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Madam Speaker Purick took the Chair at 10 am.

ABSENCE OF CHIEF MINISTER AND MEMBER FOR ARNHEM

Ms FYLES (Leader of Government Business): Madam Speaker, to update the House, the Chief Minister and Minister Uibo are on their way back from a briefing with Emergency Services' management on Cyclone Trevor.

LEAVE OF ABSENCE
Member for Arafura

Ms FYLES (Leader of Government Business): Pursuant to Standing Order 224, I move that leave of absence be granted to the Member for Arafura who will be late this morning due to a personal medical appointment.

Leave granted.

Member for Daly

Mrs FINOCCHIARO (Spillett): Madam Speaker, pursuant to Standing Order 224, I move that leave of absence be granted to the Member for Daly for today due to personal reasons.

Leave granted.

VISITORS
Anula Primary School

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of Year 5/6 students from Anula Primary School, accompanied by their teachers. On behalf of honourable members, welcome to Parliament House. I hope you enjoy your time here.

Members: Hear, hear!

Madam SPEAKER: Whose electorate are they in?

Mrs Worden: Mine. They are all mine.

Madam SPEAKER: There is your local member: Mrs Worden.

SPEAKER'S STATEMENT
Out-of-Order Lift

Madam SPEAKER: Honourable members, you will be aware that the lift in this corner of the building is not working. It is a deliberate ploy to get you to do more exercise up and down the stairs. We are thinking of renaming it 'The Michael Lift'. Anyway, that is another story.

CRIMINAL CODE FURTHER AMENDMENT BILL
(Serial 87)

Continued from 19 March 2019.

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

Mrs FINOCCHIARO (Spillett): Madam Speaker, as was discussed on Tuesday this week, the Criminal Code Further Amendment Bill 2019 has not been brought into the House for passage in the normal course. The suspension of standing orders to pass the bill on urgency is, and should be, an extraordinary step not undertaken lightly or capriciously.

In order for our democratic to retain integrity, the government of the day must not use urgency as a convenience. As the *House of Representatives Practice* provides, declaring bills urgent requires great care:

> *… because of the desirability of giving Members reasonable notice of government intentions in such matters, it is imperative that detailed advice of such intentions be given well in advance.*

Whilst our process, as you well know, Madam Speaker, is different to the Commonwealth, that same advice applies in the instance of declaring urgency.

Whilst it has been a little over 36 hours since this bill was introduced, that would normally not serve as sufficient notice, but the issue being addressed in this bill is something that has only recently come to light. In fact, the issue being addressed by this bill was likely not brought to light until Supreme Court Justice Mildren's decision delivered in *The Queen v Andrew Walker* on 30 January 2019, which has changed this situation.

As that decision explained, section 3 of the *Criminal Code Act 1983* currently provides that an offence is not an indictable offence unless the maximum penalty exceeds two years or the Criminal Code provides otherwise. This means that any offence punishable by two years or less in prison is a summary offence and the Local Court, rather than the Supreme Court, has exclusive jurisdiction to hear the matter.

As background, the Criminal Code did not come into force until 1 January 1984. Offences committed prior to the enactment of the Criminal Code were governed by the predecessor to the act, the *Criminal Law Consolidation Act and Ordinance 1935* (SA), a South Australian law that remained in force when the Territory was surrendered to the Commonwealth.

Further, section 14 of the Criminal Code provides that conduct that would have constituted offences under a repealed law that was in force when the conduct occurred, and still constitutes an offence under the current law, may be prosecuted under the repealed law. Section 14(2) provides that in the instance that a person is prosecuted under a repealed law that punishment can be no greater than that under the repealed law.

The difficulty arises when we consider an offence that would have been an indictable offence if it had been brought under the predecessor to the Criminal Code but would now be classed as a summary offence. For example, an offence punishable by less than two years in prison under the previous act may have been trial-able in the Supreme Court, but under the current Criminal Code it would no longer meet the jurisdictional threshold under the new definition of indictable offence.

The upshot of that is, as Justice Mildren identified in Walker, where the maximum punishment under the previous law provides for a maximum penalty that does not exceed two years, that historic offence is not an indictable offence and therefore the Supreme Court would not have jurisdiction to the proceeding and the indictment would have to be quashed.

The problem is, in the years that have elapsed since the jurisdiction of the Supreme Court was altered, convictions for offences of the kind described above have been recorded in the Supreme Court. Convictions that can potentially be invalidated per the Walker decision if action is not taken.

Considering that there is a pending matter that allegedly deals with very serious alleged historic child abuse charges of a sexual nature, it would not be in the interest of justice for those charges not to be heard based on jurisdictional precedent that assumedly did not exist when the indictment was presented to the Supreme Court. It would similarly be unjust to allow past proceedings to be questioned, or to allow determinations that were otherwise validly rendered in the Supreme Court to be invalidated.

Accordingly, the opposition supports this bill, which adds new section 461 to the Criminal Code and is very narrowly tailored to clarify the validity of the Supreme Court jurisdiction for past and future proceedings under circumstances such as those that I have discussed.

Specifically, subsection (1) provides that any historic offence committed prior to the commencement of section 3(1) of the Criminal Code in 1984 and was punishable by more than six months in prison is taken to be an indictable offence for the purposes of jurisdiction. Subsections (2) through to (4) confirm jurisdiction of validity for proceedings commenced prior to the commencement of this bill and provide broad definition of the exercise of jurisdiction.

This bill is out of the ordinary and presents an extraordinary set of circumstances. However, the opposition believes that the interest of justice and Territorians will we best served by passing the bill today.

I thank the Attorney-General, the Department of the Attorney-General and Justice and the Solicitor-General for their assistance in this matter as that was greatly appreciated.

I commend the bill to the House.

Mr WOOD (Nelson): Madam Speaker, I only wish that if the government was serious about urgency it could have brought this in last Tuesday. That would have given me a bit more time to understand it. I have struggled …

Ms Fyles: I can explain that.

Mr WOOD: I had a briefing. I have been reading the second reading. I am trying to put things together in a way that will allow me to vote on this in an educated way. I have listened to the Deputy Leader of the Opposition give her response and I am inclined to support it, but I will ask questions when it gets to committee stage to clarify a few things.

Ms FYLES: A point of order, Madam Speaker! We are not intending to take this to a committee stage. We do not have any committee stage amendments, but I am listening intently to the member's comments and I will try to address that in my closing—and perhaps if he can do a point of order—but there is no committee stage, Member for Nelson.

Mr WOOD: Naturally, if I am not sure of the answers I get I can still take it to committee stage myself.

Ms Fyles: I just wanted you to know we are not intending to.

Mr WOOD: In the second reading, the minister said:

> *It is not uncommon for child sexual abuse cases to be prosecuted many years after the events took place. This is one of the reasons the issue primarily affects historical sexual assault cases, particularly child sexual abuse matters. Another reason is that the penalty for indecent assault including children was, in the past—and we would all agree—regrettably quite low.*
>
> *Prior to the instructions of the Criminal Code, indecent assault that did not involve carnal knowledge only carried a maximum penalty of two years' imprisonment. Other serious offences from that period, which we still consider to be serious today, such as murder or robbery, have much higher penalties and are not caught by the same procedural loophole. The two-year point is very important.*

She went on to say:

> *I will provide a technical explanation of the legal issue that arose in the matter of Walker and explain how the bill will remedy it in future trials. When the Criminal Code was introduced in 1984 it was anticipated that there would still be offences that would need to be prosecuted under laws that existed before that time. For this reason, section 14 of the Criminal Code allows for the prosecution of like-for-like offences.*
>
> *For example, it was an offence to murder someone under the old law before 1984 and it is still an offence to murder someone under the Criminal Code today. Both the old and the current law view murder as an offence, and section 14 says that the Director of Public Prosecutions can prosecute someone for a murder that happened …*

I presume that meant to say 'under the old law, for example in 1982'. It continues:

> *It does not matter if the name of the offence changed as long as the behaviour in question was an offence at the time and is still one today.*
>
> *If the penalties are different then section 14 operates in favour of the accused, making the offence punishable by the lower penalty. However, section 14 does not deal with the procedure that should be used to hear an offence.*

The first issue concerns the penalties. If an offence was an offence before these changes, section 14 of the Criminal Code allowed for the prosecution of like-for-like offences. In the case of murder, we had like-for-like offences. Is it right that in this case it does not? Therefore, we do not have the same penalty.

The other issue is about procedure. There are two basic kinds of criminal procedure. One is for an indictable offence which goes before the Supreme Court—these are my words— and the other for summary offences. That is where it gets technical.

What was an indictable offence pre-1984 would not be one for this particular case today. It would be heard as a summary offence. That is what we are trying to sort out. We want to make sure the sexual offences that occurred pre-1984 are dealt with as an indictable offence.

My understanding is that is what we are trying to do today. One, to allow the punishment for this offence to be adequate; and two, to make sure that when this is heard, it is heard as an indictable offence—therefore before the Supreme Court. I am probably being very simple here. And to avoid the possibility of having two trials—one heard under the summary offences and the second as an indictable offence.

I am unsure if this applies today, or whether it is allowed to overwrite it—it says:

> *Section 14 of the Criminal Code ensures that an alleged offender cannot be disadvantaged by this law. It does not increase the penalty nor create an offence that did not exist at the time, which is an important consideration.*

Does that still apply? If we have these changes is a person going to have an increase in a penalty from what existed at that time, is that reasonable under law?

I know that is not legal-eagle terms. I am trying to understand something that I have been asked to vote on. Attorney-General, I did not support the urgency, but that is not the debate for me today. The debate is to get my head around this legislation and make a decision as to whether it is wise. I am trying to understand this legislation and look at what is just.

Ms FYLES (Attorney-General and Justice): Madam Speaker, I thank the Deputy Leader of the Opposition and the Member for Nelson for their comments. I know he is trying to get his head around this; he genuinely looks at legislation and seeks the appropriate briefings. I do not think anyone could argue that he does not work hard.

I will clarify my comments and I am happy to accept a point of order, if that helps his understanding.

This is a like-for-like offence. However, historically the definition of 'indecent assault' was broader and the penalty was lower. The offences that relate to these amendments were indictable when in force. This is not about changing penalties, it just makes sure the court has the jurisdiction to hear matters. I have some more comments further in my speech, Member for Nelson, so hopefully that clarifies things for you.

I thank the Member for Spillett and the opposition for their support in acknowledging the importance of facilitating justice.

Member for Nelson, we brought the bill to the Assembly as soon as we became aware of it. We had planned on it being later in the year, but once we became aware of that case and knew there was a mention in April—we only found that out in the last 10 days. As I said in my introduction speech, staff were working hard last week. I tried to do an introduction on Thursday, but we could not get there. The staff needed more time—some of whom are in the box today and are listening. They worked very hard, well into the evenings last week to get the bill ready. As Attorney-General I apologise and take your commentary on board.

To clarify, the upcoming matter cannot be heard in the Local Court. What we are doing is providing for it to be heard in the Supreme Court. We are not interfering with the case in any way. We are just allowing justice to take place. It cannot be heard in the Local Court. By passing the legislation today, the Supreme Court will have jurisdiction.

