generally. Our expenditure, both in recurrent and in capital spending, has been cut dramatically in real terms over the last 3 budgets and we are confronted with the fact that funding will be further reduced this financial year.

In cutting our recurrent spending and spending on capital works, we have not only maintained services to the community, but we have actually increased the range of services to the community. For example, virtually every election promise made in 1987 in relation to the Health and Community Services budget has been implemented already. I am undertaking an audit at the moment to find out what has not been implemented so that that can be done. Almost every election promise has been implemented, despite massive cuts in recurrent spending, massive cuts in capital works funding and cuts in available borrowings. The one exception is the special one-off borrowings for the State Square project approved by the federal Treasurer. That one-off project has allowed our capital works program to assist the survival of the business infrastructure in the Top End. If that project were not there, most of the businesses in Darwin that depend directly or indirectly on capital works in the contracting industry would be out of business now.

We did not invent high interest rates as an economic tool. It is a deliberate federal government policy. We did not deliberately drive down our available funds. That was a deliberate federal government policy. We did not invent and create the pilots' dispute that has crippled tens of thousands of businesses throughout Australia and hundreds of Territory businesses. The federal government did that as a prelude to its deregulation of the airline industry. We can deny those things as much as we like, but they happen to be facts. They are circumstances confronting the Northern Territory.

Members of this House know that this government has taken hard decisions over the last 3 budgets in order to keep bringing down balanced budgets despite losing 26% of our money. We balanced the budgets and still delivered to the community. Mr Speaker, ask any public servant and he or she will tell you that the days of wine and roses are well and truly over. The public servants know that there is no spare cash in the system. They know that they need more staff. They know that we have abided strictly by the wage fixing guidelines and that, as a consequence, some wages are no longer competitive with interstate public services, that of the Commonwealth in particular. That is making it difficult for us to recruit. We abided by the rules and we played it tough. We balanced the books.

Having done that, it is really sickening to hear the members opposite prattling on in their self-satisfied and sneering fashion about how it is all our fault and it has nothing to do with the Commonwealth. The fact that we dare to mention facts that relate to specific Commonwealth decisions is somehow a cop-out. I do not accept that, and I do not think the community should accept it. This government has made a good job of guiding the Territory through a horrific financial crisis. We have held the Territory together despite the horrific financial impost that has been imposed on us. We should be given credit for that. We have a hard year before us and we have had the courage to tell the community that there are hard times coming.

Let us be clear about deficit budgeting. We cannot borrow to fund deficits without the specific approval of the federal Treasurer. The only options to close the gap are to cut spending on services, to increase taxes or to obtain access to borrowed funds. We have to choose from among those 3 options. The days of simply squeezing administration a bit tighter and delaying something here or there have gone. In the last 3 budgets, $250m a year has been squeezed out of that sort of expenditure in the public service to balance budgets and keep the services flowing to the community.

The time has to come when the well runs dry and the only choice is to say that this service will stop and that service will stop. If members opposite, and that includes the member for Flynn, want to come in here and talk about a lean, mean government and cutting services, let them put on the table the community services and community facilities in their electorates. Let them tell us which of those services they want the government to sell off or close down. Then they can speak with credibility. If they do not do that, they are just mouthing. Those are the sorts of decisions which will face the people of the Northern Territory this year. If those honourable members are not prepared to do that, they should shut up. Those are the sorts of decisions a responsible government will be forced to make.

Mr COLLINS (Sadadeen): Mr Speaker, I quote: 'I think it is immoral for the government to incur debts on behalf of people who have no say in it'. The mind boggles. It really does. The member for Nhulunbuy made that statement. Mr Speaker, you heard him say that we should complete all our projects in the life of a parliament - within 4 years. The federal

parliament and state parliaments have 3-year terms. I suppose they would have to complete their projects within that time. I wonder whether the federal parliament would be happy about that. The new Parliament House in Canberra certainly took longer than 3 years to build. It was built during the life of several parliaments. The reality is that everybody knows that any government, even a government that is on its last legs, can make commitments which incoming governments have to honour. In New South Wales, Mr Greiner had to wear the Darling Harbour project which he inherited from the previous government. That is just how it is and it cannot be any different. The member for Nhulunbuy's suggestion was ridiculous.

A couple of years ago, the Leader of the Opposition was full of praise for WA Inc. He intended to imitate it if he got into government. He said: 'We are going to get into business. We are going to get into bed with the big fellows'. Now he is backing off at a great rate. It is a well proven fact that governments of all types which try to get into business are suckers for getting ripped off. That is because, as I have said many times before, governments are not dealing with money which they have had to earn themselves. It is the taxpayers' money - legal robbery, as many would say. Governments do not have the same care and concern as the people who have to earn the money, spend it and look after it. At least the Leader of the Opposition seems to be backing off in some ways, although the manifesto which the ALP put forward is certainly no help.

If the federal government had been interested in Australia, we could have seen the Coronation Hill project up and running 12 months ago. I recall members in the Assembly saying: 'The federal government has just deferred the decision for 12 months. It will go ahead in 12 months time'. One of their colleagues in the federal parliament said in the local press at that time that he supported the mining of Coronation Hill. I conferred with another member of the House in which he sits, who told me that he had never said a word about Coronation Hill in that House. He knows how to state his support selectively. He kept his mouth shut in the Senate and big-noted himself in the paper here. Many people, even conservatives ...

Mr Coulter: Who is that? Whom are you referring to?

Mr COLLINS: He is a federal minister now. I am sure that you will be able to guess whom I am speaking of.

Mr Coulter: Which federal minister from the Northern Territory.

Mr COLLINS: Which one indeed! I think we will leave it at that. We need to have a little bit of secrecy in these things.

If Coronation Hill had been up and running, the Territory's economy would have been on the upswing now without a shadow of doubt. There would have been employment. There would have been a good feeling in the community that we were getting over the problems that we have had, and there would have been good feelings towards the government. The decision was based on purely political motivation: 'Hold it off for 12 months. The Territory government will not get any kudos out of it'. If it had proceeded, this government would have gained some kudos. The decision is politicking at its worst. Australia desperately needs the Coronation Hill project. It really does. Nevertheless, for political purposes and no other reason, the federal Labor government delayed it for 12 months.

The Leader of the Opposition talks about how people have left the Territory and how, although the numbers have just come back to their

previous level, 75% of the increase consists of newborn children who cannot contribute to the economy. Certainly, he has not read today's paper. It contains an article which says that the Australian Bureau of Statistics' assessment of payroll figures indicates that the total number of people employed in the Territory is 61 600. There has been an increase of 5800, or 10.4%, during the last 12 months. I would suggest that the Leader of the Opposition does not know what he is talking about.

I could go on, but I want to reflect on these sittings for a while. After the federal election win, and it was a good win, I believed that members of the opposition would be here in force, well prepared and in their seats virtually all the time, picking the government up on every issue that they could possibly identify and interjecting sensibly at every opportunity, so demonstrating to the people of the Territory that they have the cohesiveness to take over the reins of government. This was the fortnight during which I expected that to happen, but I have never seen the opposition benches so empty or its arguments so poor.

I would have expected the opposition to be using the media at every opportunity because, while they might be able to get away with little effort in here, they cannot do so with the media. I was about to speak to a media employee when he said: 'Sorry, I have to listen. This is the first meaningful thing that the Labor Party has done this fortnight and I have to try to get something out of it'. Members of the opposition present as a rabble. It is the only way that I can describe them. I am shocked. If ever there has been a time when I thought their tails would be up and they would be working together to show that they have the gumption to replace the government, this should be it. Instead, it has been the opposition's worst display in 10 years. I am sure that the former leader, Senator Bob Collins, would have been absolutely disgusted with his party's performance in here this week.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

STATUTE LAW REVISION BILL
(Serial 261)

Continued from 28 February 1990.