We became aware of it after the case in January. We thought it would be later in the year, but we had to bring it in as a matter of urgency to allow that April case to take place.

The bill ensures that victims of crime have access to the justice they deserve. It is not a difficult piece of legislation. It fixes a minor technical issue. I take on board the feedback that it can be difficult for people to get their heads around legal issues and understandings. But the bill is fairly simplistic in the sense that we are allowing the Supreme Court to hear the matter.

We are committed to ensuring that the law allows for sexual assaults to be charged and tried and for existing convictions not to come into question merely because of an unintended lack of clarity about the Supreme Court's jurisdiction. I explained this in detail in my introductory speech. There are some convictions that could be quashed if this is not passed.

It is about unintended—there was legislation passed in 2014 and 2016 that led to this situation, as the Deputy Leader of the Opposition pointed out. We became aware of it after a case in January, after which work was under way to amend that. The urgency is because of that mention in a few weeks.

I appreciate that the bill was introduced to parliament on urgency, and I have asked the parliament for that urgency. Because of a Supreme Court decision that was delivered on 30 January, before this case no one had identified this issue with the law. It is unusually complex and technical.

I go back to the comments I provided in my introduction on why we should debate the bill on urgency. Regarding the suggestion by the Member for Fong Lim that the bill is not urgent because the charges of indecent assault in the upcoming matter were not heard in the Supreme Court and that they could be heard in the Local Court as summary offences, we take the view that this would not be appropriate from a policy perspective. This is due to the seriousness of the conduct involved.

However, in response to the questions raised by the member on Tuesday, the department has provided further advice that hearing the matters in the Local Court would not be possible in any event. I will read directly from the advice I have received, which says, 'In the upcoming matter, the conduct alleged is very serious. Were these matters to occur today, they would fall within the definitions of much more serious offences than indecent assault. However, the definitions of carnal knowledge and rape were so narrow prior to 1984 that all offending conduct in the upcoming matter can only be charged as indecent assault under section 66 of the Criminal Law Consolidation Act and Ordinance 1876.'

If the bill is not passed, section 66 would not be considered by the courts to be an indictable offence. This means that all the charges in the upcoming matter cannot be heard in the Supreme Court. Member for Nelson, I hope that this provides you with more clarity.

If section 66 is not an indictable offence, it is a summary offence which can only be heard in the Local Court by laying a complaint under the *Local Court (Criminal Procedure) Act*. Section 52 of that act requires that complaints must be laid within six months of the time when the matter of complaint arose. The complaint would therefore be out of time and it would not be possible for the Local Court to hear the charges summarily. The result of that would be that there is no court in which these charges could be heard. I hope that provides some explanation to members, and that they have confidence that we need to pass this bill on urgency.

Delaying the passage of this bill until May also creates a risk that previously convicted pre-code offenders can apply to have their convictions quashed before the bill becomes law. Once the convictions are quashed they cannot be restored, even if we pass this bill with its retrospective definitions. It is possible this could occur if the bill is not passed today.

This is a technical issue identified in the Supreme Court case of Walker. The government has worked quickly to deal with the situation of uncertainty that the case identified. It was initially important to give the Director of Public Prosecutions the opportunity to consider whether he could take the issue to the Court of Criminal Appeal in order to seek further direction.

Once the DPP made the decision not to pursue the issue through the courts, we immediately sought the Solicitor-General's advice. Providing advice on the issue involved tracing the jurisdiction of the Supreme Court over multiple acts and common law through a period of about 40 years, through multiple changes.

The Solicitor-General for the Northern Territory identified that the basis of the Supreme Court's jurisdiction to hear pre-code offences on indictment had never been clearly spelled out in legislation, so there may be competing views as to how and when the Supreme Court's jurisdiction was compromised. These issues were not exhaustively dealt with in Walker, which was limited to considering the charges at issue in that case. The judge acknowledged that this did not take into account historical legislation which was brought to his attention after he made his decision but before written reasons were handed down.

The result is that the Supreme Court does not have jurisdiction in relation to some matters and has opened a can of worms in relation to other matters. We do not know which past convictions may be found to be invalid, as the answer may be different depending on whether the offending occurred before or after 1978, and depending on the legal views as to how long the Supreme Court's residual jurisdiction persisted after 1984.

We consider there is strong public interest in dealing with this issue as soon as possible. In saying this, I stress that the legislation is about maintaining the status quo. We are not making a policy change or changing the penalties; we are keeping the status quo.

Up until the decision of Walker, everyone thought these offences were indictable and cases were conducted on this basis. Imagine if the government introduced a bill to arbitrarily pardon some persons convicted of historical child sex offences and to downgrade serious sexual assaults to summary offences, which could no longer be heard, and to create legal uncertainty around the correct criminal process. This might also lead to the removal of some convicted sex offenders from the sex offender register, with the potential opportunity to obtain Working With Children cards. That is a worst-case situation and would be drastic.

That is why the situation now is that Walker has, in effect, potentially created that change unless we pass this bill. What everyone thought were the rules are not the rules. It is a technicality. I understand the Supreme Court has only discovered the error in law, not changed the law. The practical impact of the decision is the same as if the law has changed retrospectively.

If we do nothing, that change will happen. That is why we are passing this bill on urgency today. The government's view is that this problem needs to be fixed urgently before it affects any more cases. To leave the law the way it is would be totally out of step with community standards. It would also be touching on being contrary to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The bill inserts a new division into Part 11 of the Criminal Code, which is Schedule 1 of the *Criminal Code Act 1983*. To ensure swift commencement of the bill it will be commenced on the day the Administrator's assent is declared. We will ask for that urgently in the next couple of working days.

The new Division 14 contains the new section 460 which provides that certain offences committed before 1984 are the indictable offences. The bill only affects offences where the Supreme Court jurisdiction is in doubt. These offences are those which occurred before 1984, were offences at the time that had a penalty of imprisonment of more than six months and no more than two years, and would still be an offence if committed today under today's law.

Offences with a penalty of more than six months are indictable according the laws of criminal procedure that were in place before the Criminal Code commenced. In practice, such cases will never come to court unless a victim wants to pursue the case after 35 years or more, sufficient evidence is available that still means there is a reasonable prospect of conviction and the DPP decides that a prosecution is still in the public interest given the passage of time and the seriousness of offending.

In practice, this amendment will likely lead to no other historical charges being proceeded with other than the charges under section 66. Even to the extent that all of the above criteria are satisfied, the bill simply provides that where the charges are proceeded, they are indictable offences. They will then be heard in the Supreme Court, or in the Local Court by agreement of all parties if the offending is not too serious and complex.

Examples of offences which carry more than six months and less than two years imprisonment before 1984: causing grievous bodily harm via a man trap; endangering the safety of a person on a railway; and furious riding of a horse or carriage that causes grievous bodily harm. I stress that cases involving offences in the penalty range will only come to court if they meet all the other criteria I have outlined.

We consider that the courts should determine the outcome of any matters on a case-by-case basis, but the legislation ensures that they are able to do so should the case arise. If there is any doubt about the Supreme Court jurisdiction to hear previous or part-heard matters, the provision retrospectively validates the Supreme Court's jurisdiction to deal with such matters.

Further, in case there is any doubt of the Local Court or the former court of summary jurisdiction's ability to conduct a pre-trial proceedings for historical offences, the bill validates previous and part-heard matters for those offences in any Territory court. It validates all jurisdiction that may occur in such proceedings in the court of proceedings in relation to such matters. As I have made clear, these amendments do not remove the right to a fair trial, create an offence where no offence existed before or change the penalty for offending.

At the time these historical offences were committed, the law was clear that this kind of behaviour was an offence and would be dealt with by the Supreme Court. An examination of the history of law on this topic does not suggest the Assembly ever intended to change that.

During development of the bill, consideration was given to whether the appropriate solution was to validate the Supreme Court's or the Local Court's jurisdiction. We consider that requiring such matters to be heard summarily would not be an appropriate outcome for three reasons. I will touch on those now.

First, the offence of indecent assault from this time covers a wide range of serious conduct. To classify this offending as merely a summary offence does not reflect its seriousness.

Second, it is frequently the case—and I spoke about this in my opening remarks—that survivors of sexual abuse report a series of events, some of which would be classified as indecent assault and some which would be charged as the old offences of rape or carnal knowledge. Rape and carnal knowledge typically required penetration, so did not capture a wide range of sexual offending; this was left to be captured by indecent assault. Rape and carnal knowledge carry a higher penalty, so would remain indictable offences which must be dealt with in the Supreme Court. If the indecent assault charges could not be heard in the Supreme Court, the victim would be put through the ordeal of two hearings and would have to undergo cross-examination, which would be upsetting; complex legal issues which would arise; and managing evidence of uncharged acts in each proceeding.

Third, the offence of indecent assault has always been heard in the Supreme Court. The current equivalent offence continues to be an indictable offence, meaning it is still heard in the Supreme Court of the Northern Territory. There are no good reasons to arbitrarily remove the Supreme Court's jurisdiction to deal with the acts of indecent assault that were committed before 1984.

The final matter I will address is the fact that this bill has been introduced with contemplation of court proceedings that are currently on foot. I assure the Chamber that, under the *Northern Territory (Self-Government) Act 1978*, the Assembly has very broad powers to make laws for the peace, order and good governance of the Northern Territory. The Solicitor-General has advised that it is well-established that this power extends to making laws that affect cases currently before the courts.

This bill creates a law of general application. It is not intended to create one set of rules for the case in question and a different set of rules for other matters. The only relevance of the case is respect to the need to pass the bill on urgency because we understand that the next case would take advantage of the loophole if we did not fix it.

I hope that I have addressed the questions raised, particularly those from the Member for Nelson.

I thank the Department of the Attorney-General and Justice, which will write to key legal stakeholders to make sure that they are aware of the changes. I acknowledge the Office of the Parliamentary Counsel, and advice from the Solicitor-General in consultation with the Director of Public Prosecutions. They have worked extremely hard to complete the background work to develop the bill in order for the issue to be fixed this sittings.

Although we do not often name people, I acknowledge the dedication of the department's lawyers, Fiona Hardy and Caroline Heske, who led this work. It was an intense period over the last couple of weeks. We thank Fiona and Caroline for the work that they did.

I also acknowledge the Solicitor-General and the departmental staff who ensured that briefings were available for Members of the Legislative Assembly, to understand the purpose and operation of the bill. It is something that I tested, asking lots of questions.

At the end of the day, we have taken the view that the policy reasons to pass the bill on urgency are compelling. I commend the bill to the Assembly.

Mr WOOD (Nelson): Madam Speaker, I seek leave to ask the Attorney-General a question or two without going to the committee stage.

Leave granted.

Mr WOOD: I thank the Attorney-General for her in-depth response to the bill. My question relates to the initial discussion that sexual abuse cases in years gone by had penalties that were not adequate in today's term. The amendments before us today say:

> *Any offence against a law of the Territory in force before the commencement of section 3(1) of this Act that was punishable by a term of imprisonment exceeding 6 months at the time the offence was committed is taken to be an indictable offence for the purposes of this Code and any other law of the Territory*

They also say:

> *Any exercise of jurisdiction or purported exercise of jurisdiction by a court in relation to a proceeding described in subsection (2) is not invalid on the basis that any matter related to the offence was not within the jurisdiction of the court at any time during the proceeding.*

They then have a section which defines what exercise of jurisdiction means. Subsection (3) of that definition says:

> *… imposing a sentence.*

I refer to what I said previously, that section 14 of the Criminal Code ensures that an alleged offender cannot be substantially disadvantaged by the law. It does not increase the penalty that exists at that time.

My question was reliant on what you said on the penalties at that time, which you believe were low compared to today in relation to those serious offences. You are bringing in legislation that, under the exercise of jurisdiction, allows a process of imposing a sentence. Does that go against section 14 of the Criminal Code? Can you give someone a higher punishment for an offence that occurred in the 1980s?

Ms FYLES: No. They have to be punished under the law at the time. What we are allowing for is the matter to be heard.

Mr WOOD: One more question—when I read, 'The exercise of jurisdiction allows the imposing of a sentence', that sentence cannot be any more than what would have been applied at that time?

Ms FYLES: Member for Nelson, that is correct.

Motion agreed to; bill read a second time.

Ms FYLES (Attorney-General and Justice)(by leave): Madam Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

YOUTH JUSTICE AMENDMENT BILL
(Serial 84)

Continued from 19 March 2019.

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

Mrs FINOCCHIARO (Spillett): Madam Speaker, I was just speaking with the Member for Nelson about the previous bill we passed, which is an important bill. The Youth Justice Amendment Bill is equally as important. I start by saying we support the bill because we support youth justice officers.

There is no question that youth detention facilities in the Northern Territory are volatile and challenging environments. The work youth justice officers do to ensure the operation of the facility, to keep youths physically in detention, to keep them safe from themselves and others and to keep themselves and the property safe is very challenging. That is putting it mildly.

We support the fact that officers of the Crown, public servants, who must undertake the important job of working in detention facilities, adult or youth correctional facilities, require power to ensure safety and stability, and to ensure the detention of the detainees is maintained and that there is order. That is impossible when you have a government that does not understand the role.

If there is one thing this bill has highlighted, it is the incompetence of the Gunner Labor government, the minister managing the portfolio and the decision made to move youth justice out of the Corrections portfolio and into Territory Families.

Territory Families staff do an incredibly important job. They have a huge portfolio area to cover with child protection and a manner of other serious issues. This government took the high moral ground and wanted to be as opposite to the previous government as possible, coming off the wave of the royal commission. It

pilloried the previous government for its handling of youth justice. All these things meant a bad decision in moving youth justice out of Corrections and putting it into Territory Families because, ultimately, youth detention is a correctional facility. People who are sent there by the courts are expected to remain there for a period of time and be safe and provided rehabilitation and healthcare, and the staff must be safe. But it is still a detention facility.

This bill shows that this government has still not gotten it right. We still have significant issues with youth crime in the community, and that does not seem to be stemming. We have announcement after announcement by the government, just like what we debated last night—the skills centre in Howard Springs. We hear announcements and see dollar figures to back those announcements, and then we hear nothing. We do not see any detail and there is no community consultation—much like Pinelands, and we have seen the government backflip on that.

The backflip was welcome, because Pinelands is not the spot for a new youth detention centre. We exhausted that debate in this House. The government came to its senses and made the right decision. Nonetheless, youth justice and youth crime have not improved in this term of government. We had improvements—there was over $10m of investment put into the existing Don Dale facility to make it safer and provide a better, more appropriate environment than an old adult facility, as we are dealing with youths.

The government has made a significant investment of Territorians' money in to the Don Dale facility. It has no money to build a new one and I image that is why it has made the decision to cancel Pinelands because it cannot actually afford to build it at all.

What we have seen in 10 months is a government walking away from what it brought in to this House, and that is incompetent. Ten months ago the government brought in significant and sweeping changes—which the minister would call 'policy changes'. I note that her commentary on this bill is very different—she is saying, 'These are not policy changes; this is always what we intended to do, we just did not do it properly and—whoops, now we are here trying to fix it up.' That is why it needs to be done on urgency.

The amendments passed 10 months ago drastically reduced the powers of youth justice officers—our youth detention centre staff—and we saw catastrophic incidents happen at across our facilities at Don Dale and in Alice Springs since that time. There were riots, and there were detainees on the roof for hours at a time trying to have McDonald's delivered, as I understand it.

We had the terrible incident where detainees set fire to another detainee's cell—an absolutely horrific incident. The youth justice officers had to retreat in those situations and police, a significant resource, had to be deployed on numerous occasions to our youth justice facilities to deal with situations because this government did not properly equip our youth detention centre staff with what they need, in order to do their very important job in a very hostile and challenging environment.

We saw the riot that occurred in November where tear gas had to be used. Police were everywhere—we all remember the scenes—the education building burned down, and $700 000 in damages occurred to that facility in one incident.

Incidents like that in our detention centres come at a huge cost, not only the emotional toll it has on the people who work there and the other detainees, but the tangible dollar figure cost to the government and the taxpayer in having to come back, and reconstruct and do whatever else is required as a result of the flow-on effect. It appears the government realised they got the pendulum wrong and they swung it far too far in the other direction.

This bill—and I will go through it in detail because it is significant—brings things back in line with legislation prior to May. In some cases makes it even more discretionary, broad and flexible than it was in the first place.

We have always said there needs to be the right balance between the rights of detainees, the safety and security of our staff and the safety of the centre and this is what the government is trying to do now. It is important that the support Territory Families is providing our youth justice facilities is adequate. That is why the CLP opposition believes there is a better way to do it, and that is to have youth justice come back under a Correctional framework.

It is fine and important to have rehabilitation services and ensure what is being delivered on the inside is positive and constructive, to deter people or to put young people on the right path so that we are seeing those important drops in recidivism. We really need to be tackling recidivism as a core part of our push to address

youth crime. But we must look at the model, and the government must recognise that what it has done so far is not working.

The fact that the government backflipped on these changes highlights its incompetence. I will now go through some of the changes.

The minister was at pains this week to say that the bill is technical and there to address ambiguity; that is not the case. These are real, substantial changes to the legislation that will create different powers within our detention facilities. Whilst the opposition supports the changes, it is clear from commentary inside this House from members who say, 'This is unbelievable. We have not had time. This is important legislation. We need to slow this down and get an opportunity to look at it', and from stakeholders in the community who are saying, 'Hang on, let us have a look', that it is an interesting approach this government has taken—I will put it that way.

The changes in this bill are more substantial than the Minister for Territory Families would have us believe, because they do not want this to be another Gunner Labor government backflip. I will now move through parts of the bill and highlight how things went one way in May and are now moving back.

First and foremost, the new definition of 'emergency situation' was inserted. In clause 4, section 5(1) says:

… emergency situation includes a situation in which there is an imminent risk of a youth:

(a) inflicting self-harm; or

(b) harming another person; or

(c) seriously damaging property.

This is a very broad definition of 'emergency situation'. I will come back to that.

The bill before us includes some changes to the circumstances in which a person—namely a youth justice officer—may use force. Section 10, titled 'The use of force generally', was added in the bill that was passed last year. Subsection (1) specifies the circumstances in which a person may use force, including when all other practical measures have been attempted and failed when warning is given of the intent to use force, the youth is given reasonable time to observe the warning and the person uses no more force than is necessary and reasonable.

Section 10 is amended in this bill so that a person using force on a youth will use no more force than the person considers to be necessary and reasonable in the circumstances, as perceived by the person—the youth justice officer. This is a change from last year's amendment which stated that a person would use no more force than necessary and reasonable. It now provides much greater discretion to the person in choosing when to exercise the force.

Section 10 also includes subsection (2), which states that subsections (1)(a), (b)(i) and (b)(ii) do not apply if the force is used in an emergency situation. The definition of 'emergency situation' is also broadened immensely by this bill.

In conjunction, these two changes essentially mean that a person or a youth justice officer can use as much force as they determine to be necessary in a very broad range of circumstances. That is a huge departure from last year.

Section 153(2) of last year's bill specified actions that were prohibited in relation to a detainee and included subclause (c):

… the use of force or restraint for the purpose of maintaining the good order of a detention centre.

This subsection is removed in the bill before the House, so force will be allowed for the maintenance of good order.

Section 154, Use of force, was inserted into last year's bill and specified in subsection (1) and states:

The superintendent of a detention centre may use force, or authorise the use of force if:

(a) the force is necessary to prevent an imminent risk of a detainee:

(i) inflicting self-harm; or

(ii) harming another person; or

(iii) seriously damaging property; and

(b) unless an emergency situation exists – all reasonable behavioural or therapeutic measures to resolve the situation have been attempted and those measures have failed to resolve the situation.

In the bill before us, subsection (1) states that:

The superintendent of a detention centre or a person authorised by the superintendent may appropriately use force if the superintendent or authorised person believes on reasonable grounds that force is necessary to:

(a) prevent an imminent risk of the detainee …

Section (b) of that subsection states:

… prevent the detainee from engaging in conduct that would:

(i) endanger the safety of any person who is within the precincts of the detention centre, including the detainee; or

(ii) seriously threaten the security of the detention centre.

It is important to note, that subsection (1)(b) will be amended to remove the requirement that reasonable behavioural or therapeutic methods must be attempted prior to using the force. A significant departure from the Gunner Labor government's policy on youth justice. The minister can dress this up, but if that is not a departure in policy, I do not know what is.

This is giving a broader scope in which the use of force is permitted and removing the requirement to attempt behavioural or therapeutic measures. The situations when a person may use restraint have been similarly broadened with an amendment that allows a person to use a restraint if they believe on reasonable grounds that it is necessary.

Added to the situations in which restraints may be used are the items in section 155(1)(b) that state whereby restraints can be used to:

… prevent the detainee from engaging in conduct that would:

(i) endanger the safety of any person who is within the precincts of a detention centre, including the detainee; or

(ii) seriously threaten the security of the detention centre and subsection 2 whereby restraints can be used if …

And subsection (2) states whereby restraint may be used if:

(a) the superintendent or authorised person believes on reasonable grounds that the detainee is likely to attempt to escape the detention centre; or

(b) the detainee is being escorted outside the detention centre and the superintendent or authorised person believes on reasonable grounds that the detainee is likely to attempt to escape.

This is a change from last year's bill, which only allowed the use of restraints when a detainee was being escorted outside the building and was likely to attempt to escape. They will now be allowed to use restraint when a detainee is within the detention centre.

This is broadening the powers of detention centre staff—the same powers that last year's bill from the Labor government tried to rein in. We support that.

Section 155A pertaining to separation of detainees, previously referred to as isolation, has also been broadened. We now allow separation when the detainee is in their room overnight, during a reasonable and necessary lock-down period, in regard to age or gender of the detainee and other circumstances prescribed by the regulations and importantly during an emergency situation. Remember, the definition of 'emergency situation' has now been significantly broadened.

In section 161, Search of detainees, the amendment from last year only allowed routine screening searches and all other types of searches were strictly limited. In this bill, the limitations on pat-down searches were relaxed and will be subject to the same limitations as screening searches.