Mr BELL (MacDonnell): Mr Speaker, it is customary for statute law revision bills to amend relatively insignificant parts of acts of this parliament which do not encapsulate policy provisions and which are, in that sense, relatively minor. That applies to some aspects of the Statute Law Revision Bill before us today. There is, however, a substantial issue in relation to the repeal of the Treason Felony Act of 1868 and the Treason and Forfeiture Act of 1874 to which I propose to refer shortly.

In addition, the Attorney-General has circulated an amendment schedule the contents of which appear to be within the ambit of the usual sorts of provisions contained in statute law revision bills. The amendments to the Crown Lands Act contained in the schedule may be of some interest to honourable members and others. I want to place on record the fact that I was briefed on these amendments by a member of the minister's staff, Neville Jones, who has put a great deal of effort into the legislation

associated with the provision of living areas over a number of years, both as a member of the Chief Minister's staff and in his former position in the Department of Lands and Housing. Due to the late sitting last night and the amount of business today, I have not had the opportunity to seek opinion on those amendments. I understand that they make a relatively minor alteration to allow particular processes in the creation of living areas without affecting the nature of the agreement between the Northern Territory government, the Commonwealth government, the Aboriginal groups and their representatives in the land councils.

I note also that the amendment schedule contains an amendment to the Misuse of Drugs Act. Because that was contentious legislation, I will be seeking an explanation of that amendment from the minister in the committee stage.

Whilst, as I have said, the Statute Law Revision Bill is otherwise an innocuous piece of legislation, it does repeal the Treason Felony Act and the Treason and Felony Forfeiture Act. The former of those 2 acts was legislated in South Australia in 1868, the latter in 1874. They constitute part of the remnant of South Australian legislation which still applies after the transfer to the Commonwealth in 1911 and the subsequent return to the Territory of legislative powers through the Legislative Council in 1948 and with self-government in 1978. In his second-reading speech on this bill, the Attorney-General had this to say:

> The old treason and felony acts of South Australia are to be repealed. These have been effectively overtaken by specific legislation which provides for particular disabilities in particular circumstances, such as the Juries Act which provides that certain convicts cannot be jurors. The general acts should be repealed to avoid any possible legal confusion and replaced with an assertion that there is no disability except as imposed by statute.

As I think I will be able to demonstrate, that is not quite the situation. I want do draw honourable members' attention to the circumstances of Zbigniew Alexander Prus-Grzybowski. Prus' case will be known to some people here but, for the benefit of honourable members who are not aware of it, I should indicate the complexity of the circumstances. Prus was charged with wounding with intent after he shot a lawyer with a rifle in a courtroom at Alice Springs in May 1975. Subsequently, he was sentenced to 8 years imprisonment. He claimed at his trial that the cause of the shooting was a complex legal dispute, and an order to quit the lease of a farm at Emily Gap after a magistrate found against him in a dispute with the owner.

I should point out at this stage that Prus had retained the services of a solicitor employed by Everingham and Company, as well as Mr Paul Everingham himself. Subsequently, he had retained the services of Mr Brian Martin, then of Martin and Partners, to act on his behalf and, in fact, he represented Prus during the hearing in the magistrates court.

Martin and Partners were also engaged by the Australian Legal Aid Office to act for Prus at the Supreme Court trial and a Mr Ford, then a QC in New South Wales, was briefed to appear in that case. Honourable members may be interested to know that that was the same Mr Ford who was appointed as a judge of the New South Wales District Court 3 years later, in 1978, but who resigned on 19 November 1986 due to what was referred to as ill-health 5 years before his commission was due to expire. A short time later, the New South Wales government announced that it would not proceed with an

announced commission of inquiry to investigate allegations that he had granted special favours to a certain solicitor during his term on the bench. Incidentally, in respect of Mr Ford, on 4 December 1986, the Sydney Morning Herald reported that the then New South Wales Attorney-General, Terry Sheahan, was investigating claims that the former judge was linked with the Mafia and the late Robert Trimbole, an alleged crime boss in Australia. It is of passing interest that the result of those investigations has never been revealed.

To go back to the beginning, Prus' problems began in 1973 when Everingham and Company prepared for him a lease on a farm at Emily Gap owned by one William Whitlock. Prus-Grzybowski had retained Paul Everingham in May of that year in order to have a contract drawn up. Mr Everingham had also acted for Prus in previous matters. In the following month, Mr Everingham informed Prus that he was moving to Darwin and that a legal partner, Peter Tiffin, would draw up the lease, and this was done. Prus insisted that the conditions of the lease include a provision for the owner to pay for and maintain the electricity and water supplies to the lease, which he had set up as a chicken farm and market garden. When Mr Whitlock failed to maintain the vital water supply to the farm, his tenant complained, and was instructed by Mr Tiffin to make out an affidavit, which he would present to Mr Everingham in Darwin so that an injunction order could be issued. The injunction was never taken out and Prus was informed a short time later that Everingham and Company would no longer act for him. He was told Mr Tiffin had left the firm, and that it was now acting for Mr Whitlock.

He went then to Martin and Partners, the only other law firm in Alice Springs. Eventually, when the matter was taken to court, a lawyer employed by Everingham and Company, Mr Peter Dean, appeared for Mr Whitlock. He told the court the lease, which had been drawn up originally by his own company, was illegal and unenforceable. He argued that, under existing Territory law, any agricultural lease which had force for more than 2 years was not valid unless approved by the relevant minister. The lease signed by the parties was for 6 months, with a renewal option for 10 years.

I should point out that Prus had sold up quite substantial equity that he held in a house in Alice Springs. He had come to Australia from South America. He was and is a colourful character. In his youth, he suffered seriously in fighting with Polish guerillas against the Germans in Warsaw in 1945. He was imprisoned by the Germans in a concentration camp and subsequently escaped, I believe to Yugoslavia, where he fought with Tito's guerillas. After the completion of the war, he studied for the priesthood and went to South America. He ran a trading store successfully there, and he worked collecting venene to treat snakebites among the Indian population in Argentina, and he was not necessarily favoured by the regime in that country either. He came to Australia with not inconsiderable assets that he put into, first, a house in Alice Springs and then this farm.

To return to the case, a hearing was held in relation to this lease. A local magistrate, G.F. Hall, found in favour of Mr Whitlock, and then Prus received a letter from Everingham and Company ordering him to leave the Emily Gap property within 48 hours. Mr Deputy Speaker, what would your reaction be if you had put your life savings into a property and had lost the lot as a result of a relatively minor legal oversight?

In evidence at his trial, Prus said he picked up the letter at Alice Springs Post Office and drove home and got his rifle. He then drove back into town and went to the office of Everingham and Company, looking for

Mr Dean, but was told that he was at the courthouse. He stormed into the courthouse and shot a lawyer at the bar table whom he thought to be Mr Dean, but he realised, at the instant when he pulled the trigger, that it was Mr Ted Skewes whom he had engaged, tragically, to act on his behalf a short time before the shooting. Mr Skewes lost a lung as a result of the shooting. Prus served 5½ years in jail. I come to the end of the story here, Mr Deputy Speaker, before I go back to the middle of it. As I say, it is a long story.

Prus lodged a writ against Everingham and Company in the Northern Territory Supreme Court in 1978, alleging negligence and breach of legal contract in its representations on his behalf regarding the dispute with Mr Whitlock. The matter was settled out of court in his favour in March 1987. Under the terms of the settlement, the amount paid to him cannot be revealed, but he stated at the time that he accepted the settlement because of the legal fight he had endured against the company.

We come now to the question of why it took 12 years, from 1975 to 1987, for Prus to gain any sort of redress. I think that honourable members may be interested to know that it was this very Treason and Felony Forfeiture Act that we are seeking to repeal with this bill that kept the case out of the courts for so long. If that were the only issue, it would be simply a footnote in the legal history of the Northern Territory but, as I will explain, the issue continues to be alive because, on good legal advice, Prus is pursuing a claim against Martin and Partners. Because the issue is alive and is of importance to a number of people, I intend to give details in that regard. However, let me explain the actual operation of the Treason and Felony Forfeiture Act in Prus' case.