The actions that last year's bill sought to limit in accordance with the royal commission—the use of force, restraint and separation—have been watered down significantly and in some cases reversed by this bill.

It is a major backflip that the government is attempting to rush through to avoid criticism or, as many have debated, 'dodge judicial woes'. You cannot escape that what you are doing is incompetent. Further, you are trying to make this bill retrospective and operational dated back to May—when we moved and passed the original legislation. As an opposition, we do not think that the legislation should have the retrospective application.

It is clear, even though it is dry because it is legislation, that when you map out what the law was and what it will be, it is a clear reversal of policy and recognition that detention centres are volatile, challenging environments. Let us not forget the fact that people are not in detention because of petty crime, as if they stole a loaf of bread from the local supermarket. To send a young person to prison is a measure of last resort for the judiciary. The people who are there require detention; that is how it works. Our hard-working youth justice and corrections officers have an important role to play in maintaining the good order for not only the safety of staff, but the safety of the detainees from themselves and each other. This is very important.

We hope that if the bill is passed that it will provide Territory Families with greater opportunity to ensure the safety of its staff and detainees, that the building is protected and that the powers of its staff are rational and appropriate in the circumstances.

I reiterate that this reversal is absolutely incompetent. It squarely raises the question of whether Territory Families is the right agency to be running a detention centre and if there is a better way to do it, such as having Corrections provide a custodial framework to work within. I fear that the Gunner Labor government is absolutely incapable of bringing itself to come to that decision.

We support the bill because we support hard-working correctional and youth justice officers who have a very important and difficult job to do in sometimes terrifying circumstances. They need appropriate and measured powers to be able to do their job effectively for the good order and safety of everyone.

Mr WOOD (Nelson): Madam Speaker, I start with the same introduction as I had for the previous bill. While it may or may not be urgent, it should have been introduced last Tuesday to at least give us an opportunity to deal with what is a serious piece of legislation.

I will go back to the minister's explanatory statement when the Youth Justice Amendment Bill was first introduced last year. I will quote from some parts of that statement. The minister said in relation to the bill introduced in May last year:

> *The bill places restrictions on when restraints can be used. The use of restraints can unnecessarily stigmatise a child or young person, making them see themselves as a criminal and therefore more prone to act like one. The bill ensures that restraints are only used in circumstances where there is an emergency, to prevent an imminent risk of harm to a person or damage to property.*
>
> *The bill prohibits the use of isolation on children and young people in detention. Isolating a child or young person who is vulnerable, particularly if they are at risk of self-harm, can have lifelong and irreversible effects on their wellbeing.*
>
> *…*

The bill does not preclude frontline detention staff from being able to separate children and young people from each other in specific circumstances. This includes where the young person requests to be separated, is suffering from an infectious disease or when it is reasonably necessary for the young person's protection, protection of another person or property. Separation can still only be authorised if all reasonable behavioural or therapeutic measures to resolve the situation have been attempted, and those measures have failed to resolve the situation.

…

The proposed amendments have been developed with current senior executives and management responsible for youth justice to incorporate the Royal Commission recommendations. Staff training is well underway to embrace these new approaches.

The bill also introduces further safeguards and limitations in relation to searches in detention. Strip searches are humiliating and degrading and can be traumatising particularly for children and young people who have experienced physical and sexual abuse. The bill replaces the term strip search with personal search.

…

I will be recommending that this bill go through the routine passage of legislation. It has already been through a Royal Commission—these recommendations are straight from the Royal Commission. We feel that is a significant level of scrutiny already to these changes to the legislation. Therefore we will be following the normal process of legislation.

I am bewildered as to why that occurred. The proof in the pudding is that we are standing here today to correct legislation.

We debated the Riley report. The government said, 'We accept all the recommendations'. We had the Pepper report—'We accept all the recommendations.' We had a royal commission—'We accept all the recommendations.'

Here we are, back in parliament, discussing those recommendations—or legislation based on those recommendations. Why did the government not say in all cases that it accepts recommendations on principle to allow some room to move? When it came to the Riley report, things changed in relation to POSIs and the percentage required for the floor price.

It moved when it wanted to move, but the government is foolish when it says, 'When it was passed by the royal commission, Riley report or Pepper inquiry we just went forward blindly without having an opportunity to discuss whether the legislation is reflective of what was put forward'. It might be that we disagree with some of the recommendations of the royal commission.

Would we be here today if this had gone through a scrutiny committee? I doubt it, because we would have had time to discuss this matter more thoroughly. When the minister says this will follow the normal process of legislation she is technically correct, but that was not the norm when this government changed legislation to allow all bills to be scrutinised by a scrutiny committee, except those on urgency.

This bill should go to a scrutiny committee. If it had been introduced last Tuesday, there is no reason the government could not say, 'Even though it was on urgency perhaps it would be wise to send it to a scrutiny committee'. In my debate today on this issue I will show you why it should have gone to a scrutiny committee.

We now have new amendments to the *Youth Justice Act*. I will read from the one-page explanatory speech which, considering the serious changes occurring, seems to be very light on:

This bill aims to address ambiguity about key provisions of the Youth Justice Act *to create a safer and more secure environment for young people and staff in youth detention centres.*

Further on she said:

Youth detention centres are high pressure environments. Serious incidents have occurred in youth detention centres which have threatened the safety and security of staff and detainees and caused serious damage to infrastructure.

Does the government take any responsibility for originally passing the law to allow that to happen without going through a scrutiny committee? It goes on:

> *We need to make sure our laws are clear so that the powers and functions of staff are understood and effective in managing safety and security risks. We have an obligation to prevent, insofar as we can, the escalation and occurrence of future incidents.*

You have an obligation to the staff who work in these premises for their safety as well. It goes on:

> *Last year, we introduced changes to youth detention operations through the* Youth Justice Legislation Amendment Act 2018 *to implement recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory. These were good changes. They were amendments that introduced greater transparency and accountability within our youth justice system, which reflected the evidence that was uncovered by the Royal Commission.*

If they were good changes we would not be here today.

VISITORS
Anula Primary School

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of Year 5/6 students from Anula Primary School. I extend a warm welcome to you and your teachers, and I hope you enjoy your time here.

Members: Hear, hear!

Mr WOOD: I will quote a couple more sections from the minister's explanatory speech:

> *Recently, we became aware that some of those amendments have been open to misinterpretation. In particular it has been suggested there remains some confusion around the operation and scope of key provisions relating to the use of force, restraints and separation within a youth detention facility.*
>
> *…*
>
> *The bill before you today aims to remove any doubt about the meaning of key provisions regarding the use of force, approved restraints, separation, searches and creates an express power to transfer young people between youth detention centres.*

I am concerned that this second reading speech does not give us reasons as to why the changes were brought about. Have there been legal issues that have arisen? Have there been cases that might put at risk decisions made by staff or other members of the Department of Territory Families that could end up in court in future?

There is no clear statement about that, although there were hints about it in the briefing we received. I hope the minister can give us an indication of what possible legal ramifications may have occurred from the existing legislation, which, as the minister said, had some ambiguity in it.

Finally, in her speech the minister said:

> *The bill clarifies the circumstances in which force and restraints may be used to account for situations where detainees may act in a way that threatens the safety of the detention centre, but not in a way that presents an imminent risk.*
>
> *The powers around the use of force and restraint are being amended to enable them to be used in circumstances to prevent a person engaging in conduct that would endanger the safety of any person in the detention centre.*

Part of the problem that I have with the bill is that it is complex and that there are various views on the matters in it, as people would have seen in the media recently. I have been going through the amendments as best I can—I hope the amendments will go through the committee stage so that some of them can be explained more fully so that we know why the changes have occurred.

In the limited time remaining, considering we had GBD yesterday and that there was already bill on today—the Public Information Amendment Bill has to come up as well—there is limited time to have an in-depth discussion or for me to clearly analyse all the changes. This concerns me, given I have to look at the bill and make up my mind on whether it is a good bill. It is made up of a range of amendments. I need to look at each amendment to see if it is good. I need an explanation of why the amendments are being brought in.

I agree with the Deputy Leader of the Opposition that the people working in these facilities need protection, just as much as they need protection to make sure that when they act in certain circumstances, they are covered by the law. Having visited Don Dale recently, I know that there are some good people out there who are doing their best to turn peoples' lives around. We need to make sure they are protected.

Because of the inability to look at this issue with enough time, one has not been able to test it with people with differing views. People may have seen the article by Alexia Attwood on the ABC News website yesterday. She wrote:

> *… Criminal Lawyers Association of the Norther Territory president Marty Aust said the retrospective amendments were designed to 'greenlight' previous improper conduct by detention staff and warned the changes allowed increased use of force and restraints against detainees.*
>
> *'They've learned nothing from the Royal Commission [into the Detention and Protection of Children in the Northern Territory].*
>
> *'What they're now setting about doing is trying to legitimise these ongoing failures from May until now, which have included procedures akin to torture; procedures that lead to the calling of the royal commission are now being greenlighted by retrospective legislation to empower wrongs that have already been committed to be legitimised.*
>
> *'We just need to call it what it is—it's an arse-covering exercise.'*

That is from the Criminal Lawyers Association. There is another comment further down that the Legal Director from the Human Rights Law Centre, Ruth Barson, said the changes were alarming.

You may have read in today's paper a letter from our previous Attorney-General. He makes a point just as legitimate as other people make a point.

A range of opinions have come out since—this has only come out in the last two days. There are people with differing views—you have heard the Leader of the Opposition—but John Elferink said the government has on urgency passed laws enabling the use of reasonable force to restrain inmates in youth detention. This is exactly where the NT was in July 2016 when *Four Corners* went to air with Australia's shame. The story that saw allegations of the NT running Abu Ghraib, accused of torture and barbarism.

This was—pardon the expression, Madam Speaker, I am reading from the letter—bullshit. *Four Corners* ignored what they were told about the use of force and that Don Dale was declared by an expert to be fit for purpose. They filmed but never aired the improvements that have been made. *Four Corners* never put the footage they used to government. They ran with it independently in spite of what that the government did disclose that matters had been investigated and in one instance had ended up in the Supreme Court.

John Elferink said that *Four Corners* established a narrative that was never sustained even by the Royal Commission who was sympathetic to that narrative. No findings of torture or barbarism and no findings the NT was running Abu Ghraib that the NT Supreme Court found the use of tear gas to be reasonable. There will always be problems in youth detention. For that reason, force from time to time has to be used to protect staff, inmates and the public.

That is what John Elferink said.

Ms Nelson: His inaction over four years led us here.

Mr WOOD: We have a parliament that allows freedom of different opinions here and I am giving different opinions.

I will also read the statement of compatibility with human rights which came with this bill. It says:

This bill is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*.*

And it goes on and talks about:

The Bill engages the following human rights instruments:

- *The Convention on the Rights of the Child (CRC);*
- *The International Covenant on Civil and Political Rights (ICCPR);*
- *The Convention Against Torture (CAT);*

This Bill engages the following rights:

1. *Freedom from cruel, inhuman or degrading treatment or punishment – Article 7 of the ICCPR and Articles (1, 2, 3, 13, 14, 15 and 16) of the CAT and the Right to humane treatment in detention – Article 10 of the ICCPR and Article 37 of the CRC.*

    - *The Bill will be applied retrospectively to commence on 24 May 2018 when the* Youth Justice Legislation Amendment Act 2018 *commenced. The purpose of these amendments being introduced to apply retrospectively is to remove any doubt about the meaning of these important amendments that were introduced to improve the rights of children in detention.*

The conclusion states:

The Bill is compatible with human rights as it promotes the human rights of children and young people in custody and in detention in the Northern Territory.