As I say, in large part, it was the Treason and Felony Forfeiture Act that caused the 10-year delay in settling Prus' claim against Everingham and Others, and the progress of and background to that case is relevant in a consideration of this bill. Honourable members will be interested to know that the claim for negligence, lodged in 1978, was defended successfully by Everingham and Others in the Supreme Court on the basis of the Treason and Felony Forfeiture Act. Briefly, it was held that Prus was unable to bring the action for negligence against Everingham and Others because he was a convict in the meaning of the Treason and Felony Forfeiture Act and, as such, was prevented from bringing the action. Because he ran out of time under the Limitation Act while he was in jail, he was unable to bring the action when he ceased to be a convict, in the meaning of this particular act, in 1983.

Prus appealed to the Federal Court, and the decision was overturned in 1983. I am unable to summarise adequately the reasons for this decision except to say that the Federal Court examined the historical context of the 1874 act and came to the conclusion that it was not the intention of the legislature at that time to prevent actions such as that of Prus. As a result of that conclusion, the Federal Court was able to reverse the decision of the lower court. Briefly, my understanding of that judgment is that, in fact, the South Australian parliament was doing a similar action to the one that we are seeking to do with this Statute Law Revision Bill with the 1874 act. The South Australian parliament was seeking to reduce the restrictions on legal action of some people who had been convicted. Similarly, we are seeking to remove such restrictions altogether, and retrospectively as well, with this bill by placing an amendment in the Criminal Code. But I get a little way ahead of myself in that regard.

The Supreme Court accepted the operation of this act in 1980, but the decision of the Supreme Court was overturned by the Federal Court in 1983. Prus was then able to bring the action, and his claim against Everingham was settled out of court in 1987. It took 12 years from whoa to go in that regard. Interestingly, after the 1980 Supreme Court decision, in 1981 the Northern Territory government sought to amend the Treason and Felony Forfeiture Act, and the second-reading speech of the then Chief Minister, Paul Everingham, makes very interesting reading. He mentioned the Chief Justice's comment that the provisions of section 8 of the Treason and Felony Forfeiture Act were, in the judge's words, 'quite barbarous'. He did not mention to the Assembly at the time that he was, in fact, a party to the case that was involved. He failed to mention that to the Assembly, which may have caused a little more interest in that bill than was otherwise occasioned.

Mr Deputy Speaker, let me turn now to the matter of Prus' case against Martin and Partners. It is worth our while to consider why limitations on actions have been so important and I think that the legal profession in the Northern Territory ought to give some consideration to the circumstances surrounding why Prus' action has taken so long, particularly when I hear relatively senior people in the legal profession in the Northern Territory assure me that no solicitor will be prepared to take on Prus' case. If that is the case, it is something of an indictment of anybody involved with the justice system in the Northern Territory. I will not give all the details of the applications made for the best part of 2 years at this stage. I understand that his applications for legal aid from the Australian Legal Aid Office are ongoing and I report to the Assembly that I have been involved in many quarters and at many times in making representations on Prus' behalf.

I can advise honourable members that, in the view of at least one senior counsel, he does have possible cause for action under 7 different headings. Prus has advised me that Michael Abbott QC, whose opinions have been cited on both sides of this Assembly in other matters, has been retained and has advised Prus that he has a possible cause for action against Martin and Partners under these broad headings: firstly, an action against Martin and Partners for their failure to bring proper proceedings to enforce the lease entered into between Prus and Mr Whitlock; secondly, an action against Martin and Partners for their failure to appeal the Whitlock decision; thirdly, an action against Martin and Partners for their failure to take action against one Colson for an assault on or about 23 February 1974; fourthly, an action against Martin and Partners for their failure to sue Everingham and Partners for that firm's negligence in the drawing up of the lease and the attempts of Everingham and Company to enforce the lease; fifthly, an action against Martin and Partners for their failure to act properly in and about the criminal trial, using that expression to encompass the entire criminal proceedings which ended in Mr Prus' incarceration; sixthly, an action against Martin and Partners for their failure to appeal the conviction and sentence given that, shortly afterwards, Prus denied that he was guilty and, in any event, protested the sentence was far too severe and crushing; and, seventhly, an action against the Australian Legal Aid Office for its failure to appeal the conviction and sentence and/or its failure to sue Martin and Partners as instructed by Prus and/or its failure to sue Everingham and Company.

Those are some of the elements of what is an extremely complicated issue. If I might just add a personal note in that regard, I have received what can be termed mildly as persistent representations from Zbigniew Alexander Prus-Grzybowski since early 1982. I am happy to place on the record here that, when first I came across him, it was some trepidation that

I listened to his representations because I had read only newspaper reports and I was aware that he had shot a solicitor and no more. The more I heard of that case, the more I came to be convinced that he had been wronged and, of course, there has been some recompense for those wrongs. I believe that there continue to be further issues and that, regardless of the status of any of the parties to any such future action, that case and those issues should be tested in court. I will not say any more in that regard. I will not comment on the strength or otherwise of those claims or on the extent to which I believe in them. Suffice it to say that Prus believes in them passionately and that I believe that the cause of justice would be well served by their being tested.

Mr Deputy Speaker, to turn to the replacement of the Treason and Felony Forfeiture Act, the intention of the Criminal Code amendment appears to be retrospective. Its impact on Prus' case may be none whatsoever or it may, in fact, impact on it because of its retrospectivity. I simply make that comment. The Attorney-General and I have had some discussions in respect of this bill, and I will leave him to comment about his views in that regard. I think that honourable members will agree that, although it is usual for statute law review bills to pass through this Assembly very quickly, Prus' case and all the attendant circumstances make this bill rather more substantial than most others of its kind and I trust that the Attorney-General does not believe that I have wasted the Assembly's time by drawing his and other members' attention to the circumstances that surround it.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, we have all listened very patiently to the member for MacDonnell as he covered an issue which, as he pointed out, is one that he considers to be of great importance, and I think that no one would deny that that is so. I believe that the amendments that this Statute Law Revision Bill lays down would not affect the operation of any case. However, in view of the possibility that it may be the case that, as a result of the proposed amendment, somebody could be denied justice, I have no problems with inviting defeat of clause 3 of the bill when we come to the amendments, to allow us to have a good look at the points raised by the member for MacDonnell. I do not think that any member of this House would do anything to deny the course of justice to any person in the community. With those few words, I commend the bill.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr MANZIE: Mr Chairman, I move amendment 114.1.

This amendment has the effect of repealing the last provisions remaining unrepealed in division 7 of part III of the Administration and Probate Act. It will allow also for the removal of the item referred to in 114.7 of the amendment schedule.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3:

Mr MANZIE: Mr Chairman, I invite defeat of clause 3.

Mr BELL: Mr Chairman, I take this opportunity to point out to honourable members my appreciation of the actions of the Attorney-General in this regard. It would be appropriate if we were able to get some formal advice as to the effect of the proposed amendment on Prus' case. Having read the 1983 judgment, I became quite interested in the issue and will be interested, in a detached sense, to hear a full briefing of the issues involved.

Mr MANZIE: Mr Chairman, it is probably not as important to look at a specific case as it is to ensure that the clause does not create problems for anyone in similar circumstances. The whole concept is probably more important than an individual case.

Clause 3 negatived.

New clause 3A:

Mr MANZIE: Mr Chairman, I move amendment 114.4.

The amendment inserts a new clause 3A after clause 3 in respect of the Crown Lands Act, to amend section 102M(1) of the act to provide a new subsection which requires a successful applicant for a community living area to form an association under either the Territory or Commonwealth associations legislation, before becoming the recipient of a grant of an estate. It provides a new subsection as an alternative to (d) to enable an applicant or applicants for a community living area to approve an association which has already been formed to be the recipient of a grant after a successful application, provided that the association does not already hold land granted as community living area.

It further amends a section 102M(2) of the act to take into account the amendments to subsection (1), while providing a trigger mechanism. As it is at the moment, it allows grants of community living areas to be made only to Aboriginal associations formed after an application has been approved or recommended. The above amendments will correct that oversight.

Mr BELL: I note the comments made in this regard by the honourable Attorney-General. I appreciate the circumstances in which the amendments have been put before the Assembly.

New clause 3A agreed to.

Clause 4 agreed to.

New clause 4A:

Mr MANZIE: Mr Chairman, I move amendment 114.5.

This amendment inserts a new clause 4A after clause 4 in respect of the Land Acquisitions Act, to amend section 46(1A) of the act consequent upon the amendment to the Crown Lands Act referred to in amendment 114.4.

New clause 4A agreed to.

New clause 4B:

Mr MANZIE: Mr Chairman, I move amendment 114.6.

This amendment inserts a new clause 4B in respect of the Misuse of Drugs Act to correct a formal error whereby subparagraphs (b) and (c) in the definition of 'aggravating circumstance' in clause 37(1) of the original bill had inadvertently been dropped from the act. Mr Chairman, I have written to the member for MacDonnell to explain the circumstances of this particular oversight and to request his support in correcting it.

New clause 4B agreed to.

Clauses 5 to 7 agreed to.

Schedule:

Mr MANZIE: Mr Chairman, I move amendments 114.7, 114.8, 114.9, 114.10 and 114.11.

Amendments agreed to.

Schedule, as amended, agreed to.

Bill passed remaining stages without debate.

TABLED PAPER
Publications Committee - Fifteenth Report

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

Motion agreed to.

TABLED PAPER
Subordinate Legislation and Tabled Papers Committee
Sixteenth Report

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

TABLED PAPER
Sessional Committee on Constitutional Development
Progress Report

Mr FINCH (Transport and Works)(by leave): Mr Speaker, on behalf of the Minister for Health and Community Services, in his capacity as Chairman of the Sessional Committee on Constitutional Development, I table a statement relating to the work of that committee and I seek leave for it to be incorporated in Hansard.

Leave granted.

The committee was reconstituted on 28 April 1987 following the election in March 1987.

The resolutions constituting the committee were passed by this House at the same time as proposals were being developed in the Northern Territory for the Territory to be granted statehood within the Australian Commonwealth Federation.

On 30 November 1989, this House resolved to amend the terms of reference of this committee by changing the status from a select to

a sessional committee of parliament. In doing so, the terms of reference of this committee were varied. These variations have allowed the committee to take on board, over and above its primary task, that is to develop a draft constitution, such other constitutional and legal matters as may be referred to it by the relevant minister or by resolution of this House.

As mentioned, the major task of this committee is to prepare a draft constitution and to report that constitution to this House together with its recommendations on representation at a proposed Northern Territory Constitutional Convention.

This committee has also been charged by this House to undertake a role in promoting the awareness of constitutional issues to the Northern Territory and Australian populations. During this session of parliament, the committee has developed an extensive program in promoting its work.

In promoting public awareness, the committee sees it as an important 'educative' ingredient in its terms of reference for developing the necessity for a new constitution, addressing the issues involved and, most importantly, the need for public input to gain acceptance of the final document.

To date, the committee has prepared the following publications, all of which have been tabled in this House:

- A discussion paper on a 'Proposed New State Constitution' for the Northern Territory which is a collection of the following 4 discussion papers prepared to help promote, commend and develop community attitudes on the contents of the proposed new state constitution:
  - The Legislature;
  - The Executive;
  - The Judiciary; and
  - Entrenched Constitutional Provisions.
- A discussion paper on 'Representation in a Territory Constitutional Convention';
- Information Paper No 1 entitled 'Options for a Grant of Statehood';
- Information Paper No 2 entitled 'Entrenchment of a New State Constitution'; and
- A plain English booklet entitled 'Proposals for a New State Constitution for the Northern Territory'.

The papers are intended to form a framework for discussion of issues both in written and oral submissions and in the course of public hearings.

During its establishment in 1985, almost half of honourable members present have served on this committee. The present membership is constituted by the honourable members from Nightcliff, Wanguri, Stuart, Ludmilla, Arnhem and Jingili. The committee also has

ex officio members comprising the honourable Chief Minister and the Leader of the Opposition.

The committee, to date, has received 43 written submissions, 17 of which have been classified as group submissions which include local governments, industrial relations organisations, business groups, religious and government organisations; the remaining 26 have been classified as individual submissions.

Between 5 July 1988 and 27 September 1989, the committee has conducted some 60 public hearings throughout the Northern Territory. Public hearings have been conducted in all of the major centres and the majority of the large Aboriginal communities. From these meetings, the committee has spoken directly to some 3000 people, of which 275 have given direct oral evidence as witnesses.

The committee, having been given the public awareness role, determined that it should gain as much input as possible from the community prior to undertaking any definitive program of public meetings. It advertised widely in the media for submissions, wrote to over 500 individuals and organisations and disseminated the discussion and information papers which it had prepared on the constitution.

Whilst response was not overwhelming, some areas of concern, such as Aboriginal land rights, language and culture, became immediately apparent. The committee therefore decided that it should undertake the public awareness role and in particular should visit most centres of population within the Territory. In assisting the committee to prepare its program, it enrolled the service of officers from the Office of Local Government. Those officers were requested to discuss matters relating to Northern Territory constitutional development with community leaders, with a view to arousing interest in the matter prior to the committee's visiting the communities. Recently, after requesting the government, the network of officers to assist the committee has been enlarged to incorporate appropriate personnel from all Northern Territory public service departments and authorities.

In promoting the public awareness role, particularly in the communities, the committee produced a plain English booklet, interposed with cartoon characters. The aim of this booklet is to help facilitate understanding of the complex constitutional issues. 20 000 copies of this booklet have been printed and some 11 000 copies were disseminated to communities throughout the Northern Territory. The success of this booklet has surpassed its need as an educative tool for understanding in Aboriginal communities. The committee has found that the demand for this booklet is now being requested by organisations, schools and from a large number of Territory residents living in the major urban areas of the Northern Territory.

Prior to the committee visiting the major towns and centres of population in the Territory, advertisements were carried, where possible, in local newspapers and over radio stations. Advertisements were also carried over commercial television stations, including Imparja, which beams to most Aboriginal communities and major centres outside Darwin. These latter

advertisements were produced by a local media promotions company selected by tender. There were a number of advertisements made. First a 60-second commercial was shown, informing the public of the role of the committee and what is involved in developing a constitution. This commercial was followed up by a brief 20-second 'teaser' commercial reinforcing the first. There were 2 other 30-second commercials showing various members expressing the role of the committee and the itinerary of the committee's visit to centres and communities. The main thrust on all commercials was to encourage Territorians 'to have their say' in the framing of a constitution. The response has been rewarding and, whilst it may be necessary to visit the centres and communities again to promote specific fundamental issues, the committee is of the opinion that its approach in addressing and developing public awareness has been effective.

It has not been smooth sailing when it comes to promoting the complex and diverse issues surrounding constitutional development in the Northern Territory. When visiting the communities, language difficulties were experienced in certain cases. There are approximately 130 languages and dialects in use in the Northern Territory and, whilst English is either used or well understood in many communities, in others the comprehension of English is almost non-existent. The majority of transcripts that were taken at the public meetings will require translation into English. As you can appreciate, this will be not only costly but a long and arduous task.