I do not know what the opinion of the union is, which represents the staff there on this matter. It would have been interesting if a scrutiny committee looked at this bill and asked the union what the opinion of the staff is. That is what I need to hear. I would like to hear what they say. I also do not mind if lawyers who disagree with the legislation come before a scrutiny committee and give their opinion; or John Elferink for that matter, who was the Attorney-General; or any other member of the public.

I am asked to look at some serious pieces of legislation here. I heard the Leader of the Opposition talk about some of the changes. In some cases it is only one or two words, but those one or two words can make a vast difference to what the legislation that was first introduced means.

In this short time it is difficult to give a clear answer to, 'Do I support this bill?' The principle of protecting the staff is important, to allow staff to do their jobs in a way that makes them safe and secure. We know what happened when the education facility burned down. It must have been terrifying for some of the staff. If we, as legislators, put legislation forward we need to ensure that legislation recognises the people who need protection.

Obviously, young people need protection in a facility like Don Dale. We also have people there we hope will be safe when they go home after work. I would have thought that after seeing what happened with the riot—if you can call it that—it would bring to the forefront that we have legislation that will protect the staff who look after these young people.

This legislation before us is made up of a number of amendments. There is the new section on 'emergency situation'. There are new amendments to 'use of force generally'. There is a new section on 'prohibited actions'. There is another section on 'the use of force'. There is a section on 'restraint devices'. We all know that was something that was given a lot of publicity in the *Four Corners* documentary. There is a section on 'separation of detainees'. There is a section on 'power to transfer detainees to another centre'—really important things. I would have thought the legislation we have allows a detainee to be moved from one facility to another for whatever reason, as long as it was reasonable. Surely, we would have the powers to do that, but it seems we do not. I believe that has been challenged.

I have not had the opportunity to study each of the changes to the legislation to the point that I can say I support each one of them. I might, in principle, support the lot. How can you do the homework you need to do in such a short time and do it properly? To me, it is not fair that I am being asked, as a member of this parliament, to look at these changes and see the ramifications of them. I have plenty of paperwork, as I

usually do; I sometimes cannot find out where I am. I have received other people's opinions on some of these things. It is difficult for me to make a decision.

I may abstain, because I know the legislation will still go through. If I abstain it is not because I do not want staff protected. It is simply because I feel I may not be able to vote on these amendments in a way that would give me confidence that this is the right thing to do, or that this is what the government is trying to do—protect staff to make sure when they are acting in their roles as the department of children and families in these facilities that they are supported by the law.

They are the issues, and maybe if this goes to a committee stage—I am not sure it will—some of that will come out then. I am interested to hear if it goes to the committee stage, and I hope it does. We can look at these amendments separately and ask for a detailed explanation of what they do, what they are about, allow a discussion and allow questions to be asked about why they have been introduced, what the intention is of these changes and what was wrong with the previous legislation that meant we had to bring in these amendments.

Madam Speaker, this is a serious piece of legislation; there is no doubt about it. It is just unfortunate that a good discussion about such a serious piece of legislation has to be rushed. To be honest, that is a failing of the process here today. It should have been introduced last Tuesday. There is no reason it could not go to a scrutiny committee. We could have discussed this with a large range of people and come back—even though it might be on urgency—a little better informed than we are today.

Mrs LAMBLEY (Araluen): Madam Speaker, I, too, would like to talk on the Youth Justice Bill 2019. I have to ask up front, what on earth is going on with this government? It is doing everything it said it would not do prior to the 2016 election. It is backflip after backflip after backflip—chaos and incompetency. It is disappointing to watch this government implode.

What we have seen today is a demonstration of where we have got to with the Gunner Labor government. It is trying to push through significant changes to the *Youth Justice Act 2005* without consultation or giving any of us time to understand the implications of what is proposed. This is tardy, bad governance and bad form. I am particularly surprised that the Minister for Territory Families, the Member for Braitling, who came in on such a moral high ground, has lowered herself to this point. It is completely unnecessary.

As the Member for Nelson stated in his speech, why did you not introduce it last week? At least we would have had one week to understand the implementations of the bill.

Ms Nelson: At least the Member for Nelson comes in here with constructive criticism.

Mrs LAMBLEY: I hear the Member for Nelson screaming and shouting. She had her turn and demonstrated to all Territorians how incompetent she has been over the last 24 hours. If I was the Member for Nelson, I think I would be quiet and listen to what other people are talking about.

Ms Nelson: Member for Araluen, I am the Member for Katherine—get it right.

Madam SPEAKER: Member for Araluen, please pause. Member for Katherine, do not call across the Chamber.

Mrs LAMBLEY: I am sorry. I pick up on the interjection—I mean the Member for Katherine, who has been screaming across the Chamber like a …

Ms Nelson: Go ahead—finish it.

Madam SPEAKER: Member for Araluen, be careful.

Mrs LAMBLEY: Like someone who is not paying me the respect that I deserve. I speak today about an important amendment to the *Youth Justice Act 2005*. Why she would choose to scream at me across the Chamber at this point in time is incomprehensible.

This government has backflipped a number of times within the Territory Families portfolio. Over the last couple of months we saw some extraordinary backflips.

The new detention centres—I remember when the recommendations of the royal commission into child protection and youth detention in the northern territory were brought down. This government took pride in the

fact that they would spend $70m on building new youth detention centres in the Northern Territory, one in Alice Springs and one in Darwin.

In the last couple of weeks we had two backflips. We are not sure whether we are getting a new youth detention centre in Alice Springs or not. In Darwin we saw the extraordinary backflip on the site of the new youth detention centre, which was planned for Pinelands. We now have no idea where it will be, or indeed if it will be built.

Today we are seeing an extraordinary backflip on legislation that was brought to parliament in May 2018. It brought into legislation some of the recommendations of the royal commission. We have not had time to digest this extraordinary backflip, communicate it to anyone or talk to anyone about it. As the Member for Spillett mentioned earlier, we have been given less than two days to read over it.

I will not talk about the specific details of the bill because I have not had enough time to contemplate my views on the amendments. We were briefed yesterday for half an hour by departmental officials from the Department of Territory Families. That was 24 hours after most other people were briefed.

The minister decided to make her officials available to speak to the six Independents. We had 24 hours to think about the implications of this bill, which is insufficient. It is not fair on us as members of this Chamber, as representatives of our electorates, that you have put us in this position. It is not fair on the other people who have a real interest in these changes.

This morning on the radio I heard several people talking about how unhappy they were, people from non-government organisations who have a vested interest in this area, youth justice. They feel extremely angry with this government and the Minister for Territory Families for unnecessarily and unfairly pushing this through.

I thought this government would be different, starting its term of office and opening up the parliament to the people. But here we have yet another example of pushing through legislation without following due process, without allowing us time to read and understand, not putting it through the scrutiny process—which was a marvellous advancement within this parliament. It was a positive step in the right direction. It is outrageous for this minister to decide that this legislation is not required to go to a scrutiny committee, to be properly scrutinised by the parliament or stakeholders.

I have nothing more to say, apart from the fact that I am completely disappointed in this government. It is falling apart and disintegrating. It is not adhering to the morals that it said it would. In the days and months preceding the 2016 election Labor said it would come to government on a platform of integrity, honesty and respect. I see no integrity, honesty and respect in how this amendment bill is being put to parliament today.

Mr COLLINS (Fong Lim): Madam Speaker, I would like to add my voice of opposition to the passing of this bill today—I agree with the Member for Araluen's comments. As an Independent, it is disappointing that the first we knew about this bill being passed on urgency was on Tuesday morning. That urgency motion passed before any briefing was provided to the Independent members.

I take up the comments from the Member for Araluen about the scrutiny process. I was Chair of the Select Committee on Opening Parliament to the People. I was part of the government's team when we went to the 2016 election and it was a promise we made, which I pursued and believed in. When parliament commenced and the select committee was set up, I was happy to be Chair.

As I said on a number of occasions, we did a particularly good job. We made recommendations about best practice for unicameral parliaments. One problem identified in this parliament in the past was the government's use of its numbers to push legislation through. The process of opening parliament to the people looked at how we could better deal with that perception and how we could introduce a form of scrutiny and review that bicameral parliaments have through their houses of review.

We cannot afford that in the Territory. We are a small jurisdiction with a limited budget. We looked at other unicameral parliaments—New Zealand and Queensland in particular—that had adopted this policy scrutiny committee process. The concept is that when bills are introduced, they go through the scrutiny committee process so that public submissions can be provided and public hearings can be held. The committee can then consider the evidence that is put to it and make recommendations to the government about changes that may need to be made to the proposed legislation.

Unfortunately, the government did not take up all of the recommendations, but it did take up some. It set up the scrutiny committees. It is interesting to note—I am sure that the Member for Nelson has already mentioned this—that this legislation, when it went through originally, sidestepped the scrutiny committee process. It was not on urgency, but it did not go through the process that had been agreed on for bills introduced into parliament.

Fundamentally, that is the problem we have now. It might not have addressed all of the problems. If it had gone through the scrutiny process, it may have identified problems with the legislation.

What the government is asking us to do, again, is pass amendments to correct apparent errors. Many of these amendments may well be necessary and may pass through perfectly well. But, we do not know that. As members of the Assembly our job is to review and consider legislation as it comes through and to recommend amendments. When something is passed on urgency like this, it allows no time to do that.

The government has shown no intention of listening to anyone on this side anyway. That being said, there are plenty of interested groups—the Law Society; the Criminal Lawyers Association of the Northern Territory; and AMSANT, which I received an email from—that have identified concerns they have with the legislation going through. Those voices need to be heard.

The members of this House need to be able to hear what those experts say about the legislation and how it will be adopted in practice. The process of pushing it through urgently like this simply does not allow that.

I received correspondence from AMSANT, which has provided me with draft comments. There are a number of pages which address the recommendations of the royal commission, the 2018 bill, the 2019 bill and AMSANT's comments. Without having the opportunity to go through the bill, the act and the royal commission recommendations in the time available, it is handy to have been provided with the letter.

I seek leave to table the comments provided by AMSANT.

Leave granted.

Ms Wakefield: I will address them in my reply.

Mr COLLINS: Sure, okay. There are a number of issues in there to do with the types of amendments in the bill, whether they are minor or are walking away from the recommendations of the royal commission.

The other issue I have concerns the retrospectivity of the provisions of the bill. It is true that in Australia the High Court said that retrospectivity is something that Australian legislators are able to introduce in their legislation. It is not done as a matter of course. It is done—generally, quite rarely—in specific circumstances with very clear, unambiguous intentions drafted.