The committee has engaged the services of the Institute for Aboriginal Development, based in Alice Springs, to assist in the translating of the transcripts from the Aboriginal languages into English. These translations have been incorporated into Hansard.

I would like to express my thanks, on behalf of the committee, to the institute. This organisation has helped the committee in gaining a better understanding of what the people say who live in Aboriginal communities. The translations of the transcripts from the central Australian region only have been completed. Honourable members may well be aware that there is no translating service in the Top End. Therefore the Institute for Aboriginal Development has acceded to our request to extend its service to coordinate the translation of transcripts for Top End communities. It is hoped that this will be completed by July of this year.

In developing its promotion awareness role, the committee will be conducting a series of information workshops in Aboriginal communities throughout the Northern Territory commencing on 14 May 1990. The aim of the workshops is to further reinforce and educate people on the issues raised by the committee in its first round of visits conducted during 1989. A total of 15 workshops will be conducted between May and November this year. The form these workshops will take is they will be conducted over a 2-day period in one of the 15 Aboriginal language grouping areas identified by the committee. For example, those communities who speak Pitjantjatjara and South Luritja would send representatives to the workshop which would be held in a central location in that language group area. In this case, it would be the Mutitjulu community which is located in Uluru National Park.

Presently the public awareness program has been aimed primarily at Aboriginal communities. Whilst this second round of visits to the communities is being conducted, the committee will be planning to extend its public awareness program to urban centres in the Northern Territory. The committee will not only be addressing mainstream Australia of Anglo-Saxon descent, but the multiplicity of ethnic groups which reside in these centres. Where there has been complexity in dealing with different Aboriginal groups and language, so too there will be complexity in approaching different ethnic groups in urban centres. Presently the plain English booklet has been translated into the following ethnic languages: Indonesian, Chinese, Italian, Thai, Vietnamese, Greek and Portuguese.

The committee has adopted the approach of closing the communication gap through the provision of publications, public meetings and hearings and information workshops. The committee is presently addressing other ways to promote its work and will, in the near future, be producing audio tapes and information sheets in Aboriginal and other ethnic languages to complement the plain English booklet. Recently the committee called for expressions of interest from local production houses for development of a video 'as an educative tool' on constitutional development. The aim of the video is to enhance and promote the issues raised in the committee's publications. It is envisaged that the video should be completed by July of this year.

The committee has little doubt that by undertaking the educator's task it has and will establish valuable links with the Territory community which will later bear fruit. The educative role that the committee has undertaken is, in my view, an essential one as a step towards achieving that end.

Finally, citizens of the Northern Territory have begun to consider for the first time the prospect of statehood and the possibility of having their desires and aspirations enshrined in a state constitution. Apart from promoting the awareness of constitutional issues, this committee also has before it the daunting task of making recommendations to this House on the composition of a constitutional convention and how residents from all walks of life in the Territory will be represented at such a convention.

As honourable members can see, the committee has a long way to go in successfully fulfilling its tasks. However, it believes, as I strongly believe, that once the process of developing a constitution for the Northern Territory has been finalised, there will be a natural progression for the Northern Territory to be admitted as a state under the Australian Commonwealth Federation.

ADJOURNMENT

Mr FINCH (Transport and Works): Mr Speaker, I move that the House do now adjourn.

I want to speak very briefly on 2 items, the first of which relates to a delegation I received on 3 April from just over 100 motorcyclists who took it on themselves to demonstrate against the proposed lights-on legislation being demanded by the federal government as part of the 10-point package. On the surface of it, there seems to be some sense in requiring motorcyclists to ride with their lights on. Many of them do so already.

However, motorcyclists throughout Australia have raised 2 main arguments against the mandatory lights-on requirement.

Mr Bailey interjecting.

Mr FINCH: I am pleased that the member for Wanguri is here because he has an interest in the Motorcycle Association.

One problem which concerns motorcyclists is that, by having to ride with lights on at dawn or dusk, silhouetting of the bike against back lighting would be eliminated. The danger would be that, in the vision of the motorist, the motorcyclist would merge with the background. The motorcyclists' second concern with the proposal relates to the fact that many models of bikes would have great technical difficulty in incorporating the mandatory lights-on provision with their electrical systems. Being a bikie himself, the member for Wanguri would be aware of that. For some years, I have agreed that the motorcyclists' views have some merit. However, the federal government has persisted with its blackmail in relation to the mandatory 10-point package.

I was sitting in my electorate office at the Hibiscus Shopping Centre one morning when, at about 11 am, I heard a rumbling sound. Harley Davidsons, Hondas and all sorts of bikes and riders were outside. A wide cross-section of the community rides motor bikes for pleasure, for transport to and from work or whatever. I can tell you, Mr Deputy Speaker, that it was a fairly fearsome sight to a member of parliament who was confronted with trying to explain that it is actually the federal government which was pushing the lights-on requirement and that the Territory government is totally opposed to it. Whilst I was standing in front of the Hibiscus Tavern discussing the matter with that large group of bikies, I observed some very interesting people, including mums and kids in sidecars. One young lady displayed a most interesting range of tattoos and she did help to make a point.

Of course, a week later, the federal Minister for Transport, Bob Brown, was confronted in Canberra not by 100 motorcyclists but by 3000. At that point, we saw a change from the dogmatic all-or-nothing 10-point package. After being confronted in Canberra by some 3000 motorcyclists - bikies included - the federal minister suggested, on the spur of the moment a week before the election, that maybe he ought to reconsider. Thus, we have seen the chink in the armour of the federal government.

I will not delay the House with details, but I am in the process of preparing a 15-point road safety package which I believe to be sensible. I will be making it known within the Northern Territory and I shall circulate it to my interstate colleagues for them to discuss seriously. It is not good enough for us to be led to the altar and held to ransom in order to gain a few much-needed dollars for road funding. I am opposed philosophically to that approach, and the detail of the provisions contains many things which we just cannot accept in the Territory.

Mr Deputy Speaker, I table a letter from the motorcyclists. Members of the bikie group thought they were presenting a petition. It does not conform in any way with the requirements of standing orders but, since it is an important matter to the motorcyclists concerned, I seek leave for it to be incorporated in Hansard.

Leave granted.

Dear Sir/Madam,

I write to you in reference to the proposed legislation of compulsory lights on for motorcycles which is to be discussed at the next ATAC meeting. The proposal for 'Compulsory Lights On' has been based on a number of studies which I believe include the 1977 TARU (NSW) study, the 1980 Hurt Report (USA), the 1980 TRRL report (UK) and others.

A perusal of the studies can only lead one to come to the conclusion that the results are somewhat subjective, in that not only can you prove that lights on will be effective, but you can also prove the exact opposite, in relation to accident prevention.

Some of these studies are inconclusive to say the least, some of the others were carried out in countries whose environmental conditions have little relation to Australia, and the rest are either based on insufficient sample numbers, or have suspect methodology.

I believe the federal government's Vehicle Standards Advisory Committee has seriously erred in recommending the introduction of this measure as an Australian Design Rule. Apart from the use of questionable studies, the other main areas of concern are:

1. Responsibility - I am concerned that in the event of accidents, motorcyclists may be required to prove that their lights were working at the time. If they can't, they may be held responsible, even when not actually at fault!

2. Safety - Such legislation negates my right to protect myself by evaluating the prevailing conditions, and act accordingly. I object strongly to the possibility of being forced to jeopardise my life due to ill-considered legislation. In fact, such legislation, if introduced, raises the possibility of legal action against the government, should complying with it prove to be a contributing factor to an accident.

Whilst I support voluntary lights on, I am compelled, as a voter and a motorcyclist to convey my disgust and concern at the suggestion of compulsory lights on. If the federal government is really serious about reducing road accidents, perhaps it should look at results of the METAL rider training program which was introduced in July 1986. Its effectiveness is borne out by a decrease in accidents involving motorcycles by approximately 40%. Obviously, the introduction of a compulsory driver training scheme could be expected to have a similar dramatic effect and, need I say, could be easily implemented at a small cost to the government.

In closing, I would just like to say 'Let those who ride decide' and let's have 'Education not Legislation'.

Mr FINCH: I turn now to the second matter I wish to discuss. It is a pity that the member for Stuart could not attend this week because he intimated that he intended to tell us all about the incompetence of the Department of Transport and Works. In speaking in the treaty debate on 1 May, he alleged that my department was incompetent or that I was incompetent in my administration of it, that buildings were not being built

to specifications and that quality assets were not being put into Aboriginal communities.

I am well aware of the series of letters which the member for Stuart has been writing to me over a period. It seems that, every time he goes out bush, he finds out about the local community's dealings with the Department of Transport and Works and sends off a letter in an attempt to jump on the band wagon. We are used to that sort of politicking and I guess that is part of the game. Unfortunately, the member for Stuart does not accept the constructive advice which is sent back to him or to the communities concerned.

The 2 matters that he wrote to me about recently were in regard to facilities at Lake Nash and Ti Tree. In relation to one of those, he complained about some plumbing works that were not to the specifications. When I wrote to him, I explained very clearly that, given the fact that there were heavy rains and the community was virtually isolated, the works were not quite complete. In order that the building could be occupied, the local plumber in the community had suggested, quite constructively, that he could help to finish the work for the builder, because the contract plumber could not get in there, and that they would use the materials that they had. Certainly, they did not comply with the specifications. However, people in the middle of nowhere used their initiative to render the facility usable by the community instead of waiting for months till the roads were open.

It is downright outrageous that the member for Stuart should raise again in this parliament, in a totally uncomplimentary manner, the works that my department performs on behalf of all people in the Northern Territory, particularly for his constituents in extremely difficult circumstances. This is yet another case of bashing the Northern Territory Public Service. All members of the public service vote and I find it incredible that members of the opposition should continue to alienate themselves from the public service. They knock all departments, and I think it is an absolute shame.

Mr FIRMIN (Ludmilla): Mr Deputy Speaker, one of the items that I would like to talk about is the commemorative service for the 48th anniversary of the Battle of the Coral Sea which took place at the Cenotaph in Darwin yesterday. I represented the Northern Territory government and the Chief Minister when laying a wreath at the Cenotaph. Whilst I have attended many anniversaries of the Battle of the Coral Sea and many commemorative services at the Cenotaph on Anzac Day, I was particularly touched this year because 2 very fine speeches were made during the service. That is not to say that fine speeches were not made on the other days. However, on this particular day, both speakers had a great deal of information to offer and gave a very touching rendition of the relationships between the 2 major parties on the Allies side of the battle - the Australians and the Americans. They wove a very moving depiction of their attachment to each other since the Battle of the Coral Sea and the implications that that had for our present and future defence relationships.

Firstly, I refer to the opening address that was made by the President of the Australian-American Association, Mr Sam Calder OBE, DFC. He spoke at some length about the historic involvement of the forces at that time and the very dire straits that Australia as a nation was in at that time. Members may recall that the bombing of Darwin in February 1942 was carried out by the Japanese carrier force that sank many American ships in Pearl Harbour. It inflicted a similar attack on Darwin and the task force fleet in this area was decimated.

At that time, the majority of the Australian forces were spread around the world. Several divisions were overseas whilst 1 division was on its way home from the Middle East. The Japanese invasion forces were thrusting towards Australia at an ever-increasing rate. On 9 March 1942, the Dutch East Indies surrendered and virtually the whole of our north-west flank was left exposed. The Japanese were working their way down through the island chain and were determined to take Port Moresby as an initial stage in thrusting out into Western Samoa to secure the central Pacific region and to take Australia out of the Pacific battle. We were in pretty dire straits, and the combined Australian and American fleets were searching for the Japanese task force that was heading towards the Port Moresby region. They knew that an attack was imminent. They had been searching for days, but no contact had been made. At one stage, the 2 battle fleets were within 60 miles of each other. The battle of the Coral Sea would have occurred some 5 or 6 days earlier than it did if the aircraft from either of the battle fleets had seen the other.

On 5 March, when the Japanese strike force was moving towards the straits to the north of Port Moresby and the combined Australian and American fleet were sailing to the north, there was a sighting of some Japanese aircraft. These attacked, and finally sank, an oiler that was attached to the American fleet. The American Commander dispatched aircraft from the 'Lexington' to retaliate. In doing so, these tracked some of the fighter planes back to what was identified as a large strike force heading south. Basically, that was when the battle began.

Whilst I had been to many services commemorating the Battle of the Coral Sea before and had heard many things about the battle, at no time had I sat down and examined the significant points of the battle over the period of 3 or 5 days to understand exactly what happened. I knew that it was an air-sea battle. However, I had not realised that it was the first time in naval history that a battle of that magnitude had occurred without either of the fleets seeing the other. The ships were sunk by 2 opposing aircraft flights. A significant number of aircraft were destroyed, both on the aircraft carriers and in the air. The result was that the Japanese lost one major aircraft carrier and another was badly damaged. The Americans experienced similar losses.

This battle was significant from another point of view. If you examined the battle today as a textbook study of tactics, you would say that we lost. However, it is interesting to note how history throws up surprises. Whilst probably we lost the battle tactically, it is obvious that we won it. It was the turning point of the war. It was the first major battle that the Japanese had lost in their thrust south. They lost 93 of their most experienced carrier-based aircrews, and the strategic task forces attached to their naval divisions did not do anything major from that day forward. It was a very significant event in the final march towards the success of the Allied divisions in World War II. For that reason, I was very interested to hear what Sam Calder said yesterday in his opening remarks.

I was equally interested to hear the remarks made by the visiting Admiral, Rear-Admiral Chesbrough, who is a Taskforce commander. He is the Commander Taskforce 73, and he visited Darwin at the request of our organisation, the Australian American Association and brought an entourage with him. He gave one of the most stirring responses to a commemorative service's opening speech that I have heard for a number of years. He went on to range quite widely over the responses to that battle in historical terms, and the relationship that developed between Australia and America and

that continued afterwards. He went on to talk about the change in the world powers, the strategic requirements that America saw it needed to put in place during the period of the Cold War, and the responses that it had following Vietnam. He spoke at some length about the final withdrawal of Russians from Camran Bay and hopefully a return to what he considers to be a normalisation in the Pacific and continued long-term peace.

I speak about that in that sense, because I think it will be interesting for people to reflect on it when they read the editorial in the NT News today which gave some coverage to it. That is part of the reason why I did not go into it in a great deal more depth. It was covered today in the editorial, and I agree entirely with the sentiments expressed there. Rear-Admiral Chesborough gave a very good speech. The ceremony was well attended by a large number of the defence contingent and certainly by members of the Australian-American Association and other interested civilians.

Another matter I want to touch on briefly this evening in the short time I have available to me is the petition that was lodged in this House yesterday by the Leader of the Labor Party on behalf of the Green Independents Convenor, Bob Ellis of Ludmilla. The petition was about desecration or whatever of an area of land in my electorate alongside the Ludmilla Creek. It is interesting to see how people use facts and some information in a subversive way. I hesitate to use that word, but I suppose it is appropriate. I would like to consider that Mr Ellis is not telling the truth to the people that he is circulating information to in my electorate about what is taking place alongside the boundary of his house block in that he believes that that land was given to the Rugby League organisation some time ago and that the government is hiding the fact. That is what he is really saying.