The important fact is, whether it is allowed or not, it really does not fit with the principles of the rule of law. The rule of law is that people know—or are supposed to know—the law and therefore they can comply with it. If you retrospectively change the law it fundamentally undermines that principle. You no longer know what the law is, so you are supposed to be complying with laws that do not exist. That is a problem.

The bigger problem is that generally retrospectivity usually only goes back to when the intention of the bill was announced. I have a fundamental problem when there are legal proceedings afoot and a government introduces legislation to retrospectively change the rules that the court is applying mid-way through. It is a game, effectively. It is like playing a game of football and all of a sudden changing the rules mid-way through, taking them back to the beginning of the game and applying penalties all the way through.

They are my real concerns. The bill may well pass. As I said, if it were to go through the proper process with the proper scrutiny and have the interested bodies provide their submissions that would be the ideal situation. I will not comment on whether that would change the outcome of the bill, but it should happen. It is best practice. The government promised when it went to the last election and came to power that it would be better and do this. I urge you to consider that because that is how this place will produce better legislation and outcomes for Territorians. I implore you to stick to the policy scrutiny process so that all Territorians can benefit.

Ms WAKEFIELD (Territory Families): Madam Speaker, I will address some of the issues raised by those opposite. This is not something we did lightly. I want to be clear that we very much respect the processes of government. As a government, we were the ones who introduced those areas of scrutiny. That shows our

commitment to them. I introduced two other pieces of legislation today that will go through that process, because they need to.

However, these are important issues of clarity. This is about making sure frontline staff are clear about what their powers are within a detention centre, and that we are providing support for them.

We considered what the processes were. The decision was made—and there was a fair bit of debate and argument about how to move forward. The feeling was that if we left these inconsistencies and ambiguities within the act until the May sittings, that it was a significant period of time in which we were not backing our staff by having clear legislation which supports their improvement in practices.

I understand that there have also been significant concerns outside the Chamber about these issues; we acknowledge those. It is important that we set a very strong intent. The Member for Fong Lim just talked about intent. The courts supported the idea of legislation having an intent. We set a very clear intent. This is about clarifying some aspects of that intent to ensure the true intent of what we wanted to put in place—which was to stop the atrocities of the past that were clearly documented in the royal commission and ensure that we had clear, consistent approach by staff.

We increased the level of transparency and staff increased their understanding of their roles. We did this by increasing training. As I said in my speech on Tuesday, it was through the training process that many of these ambiguities became front and centre for our department. It was clear when we talked about issues regarding emergency powers and imminent risk that we needed to go through those.

I want to address some of the issues raised by the Member for Fong Lim. I am also happy to talk through them with him on another date. It is important to understand that the amendments we put through in 2018 were interpreted to mean that there would be a difference between ‘imminent risk’ and ‘emergency situation’. This is about making sure we clarify that an emergency situation can include imminent risk.

That is about making sure those aspects are very clear. I use the practical example of, if a young person is running towards a fence, we want staff to be clear that they can tackle that situation and deal with it before the young person starts climbing the fence.

The use of property was a recommendation of the royal commission. It is clear that damage to property can cause further harm within the facility. If a young person damages property that then becomes a weapon, it is very clearly an issue. I know AMSANT had some concerns, but it is about serious damage to property, not someone putting graffiti on a wall. We are very clear in the legislation about making sure that the lens of safety and security of the centre is put over all of these changes.

It is also important to remind the Chamber that none of the changes we made about transparency will be changed in this. In the bill we put through in May we increased the independent oversight, ensuring that only certain people can use force and must be trained and have a qualification. We increased that training, and increased it again since that time in May to ensure we have the right level of support for staff. There is a register for the use of force, which is independently reviewed and is clearly documented. We have more CCTV in the facility and the footage is kept for longer.

This is important oversight to make sure that we are very clear about separation. We have made significant changes to the last bill. For the Deputy Leader of the Opposition to say we are going back to the old bill is just nonsense. The other bill did not have the safeguards that this bill has in place. It is important to say that.

I note the Member for Nelson mentioned the previous Member for Port Darwin. We need to be clear that restraint chairs were law under the previous government and that this government banned them. We need to be very clear that the changes have been, and will continue to be, significant. This is about making sure we are dealing with the issues.

We know that issues of clarity about this have been raised by lawyers. One of the things we had to do—which I was disappointed to do—is put on extra legal staff to deal with the number of legal letters that have been coming through over the last 12 months, which question these very provisions. We want to make sure there is not only clarity for staff but for defence lawyers as well, about the extent of and protections within this legislation.

As a government, I do not think it passes the pub test to be spending more money on legal challenges over the years rather than supporting our frontline workers. We need to be very clear that this is about ensuring the safety and security of our frontline staff and ensuring that we have a youth justice system which at its

fundamental core holds people to account, changes their behaviour, gives very clear messages on what is appropriate behaviour within circumstances, and provides young people with a pathway out of a life of crime.

Youth detention centres are rehabilitation centres. We need skilled staff who are confident in their ability to act if a young person is behaving in a way that is dangerous to themselves or others. These legislation changes are is as simple as that.

I also want to comment on the Member for Fong Lim's comments about covering poor practice by staff. That is absolutely not the intention of this bill. There are very clear processes in place. If a worker does not follow procedure or does not apply the legislation in the way they should, then there are very clear consequences.

Let us be clear: there is increased transparency and accountability under the changes that we made in May. This bill does not change that. In fact, it gives much clearer instructions to staff to be able to de-escalate issues before there is a major incident. We want to make sure that our staff are positively working forward.

It is really important to know—the Member for Nelson said that on his visit recently he felt that things had improved. We are allowing members of the opposition to visit, have oversight and talk directly to staff. We are not hiding anything here. We are committed to making sure that this youth justice system meets the needs of our community.

Our levels of youth crime need to reduce. We need to ensure that when a young person commits a crime there is a clear consequence. That consequence is about getting them back on the right path. We will continue to do this. We are aware that defence lawyers will not be fully supportive, because this is their part of the system.

As a government we need to acknowledge that everyone has a part in the system. Defence lawyers are there to look after the interests of their individual clients. As a government our role is not only to look after the individual children within the care of the CEO when they are in detention, but to support our workforce to ensure they are making good decisions. Ultimately we are all responsible to the community to ensure we have a youth justice system that does not traumatise young people or tie them to chairs—let us be very clear—but provides rehabilitation in a way that is professional and supports the professional judgement of staff.

We have invested heavily in ensuring increased transparency by making sure there are more people going in and out of detention centres, not just staff. We have Danila Dilba providing services, mentor programs, educators and mentors such as Adam Drake going in there. There are many more eyes on this system than there was under the previous government.

We have to acknowledge that this system went through a royal commission. We are acting to ensure the intent of that royal commission is applied. One thing I have learned very clearly in this job is that the solutions to these problems that we face are not going to be found in a court house down south.

Legislation does not lead to good practice. It supports good practice. We need to make sure that we are providing support to our frontline staff to make the actual changes in working and building relationships with young people and ensuring that we have pathways out of detention.

It is important to note the opposition's thinking— if they ever get back in to government— of moving this back in to Corrections. I have a lot of admiration for our Corrections staff. I regularly attend graduations at the adult prison in Alice Springs and it is always amazing to see those professional people come through.

The point of moving youth justice in to Territory Families is to ensure there is a continuum of services. It is not just about the time that people are in custody. It is about following through. It is about ensuring that people are back on the right path and accessing the health and education services that they need.

That is why in Territory Families it is not only about providing a safe place for that young person but ensuring they are taking responsibility for their behaviour. That cannot stop when you walk out the front door of the detention centre, they need to have continuity.

I am happy to continue to brief those opposite and provide access to facilities. None of the transparency has changed in this process. It is about backing our frontline staff to make sure they have clear ability to make decisions under difficult circumstances. It does not change the policy intent of the bill. It is ensuring that we clarify that intent and we continue this journey, walking together. The solutions are not down south in a court

house, they are by everyone in the Northern Territory working together to make sure we give our young people a bright future.

Motion agreed to; bill read a second time.

Debate adjourned.

The Assembly suspended.

SPEAKER'S STATEMENT
Top End Gran Fondo

Madam SPEAKER: Honourable members, I draw your attention to a letter that has been placed on your desk regarding the Top End Gran Fondo Holly Pedal. If you do the full 145 kilometres, money will be donated to charity from Julian Barry's firm. We have nominated you, Member for Nelson.

Members: Hear, hear!

Madam SPEAKER: We have also decided and elected that there should be the Mother of Babies Challenge, so the Members for Spillett, Wanguri and Nightcliff might be able to do a tag team.

Ms Fyles: She wants us to ride together.

Mrs Finocchiaro: As long as we do not have to run holding the baby.

Madam SPEAKER: Run holding the baby? No, no, no. Put it in the basket. Anyway, honourable members, if you are interested I am sure we can work out how we can help and have money go to charities and have a bit of fun along the way.

QUESTION TIME

Labor Government – Commandments for Caucus

Mrs FINOCCHIARO to CHIEF MINISTER

Your 20 commandments for Caucus that were published in the *NT News* today reflect the extreme level of control that is exerted over your members. It is clear that independent thought of any kind is not tolerated by Labor. What is shocking is that all of your commandments are aimed at protecting you—not a single one of those dictatorial rules even mentions Territorians or requires acting in the best interest of Territorians. Is it any surprise that Territorians have completely lost faith in this arrogant, incompetent and out-of-touch Labor government and your ability to represent their interests in handling the economic, crime and budget crises that we face?

ANSWER

Madam Speaker, we thought it was important, as a team, not to make the same mistakes as the CLP last term. It was really important to establish team values and rules. We sat down as a team and wrote those rules together. They were not imposed or dictated; they were composed by the entire team over two days and unanimously pledged. Those rules were made by the team for the team.

The CLP may be surprised to learn that teams work together best as teams. Those are the rules we established. It is clear that the Deputy Leader of the Opposition did not read the rules, because they say, 'Have an electorate plan and do hard work to make that electorate plan work'.

I have Territorians living in my electorate.

Mr Wood: You are kidding me.

Mr GUNNER: I do! I do not know what the Member for Spillett does in her electorate and who she looks after, but I look after Territorians. I find it extraordinary that she could read that and her interpretation is that this does not talk about Territorians. It is a stunning insight—the Member for Spillett cannot read that and think, 'There are Territorians in my electorate and I should work hard for them'. It is a stunning insight into how the Member for Spillett thinks about the people she has been elected to represent.

Our rules were all designed to ensure that, as a team, we work together in the best way to deliver for Territorians. That is what it has to be about—Territorians come first. The rules were drafted by the team and unanimously agreed to, to ensure that Territorians come first.

We know the biggest issues facing Territorians right now are job creation, cutting crime and generational change. That is what we are focused on. I refuse to ever be distracted by people who act against the best interests of the team. Let me be clear about those rules—Territorians come first, not personal individual things. It always has to be about Territorians.

Unfortunately, we saw actions designed to destabilise our government and put Territorians second. We rejected that behaviour as a team. That was behaviour that put Territorians second and the CLP first, and we rejected that. We believe in delivering for Territorians by creating jobs and cutting crime through generational change, and we have plans to do those. Both those things are done best by a team effort that puts Territorians first.

VISITORS
Nungalinya College

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of students from Nungalinya College, accompanied by their lecturer, Annette Anderson. On behalf of honourable members, welcome to Parliament House. I hope you enjoy your time here.

Members: Hear, hear!

Cyclone Trevor – Preparations

Mr COSTA to CHIEF MINISTER

What is being done to ensure that Territorians in the path of Cyclone Trevor are safe?

ANSWER

Madam Speaker, the largest ever pre-cyclone evacuation of people in the predicted path of Cyclone Trevor is occurring right now. A state of emergency has been declared in the gulf country as Cyclone Trevor tracks across the Gulf of Carpentaria.

It is expected to make landfall between Borroloola and Groote Eylandt during Saturday as a Category 4 severe tropical cyclone. Marine conditions in the gulf have been deteriorating this morning. This is a large and broad incident which covers a lot of area. The conditions may change, so it is important that Territorians pay attention to all the warnings about how serious the cyclone is and the amount of country it covers.

The emergency operations centre was established on Tuesday and local controllers have all been stood up. The Australian Defence Force is providing assistance. All fishing and shipping activities in the gulf have been warned to leave by Northern Territory Police.

Evacuations have commenced and will continue throughout the next 24 hours using all assets available to police and other services, including Defence Force assets. Evacuations have been completed on Groote Eylandt, with sufficient shelter there for the population. The cyclone is now tracking further south.

They are continuing in Borroloola. Assisted evacuation by vehicle in Numbulwar has commenced, with approximately 170 people arriving in Katherine today. This will continue until Numbulwar is fully evacuated. There are also self-evacuations that have been requested and are under way.

Road blocks are in place in Borroloola to record exiting traffic to the Queensland border. As at 7 am this morning, 470 people had been evacuated from across those communities. Those numbers will grow. We are expected a further approximately 2000 evacuations to occur today to Darwin and Katherine. The total capacity coming online should be approximately 1600 in and around Darwin, with the Foskey Pavilion being the primary location. Evacuation capabilities in Katherine are being established around the 400 mark, with the primary location being the showgrounds.

I urge people to follow the instructions of their local controllers and from Secure NT. They should tune into their local ABC for regular updates from the Bureau of Meteorology. Take it seriously. Please listen and cooperate to make things as easy as possible for the people doing this work. Take all measures to make sure you stay safe during this very severe cyclone which is coming our way.

Public Information Act

Mrs FINOCCHIARO to TREASURER

In August 2018 the Auditor-General found seven separate contraventions of the *Public Information Act 2010*, including two against you for using your photo in an advertisement and presenting unsubstantiated opinions. This is particularly surprising given that those contraventions were primarily the result of changes to the act that you recommended in opposition and were passed in the first sittings after the 2016 election.

Today we are debating the bill, and it backflips on those changes and allows spin to be published as fact, allows your picture to be used …

Ms FYLES: A point of order, Madam Speaker! The member is pre-empting debate as there is a bill before the House this afternoon.

Madam SPEAKER: Attorney-General, let the member finish her question.

Mrs FINOCCHIARO: Today we are debating a bill that backflips on those changes, allowing spin to be published as fact, your picture to be used in government material and ensures that public money can be used for political propaganda. All this just 18 months before the election.

Is using public funds on Labor propaganda a wise use of Territorians' money, particularly given the budget crisis we are facing?

ANSWER

Madam Speaker, it is very important that Territorians have confidence that when a government invests in information to communicate to the public, it is genuine public information; it not information that is being peddled for political purposes, for example to back a political party; and that it is genuine, public information in the best interest of the public.

That is why we legislated in the past to introduce the *Public Information Act*. That was a very important piece of work. In the last term of government under the leadership of Adam Giles we saw some horrendous abuse of the *Public Information Act*. The former Chief Minister, Adam Giles, breached the act four times during the Casuarina by-election with propaganda emails to the public service.

Nobody will ever forget the infamous ice legislation advert—the full-page advert in the *NT News* that was the greatest abuse of the *Public Information Act* I have ever seen. That was an absolute disgrace. When you have a bad government that abuses power that is what you get. That is what we saw in the last term of government.

It is important to have a *Public Information Act* in place. To make sure it is not there to be abused by governments. People have an expectation that governments will communicate to the public and ensure that appropriate information is shared. That is an important thing. In the cases where I have had issues, which were raised by the Auditor-General, it was as technical as not having footnotes put in. It goes to show it was not working in a required sum amendment.

We will not open the gates to seeing government funds abused and used in an incorrect way. We will make sure we have an act that is workable so we can get important information to Territorians. Governments need to let Territorians know what is going on. That is the responsibility of government.

We are proud of the work we have done when it comes to the *Public Information Act*. It is about making sure Territorians have faith that public funds are being used appropriately when it comes to government communication.

Mining Industry

Ms AH KIT to MINISTER for PRIMARY INDUSTRY and RESOURCES

You have been meeting with a lot of Territory miners. Can you please explain to the House some of the exciting things you are hearing about the Territory's mining industry?

ANSWER

Madam Speaker, we spoke this week about the AGES conference and how well things have gone there. The number one priority of this government is to keep creating jobs across the Territory and to support industries that create jobs.

When I speak to people up and down the track I hear strong reports on our gold history right throughout the Northern Territory. Everybody knows the history of the Chinese workers and what a colourful addition they were to the Territory's gold industry. The gold sector is growing very strongly under our government, with mines from the Tanami to Tennant Creek, Katherine and Pine Creek.

Some of the ABS stats are remarkable. In the December 2018 quarter we saw $18.4m of the Territory's gold exploration—the highest quarterly gold exploration spend since the mining boom in 2012 that forms part of an overall strong mineral exploration growth in 2018. That is up by 35% from last year. Exploration is hitting the ground across the Territory with Kirkland Lake Gold Ltd in Pine Creek, Emmerson Resources in Tennant Creek and significant work on new mines—Tanami deposits.

Under our government we are seeing world-class gold operations growing at the Tanami, creating more jobs and the potential of more in the future. The new Tanami pipeline created between 300 and 400 jobs during construction. It is now operating and delivering cleaner power year-round to the Tanami mine; a safe and reliable energy source that lowers the costs and carbon emissions by 20%. A fantastic initiative.

The new mine is actively considering a second expansion on top of the one completed under our government in 2017. This second expansion could create hundreds of new jobs.

Under the Territory Labor government, we are seeing exciting times for mining. We saw the AGES conference and the numbers down there increased significantly. They had a fantastic week. I was disappointed I could not get down there but they understand my first priority is to be in parliament to take part in our important debates.

Our government will continue to support resources in the Territory.

Public Information Act – Party Political Interest

Mrs FINOCCHIARO to CHIEF MINISTER

The *Public Information Act* was originally passed in 2010. The then Labor Chief Minister, Paul Henderson, stated that, 'The primary purpose of the act was to ensure that public information did not promote party political interest and clearly differentiates between facts and opinions.'

In the bill you propose to pass today, the requirement that a statement clearly differentiates between facts and opinion has been removed and political spin will now be treated as fact—as long as there is a source document sighted, which can include a media release from the minister's office.

Why do you not support the former Labor Chief Minister's prohibition on using government money for political purposes?

ANSWER

Madam Speaker, it is clear that the Deputy Leader of the Opposition has not done her homework or read the bill, which makes it very clear that nothing can be done that promotes a party political interest and everything must be factual.

A stunning ignorance which shows again that the members opposite are not prepared to do the basic work of a parliamentarian and read the legislation they will be debating—we will go through this in parliament today.

If they did, they may have stood up last term when the CLP gutted the legislation. Despite gutting the legislation, they still managed to breach it—four times during the Casuarina by-election. An extraordinary effort by the former Chief Minister, Adam Giles—gut the legislation and still breach it. That is what the CLP is capable of—we remember the very bad ice legislation ads.

We have repeatedly said, this is the side that brings in openness, transparency, accountability and scrutiny measures. We brought in the *Public Information Act*. We brought it back and are reforming it today to make sure it works for Territorians.

We brought in FOI, estimates, an Independent Commission against Corruption, scrutiny committees—nothing of that was ever done by the CLP. They do not believe in openness, transparency, accountability or scrutiny. It takes the Labor government to bring in those important reforms to this Chamber. That is what we do.

Members interjecting.

Mr COSTA: A point of order, Madam Speaker! Standing Order 20: I am a little deaf on my left side, and I would like to hear the answer from the Chief Minister.

Madam SPEAKER: Honourable members, please keep it down; everyone would like to hear the answer.

Mr GUNNER: Very easy to answer—answered already. It is clearly in the legislation. The Deputy Leader of the Opposition should be prepared to do her homework on what the legislation says. It stops anything of a party political interest and it must be factual—simple points within the legislation, supported by a Labor government, never by a CLP government.

It is Labor governments that do openness, transparency, accountability and scrutiny; the CLP members opposite are the ones who gutted the *Public Information Act* and still managed to breach it. An absolutely extraordinary effort by the CLP.

We will not do what the CLP did. We will ensure there are measures in this House for openness, transparency, accountability and scrutiny, which is what we are doing today with the *Public Information Act*. It is what we did with Independent Commissioner Against Corruption. That is what Labor governments do.

SUPPLEMENTARY QUESTION
Public Information Act – Party Political Interest

Mrs FINOCCHIARO to CHIEF MINISTER

If you are so open and transparent why did you not consult with the Auditor-General on the amendments which your Cabinet Handbook and Legislative Handbook requires you to do?

ANSWER

Madam Speaker, the amendments are based on rulings from the Auditor-General; it is her work that this legislation is based on. The Auditor-General also gave further feedback during the scrutiny committee process. During that process she wished to have a third moment where she also was engaged. I respect the Auditor-General. I am sorry that between her rulings and the scrutiny committee process she was not involved as well—it was only two times not three—as we do respect the Auditor-General. This is based off her rulings.

Festivals and Events in the NT

Mr PAECH to MINISTER for TOURISM, SPORT and CULTURE

You are a big supporter of the Territory's festivals and community events. Are you able to advise the House about the work you are doing to grow events and festivals throughout the Northern Territory?

ANSWER

Madam Speaker, the Member for Namatjira was recently at a great new event in Alice Springs, as were the Members for Araluen and Braitling—in FABalice, which by all accounts was a fantastic event. But more about that in a minute.

We will continue to ensure we invest in our tourism industry in the Territory. This is about economic growth and our events and festivals are so important to that. We put in almost $21m of additional funding to support our festivals and events, particularly paying attention to those that sit in the shoulder seasons—the traditionally quieter times of year across the Northern Territory.

I want to put some things on the record today on some of the success there. We have, for the first time, a business events bid fund, which many people have really embraced and which Janet Hamilton from the Convention Centre has really talked up. There was just over $1m in incentives provided to 34 events that brought an additional 10 600 business delegates to the Territory. This equates to around $25.5m worth of expenditure; these are a high-yielding visitor.

Aboriginal art and cultural offerings in the Territory is something else that we had a very distinct focus on. The Darwin Aboriginal Art Fair had over 15 000 visitors—that was up by almost 2000 visitors since the year before—with 75 national art centres participating, record sales of $2.8m and an impact of $10m across our economy. Those art centres are central hubs to our communities, up and down and across the Territory and this country.