As some members may remember, proposals have been made for the development of Ludmilla Creek over a number of years, not the least of which was a major marina proposal that stretched from the mouth of Ludmilla Creek out on the waterway to the west and right through to the headwaters of the creek abutting the fence of Ludmilla Primary School. Proposals have been made by the race club and certainly by the Rugby League Club as well. All of those proposals, when they were current - and I say 'when they were current' because at different times for different reasons people can make applications to do certain things on vacant Crown land - were processed by the Lands Branch and public interest was sought on those proposals. All the matters that were put before the Department of Lands and Housing and the Town Planning Authority were dealt with in accordance with the provisions of the appropriate regulations and the authority's requirements.

I wonder what is on the hidden agenda of the Green Convenor at the moment. Perhaps he has joined this group that Professor Blainey now calls the 'dark green' and I presume that he means by that the dark side of the Green movement rather than the righteous side of the Green movement. I say that because he is not telling those people that he seeks to convert to his views the correct story, and I am sure that that correct story will be canvassed further in ensuing weeks. I will certainly ensure that the people that live in my electorate are told the truth about what is happening in and around the Rugby League Club and that his dark green politics will not work in my electorate.

Mr VALE (Youth, Sport and Recreation): Mr Deputy Speaker, there are 2 points that I would like to speak about in the adjournment debate tonight. The first concerns this year's Anzac Day and a very historic event

that occurred on Anzac Day on the other side of the world. Mr Deputy Speaker, like yourself, I was at both the Dawn Service in Alice Springs and then the service held later on the hill. I think everyone was impressed by the large number of young people who attended this year's Anzac Day ceremonies in Alice Springs. From press reports, it would appear that that was a factor all around Australia. Many children turned out in every capital city and every country town. I think that is a very pleasing thing to see, from a historic point of view, if for no other reason. I was delighted to see at long last that those terrible women's groups who used to demonstrate at those Anzac Day gatherings were not in evidence. They have a right to demonstrate, but I do not believe that they should attempt to take over something that is so historic and important to returned service men and women as are Anzac Day ceremonies.

There was a down note, Mr Deputy Speaker. I do not mean to politicise Anzac Day, but you were there, and probably you observed also that throughout the entire 11 o'clock ceremony on Anzac Hill, the member for Stuart, who was standing in front of me, had his hat on his head. I thought that was disgraceful. I have attempted to ignore it, but the more I think about it, the madder I get.

From an historic point of view, I have obtained some information, both through the RSL and through my staff in Alice Springs, concerning a very historical and moving event that occurred in Gallipoli on 25 April this year, when old Anzacs were taken back there for the ceremony. It is interesting to note that there are so many 90-year-olds among them. They made an incredible journey. It is a long way for young people to travel, let alone those older men and women. They went over safely and came back safely. Probably one of the most moving photographs that I saw was of an old Anzac with his hand around the shoulder of an old Turkish soldier. They were shaking hands even though, 75 years ago, they had fought each other.

The information that I have is that the Northern Territory lost 5 men at Gallipoli, including a Darwin-born man called Walter Styles. According to my information, no person in the Top End was accepted for enlistment until the end of April 1915. In fact, none of the Top Enders was there for the landing on Gallipoli. They were trying to keep most of the able-bodied men in Darwin to defend the communications station (communications from Britain) in the event of an attack.

One significant part of enlisting to fight was that the men had to pay their own fares from the south to enlist in Townsville. They were transported on the steamer, Cheng Sha. The first official contingent left Darwin on 29 April 1915, some days after the landing on Anzac Day. A local historian has said that a total of 65 men enlisted from the Northern Territory and died during World War I and that many of our soldiers were decorated for their fine service.

Some of these central Australian World War I veterans were: Mr J.A. Smith, Mr D.A. Adamson, who was related to the people of the overland telegraph line, Mr W. Heffernan, the man that was associated with a property near you, Mr Deputy Speaker, at Ti Tree, Mr A. Kunoth, Mr Norman Kane, Mr Bill McCoy, who worked with Native Affairs for many years and died some years ago in the Old Timers Home, and Harry Griffiths who designed the Anzac Hill monument. I had not known this previously, but his ashes are actually contained in the monument on Anzac Hill. Then there was Dr Brown, the first President of the RSL Club and who may have been at Gallipoli and Norm Gerr, who was at Gallipoli. There was K.L. Marriott who was the father of Jim and John Marriott, 2 long-serving members of the RSL Club in Alice Springs. If

my memory is right, at one stage or another, both John and Jim were President of the RSL Club in central Australia. Of course, both those men still live in the Centre.

Secondly, I would like to take this opportunity to pay tribute to a person who was probably one of central Australia's last real cattlemen and true Territorian pastoralists. Mr Deputy Speaker, I refer to a gentleman who lived in your electorate - Harry Bloomfield, who died several weeks ago in central Australia following an illness. Harry was born in Adelaide on 14 December 1911. His father was Peter Alexander Bloomfield. His mother's maiden name was Kunoth, a name which is well-known in central Australia. For the information of honourable members, Harry was the brother of 2 well-known Centralian ladies, the first being Mrs Jean Hayes, wife of the late Ted Hayes, a well-known pastoralist in central Australia, and the second Mrs Peggy Nelson, who is married to Jock Nelson, former federal member, former member for Stuart, former Mayor of Alice Springs and former Administrator of the Northern Territory.

I had the chance to meet Mr Bloomfield many years ago. He was a bloke who could tell a great many stories about central Australia and the far north of South Australia. When he left school, he worked as an apprentice carpenter for Frank McLeod at Oodnadatta, but returned to Loves Creek Station at the end of his apprenticeship. He worked at Loves Creek for almost the rest of his life, except for a brief period of drought when he bought Mallapunyah Station. When the drought lifted, he sold Mallapunyah and returned to Loves Creek where he continued to breed horses which were used in India by the British Army until the advent of vehicles. Many people would know of these horses, which are commonly referred to as Walers or remounts. In fact, the Hayes and the Bloomfields deny that they are Walers. The name Waler came about because these horses first came from New South Wales and, for many years, wherever in the world these horses were used as remounts, they were commonly referred to as Walers. But the Bloomfields and, if my memory is correct, Ted Hayes too, referred to them purely and simply as remounts. At Loves Creek, Clydesdale horses were bred for farms in South Australia. In fact, for many years, Loves Creek was not a cattle station, but was run as a horse property, breeding Clydesdales and supplying horses to the British Army in India.

Harry told me once about a time when his father was living on a property called Tobermorey Station out of Oodnadatta. He was gored by a steer one night. There were no doctors in the area. His mother-in-law to be took some hair from the tail of a horse, boiled it and stitched him up on the kitchen table. If my memory is correct, Harry said that his father had something like 70 stitches. I asked whether he had been given any anaesthetic. Harry said: 'Maybe a bit of rum'. Mrs Jean Hayes, Harry's sister, said later that she did not think that there was any rum there in those days. It would have been a fairly painful operation but it was incidents like that which demonstrated that Territorians, particularly those in central Australia, were fiercely independent and determined to succeed on their own. There were no telephones, no St John Ambulance, no hospitals, no nursing sisters and no doctors. You looked after yourself and you looked after your mates, and that episode was typical of that way of life.

In the 1930s, Harry married Mary Hayes from Undoolya Station, the sister of Ted Hayes. In other words, the 2 brothers married each other's sisters. Jean Hayes and Harry Bloomfield were brother and sister. Many years after Harry settled in Alice Springs, he would never ever get up in the morning and make a cup of tea inside. Rain, hail or shine, he would go outside to the barbeque, light the fire and boil the billy. For as long as I can

remember, he lived on billy tea. It did not matter what time you went around there, you could always enjoy a good cup of strong Centralian tea with Harry Bloomfield. I wish that my parliamentary colleague, the member for Katherine, had been in central Australia at that time, because he could have had a terrific feed of corned beef there too.

Harry was a long-time and fervent supporter of the Federal Football Club. In recent years, we have nicknamed Federals 'the handbaggers' because they are not very tough, but you would never have said that in front of Harry Bloomfield in the days when he first became a strong supporter of Federals. In those days, most of their players came from stock and station agents and banks in the Centre. In the 1950s and 1960s, they had a pretty strong team. My first game in central Australia was against Federals. I remember running up against a bloke who seemed to be about 6'4" tall and 6'4" across the shoulders. It certainly felt like that when he hit me. I was carted off on a stretcher. Federals were tough in the 1950s and 1960s but they seemed to go to pieces in later years, hence the nickname 'handbaggers'. It was a word that I was always very careful not to use in front of Harry Bloomfield. Of course, like other members of the Bloomfield and Hayes families, Harry was a strong supporter of racing in the Northern Territory.

Harry broke his leg in Alice Springs and, when complications set in, he was flown to Adelaide Hospital. He was duly returned to Alice Springs but died within 2 or 3 hours of his arrival. His sister Jean thinks his death may have been caused by a blood clot but, whatever it was, she said it was very quick. I am sorry that I was not in Alice Springs for Harry's funeral. Harry was another old-time Territorian who will be sadly missed and he certainly made his contribution during a long life in central Australia.

Mr SETTER (Jingili): Mr Deputy Speaker, I rise this evening to pay tribute to the memory of Mr Fred Wilson who passed away in the Royal Darwin Hospital in late March this year. Fred Wilson had resided in Moil in my electorate since about 1972. Since being elected as local member some 6 years ago, I came to know Fred and his wife Dorothy very well indeed. In fact, they both assisted me in my electorate from time to time and were regular visitors to my office. I would like to place on record my appreciation for the support that both Fred and Dorothy have given me in the time that I have known them.

Fred Wilson was born on 2 March 1923 in Junee, New South Wales, and spent most of his early days in and around that area. On 2 January 1942, Fred joined the AIF and served as a signaller in the 26th Australian Operating Section in Papua New Guinea until he was discharged in June 1946. Upon returning to Australia, Fred undertook an apprenticeship as a carpenter as part of the post-war Serviceman's Rehabilitation Scheme. After completing his apprenticeship, Fred joined the New South Wales railways and he worked in that profession for about 15 years.

Fred met Dorothy Scott, soon to be his wife, after the war. They were married on 16 March 1947 - a marriage which was to last for 43 years. In this day and age, that is no mean feat. I would like to congratulate Dorothy and her late husband Fred on the way that they loved each other and stuck together all of those years. In those early days, Fred and Dorothy were well known in the Riverina area of New South Wales. They were well known as ballroom dancers. I understand that they used to travel around that area taking part in various ballroom dancing competitions. I believe that they won quite a number of prizes.

Fred was also an all-round sportsman in that area. I am told that he played cricket, Rugby League and athletics. In fact, he was quite renowned as a sprinter. During his free time, and I can appreciate that he did not have too much free time, he trained for and gained a certificate as a swimming instructor. As is well known, Fred and Dorothy were soon to find that swimming was their first sporting love.

The Wilson family moved to the Territory 25 years ago. I understand that Fred came here for a short while to relieve a friend of his, Neville Jeffs, who was then the manager of the Parap Pool. Fred and Dorothy came up to take over from Neville while he went on holidays for a few weeks. They loved the place so much that they stayed on. It was not long after that Fred and Dorothy took over as the operators of the Nightcliff Swimming Pool. They stayed there for many years and they were well known by thousands of young people from the northern suburbs of Darwin. In those earlier days, the Casuarina Swimming Pool did not exist and the Nightcliff Swimming Pool was the only public pool in the northern suburbs. When I returned to Darwin in 1973, my children attended regularly at the Nightcliff Swimming Pool from 1974 onwards. They would come home and talk to me about Mr and Mrs Wilson who operated the pool. Even though I did not know Fred and Dorothy well in those days, I can recall having a chat with them from time to time as I took my children to the pool and collected them later.

Fred and Dorothy moved to Moil in 1972 where they built their home in Thornton Crescent. However, along with so many others, on Christmas Eve 1974, that house was destroyed by Cyclone Tracy. At that time, I had a house on the corner of Boyle Street and Rothdale Road in Moil just around the corner from Thornton Crescent. They rebuilt their house and Dorothy is still living there today. The Wilsons had 2 children, Fred and Troy. I am not quite sure about Fred but I know for certain that Troy is living in Darwin. In fact, my daughter told me just a couple of weeks ago, at about the time of Fred's funeral, that she went to school with Troy. They are the same age.

A few years ago, Fred and Dorothy retired from the Nightcliff Swimming Pool. I suspect that the work was getting a bit much for them. Fred was suffering from poor health as a result of his many years of hard work. About 18 months to 2 years ago, Fred had to undergo a heart bypass operation. As well as that, he had 4 femoral bypass operations to remove clots in his legs. It was a traumatic time for him and he suffered considerably as a result of the illness prior to the operations and in the rehabilitation period.

In the last 6 months, I was very pleased to see the way that Fred bounced back. It was quite remarkable to see a man who had been so sick 18 months or so ago looking so well. I was very surprised when I learned that Fred was in hospital and was seriously ill. I happened to be away from Darwin at the time that Fred passed on. I heard about his illness just before I left and, when I returned, I inquired about his health only to be told that he had passed away several days before. It was quite a shock to my wife and myself.

There is no doubt that Fred Wilson made a considerable contribution to the sport of swimming in the Northern Territory and that he was highly respected by those thousands of people who used the Nightcliff Swimming Pool in their youthful years. I have heard many complimentary reports of how highly Fred Wilson was held in the regard of all those northern suburbs people who, I suppose, were his clients.

I attended Fred's funeral. A very touching ceremony was held at Thorak Cemetery. I thought that his wife and family accepted his death with great strength. I would like to think that Dorothy will continue to live in my electorate, and I can assure honourable members that it is my intention to give Dorothy my every support to ensure that, for as long as she continues to live in Moil, she has an enjoyable and long life.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, one last word before we wind up these sittings of the Assembly. One of the myths put forward by the Tuxworth/Smith coalition is that people are leaving the Territory in droves. I want to quote some ABS figures that put the lie to the terrible duo's belief that people have been leaving the Territory.

Mr Deputy Speaker, you will recall that, over the period that those honourable members have been saying this, I have been saying that it is all a hoax and that there is no truth in the story that people are leaving the Territory in large numbers. It is true that growth has slowed, but we have never gone into decline. I would like to quote from these ABS figures. They tell us that employment growth was 10.4% during December 1988 to December 1989, and that growth was: mining 200 jobs; construction 1500 jobs; wholesale and retail 2300 jobs; finance, property and business services 1600 jobs; and health 1100 jobs. That 10.4% growth in jobs in the Northern Territory over that 12 months quite clearly puts a lie to the coalition in opposition's view that people are leaving the Territory in large numbers.

I believe that 5800 jobs in the Northern Territory in 12 months is a very good effort in very tight times. When people tell us that the construction industry is in decline, and we know that there has been a major decline in the construction industry, it is very heartening to know that the policies of the Northern Territory government have been successful as opposed to the policies that a coalition of Labor and Territory Nationals would put into place if they should ever sit on this side of the House. The positive policy of developing such projects as State Square in tight times has proven to be the very best move that the government could have made.

As I have said, construction growth was 32.6% in that period, up 1500 jobs, and 32.6% is a very good effort in tight times in the area most badly hit by the downturn in the Territory economy over the last couple of years. I stood up tonight only to make that point because it has been played on quite often over the last 12 months or more, particularly by the member for Barkly who has tried to perpetuate this myth that we are in a major downturn and that people have been leaving in droves. He raised it again during these sittings. He said he believed that people were leaving this place in large numbers because of Territory government policy. This puts the lie to that. It tells us quite clearly, and many other factors point to it as well, that the policies of our government have turned around the difficult time that we were having in all industries, and that we are on the incline now, and certainly not on a decline.

Motion agreed to; the Assembly adjourned.

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