We had close to 7000 people at the opening weekend of the Desert Mob festival. That was up by almost 1000 visitors from 2017. The members in Central Australia know how important Desert Mob is to the art centres and to promoting the incredible art and culture of the Central Australian region.

We funded the Bruce Munro Tropical Light—the Member for Nelson asked a question about this last week. There are six weeks left of the Avenue of Honour in Albany. So far that has drawn 125 000 visitors to Albany's Mount Clarence since October. I have really high hopes for that particular event.

BASSINTHEGRASS is not too far away—double the line-up—two stages and a new venue. We are hoping to target visitors to that music event as well. It has been pegged as one of the best on in terms of festival line-ups across the country, which is really fantastic news. Encourage your friends to come to the Territory and experience our art and culture.

Economic and Fiscal Crisis – Business Recommendations

Mrs FINOCCHIARO to CHIEF MINISTER

The voices are many and loud. We are telling you, your backbenchers are telling you and Territorians are telling you there is an economic and fiscal crisis. Now, in lieu of any solutions coming from government, the Territory's five main business organisations have issued a communique outlining their recommendations for energising the economy and budget repair. The recommendations include removing the hybrid mining tax right through to addressing antisocial behaviour. As the communique states, all proposed actions are within Northern Territory Government control. Which ones will you be adopting?

ANSWER

Madam Speaker, it is important to work with the private sector and it is something we have done since the beginning of this term. In fact, we had an economic summit process up and down the track that involved the business sector, the land councils and the non-government sector, realising how important services are to delivering for the Territory economy.

That led to the Economic Development Framework and a very clear plan for the Northern Territory. There was feedback from the business community the other week. Obviously, I went with the Deputy Chief Minister, the Minister for Primary Industry and Resources, the Minister for Tourism, Sport and Culture and the minister for Infrastructure to sit down with the business community—we had our public servants in the room, too. It was a very good conversation.

Most of it fits in with what we are doing underneath that Economic Development Framework. I saw it very much as an innovative step for the economic plan we have. It is important that we do that often with co-design and policy—that you have innovative steps. It is another example of us working with the private sector to ensure we deliver on that economic plan for the Northern Territory.

There are a number of things rolling underneath our economic plan. These include:

- buying local and getting cash flowing locally

- a series of stimulus programs, leveraging private sector investment
- investing in infrastructure across the Northern Territory
- important road investments, from the luxury hotel to Sea Dragon—roads that help unlock those major projects
- growing the population.

It is plan that was so well received in Canberra that they looked at how they could apply it elsewhere—an excellent working relationship with the Prime Minister and the Australian Government on that population plan and how we put that in place.

There are a significant number of things we are doing and working on with the private sector. I use the Darwin Major Business Group as an example, through the Facing North program. In Canberra I briefed the Prime Minister and the federal Leader of the Opposition about our population plan. We saw both of them welcome that plan and speak about it at our Facing North event with those business groups. One part of that is delivering those 500 people in under a year under DAMA II. We are doing a significant amount of work with the business community to make those economic plans work. We will keep working with the business community as we go through the iterations of those plans.

This is very much in step with what we are doing as a government and how we approach implementing our economic plans. It must always be done in consultation with the private sector. That is what we are doing. That is why we were there for that meeting of the economic summit; public servants were there the whole day; and it was very much, 'How do we work together?' We are doing that.

Buying local was high on their agenda when I met with the President of the Chamber of Commerce at the start of the year. I had a conversation with them about cutting red tape and a number of other things. We are doing all that with the private sector.

Arafura Games – Territorians' Involvement

Mrs WORDEN to MINISTER for the ARAFURA GAMES

It is something we could talk about all day here. The Arafura Games is just over five weeks away. Can you please tell Territorians how they can still be involved with the Games?

ANSWER

Madam Speaker, I thank the assistant minister for the Arafura Games for the question—someone who has passionately championed this important event for the Top End and the Northern Territory.

The Arafura Games are just weeks away. It is very exciting. On 26 April the Games will open at the Darwin Waterfront and it will be an exciting opportunity for Territorians to engage with our near neighbours in a fun, sporting festival. There will also be elements of Top End culture included.

We spoke in this House last night about the Arafura Games—I acknowledge all members who spoke in that motion, which was supported—and not only the opportunity for athletes participating but the economic opportunities that the Games bring to the Top End.

An overseas visiting team has booked close to $50 000 worth of accommodation for the Arafura Games. That is just one example of why the Arafura Games are so important.

The Arafura Games will include a Business Engagement Program which will foster discussions and relationships that will result in long-term economic benefits to the Territory. That is not only economic benefit during the Games—when the Games ceased in 2012 the Chamber of Commerce estimated it was worth $10m to the local economy.

Mrs Lambley: How much is it costing?

Ms FYLES: It is interesting that the Member for Araluen chooses to interject. Maybe she will provide the analysis the CLP did before scrapping the Games. She has been a bit less forthcoming with that information.

The Business Engagement Program focuses on tourism, agribusiness, international education, health, infrastructure, trade and economic and industry development opportunities.

That is on top of the expected 1500 nominations for athletes coming to the Games …

Mrs Lambley: Is it $10m?

Ms FYLES: They just do not like good news, opposite. She stands here interjecting—she was the Treasurer who scrapped the Arafura Games.

Six hundred Territorians have already signed up to be volunteers and we are tracking toward 800. The new mascot, Milula, has been out visiting schools.

Those opposite can call out snide comments or they can get on board and present some medals. Yesterday I wrote to every member. The Member for Johnston will be there presenting medals at the Games. I acknowledge his work leading up to the delivery of the Games. I look forward to the Arafura Games 2019.

We will do a cost-benefit analysis. Not only does it provide an opportunity for a wonderful sporting event; it also provides an economic opportunity for the Top End.

Commandments for Caucus – Alleged Breach

Mr COLLINS to CHIEF MINISTER

Earlier you responded to a question from the Deputy Opposition Leader about your Code of Conduct. You perpetuated your fantasy about the Member for Stuart and I destabilising your government. Given it is public knowledge it was your office that leaked my email to Caucus members …

Members interjecting.

Madam SPEAKER: Honourable members, I would like to hear the question. It is important that we all hear the question. Please keep the noise level down.

Mr COLLINS: Given it is public knowledge that your office leaked my email to Caucus members, it is clear the only member destabilising government was you, through the actions of your office. The only person in breach of the Code of Conduct was you.

You then moved to expel the Members for Johnston, Stuart and me from Caucus without due process and without adhering to the rules of Caucus. Can you explain to Territorians why their Chief Minister clearly believes the rules do not apply to him?

ANSWER

Madam Speaker, we have very clear team rules that the members of the team around me abide by. There are only two people who know who leaked that information: the person who leaked and the person who received the leak. The only motivation you can ascribe to that leak is people who deliberately acted to destabilise government. There are only three people in this Chamber who I believe acted with that motivation.

I utterly reject the accusation from the Member for Fong Lim. Importantly, the 15 members of this team utterly reject the accusation from the Member for Fong Lim.

Housing Stimulus Package

Mr SIEVERS to MINISTER for LOCAL GOVERNMENT, HOUSING and COMMUNITY DEVELOPMENT

How is the $100m housing stimulus helping Territory businesses through tough economic times?

ANSWER

Madam Speaker, the Member for Brennan is somebody who doorknocks a lot of tradies in Palmerston and picks up a lot of feedback. That is important for members in this House who understand the government's hard work in terms of its strategic, targeted investment across infrastructure, tourism, minerals and resources,

housing construction in the bush and, I am proud to say, the $100m urban public housing stimulus. This is off the back of a $69m stimulus program.

This is about protecting jobs and creating new jobs. It is important that government underpins the economy as we leverage private sector investment. We have talked about this in the House and we understand it. It is just that some seem to have cottonwool in their ears.

It has been great to see that $11m has been committed within the $100m urban public housing stimulus. The work is rolling out across the breadth and length of the Northern Territory. It is important to acknowledge that it is not just the greater Darwin area, it is Katherine, Tennant Creek and Alice Springs. It is a good program and a targeted one.

We have 500 contractors already registered—250 of them have already started the quoting cycle as the works roll out. This is engaged and real work from a government that is committed and listening to Territorians.

I will read a quick quote, as it is always good to hear from Territorians. It is a quote from Alice Springs that says, 'We are all feeling positive. It is good news for the economy. Upgrading vacant properties so that they can become homes for people makes sense too, because good homes go a long way to reducing social problems.' That was from NTRMS Contractors in Alice Springs.

It is good to hear that Territorians are welcoming the stimulus. They see that it targets the renewal, upgrade and improvement of public housing assets. In some cases, it adds 20 years to the life of an asset.

I thank the Leader of the Opposition for conducting a survey—he used it in a negative way on the $100m stimulus. I tell the Leader of the Opposition that the Department of Local Government, Housing and Community Development grabbed and analysed the survey. Out of the Territory businesses that the $69m stimulus targeted—100% of which were Territory businesses—58% of the people had received work under the stimulus package. That is good to see.

The CLP would be wise to get on board, show some positive vibrations and encourage Territory businesses to register for the $100m stimulus across the Territory that will be rolling out over this year and next.

Alice Springs – Youth Crime

Mrs LAMBLEY to CHIEF MINISTER

On Monday night on the north Stuart Highway, nine kids were caught throwing rocks in Alice Springs. Six of them were under the age of 10, the other three were 11, 12 and 13. It is alleged that a female motorist was struck on the leg by a rock and that a 19-year-old male passenger sustained minor injuries after two rocks shattered the front windscreen of the vehicle he was travelling in.

What happened to the kids who were caught and to their families? What are you doing about youth crime in Alice Springs?

ANSWER

Madam Speaker, it is never good to hear about an incident that breaches public safety anywhere in the Northern Territory, whether it is in Alice Springs or somewhere else. We want to make sure people are always safe. It is critical that when an incident occurs it is followed up, the people are caught and there are consequences. This is something we are working on as a government.

We will make sure there are more consequences in place that are more likely to lead to breaking the cycle and making sure those young people do not end up in adult prison. A significant series of reforms were put in place to support that. We have seen additional workers, like the youth engagement officers, on the ground in Alice Springs and other communities, working with kids and making sure the consequences are in place.

With this specific incident, NT Police and Territory Families intelligence states that there were seven young people involved in the incident. One was aged 10 years, three were aged 11 and two aged 12. One was not identified. These are different statistics to those from the Member for Araluen. I am not sure where she got her data from. It is always important to do what you can to make sure you have the right data.

The young people are not known to have had any previous adverse involvement with Territory Families …

Mrs LAMBLEY: A point of order, Madam Speaker! Standing Order 110: relevance. My statistics came from a Police media release that I am happy to table. You have it wrong, not me—check your facts.

Madam SPEAKER: Member for Araluen, it is not a point of order.

Mr GUNNER: At that moment in time—I was not being highly critical of the Member for Araluen—I had difference advice to her. I am not saying I do not know where she got her information from—I am giving the latest advice in front of me. It is important to deal with the correct information, which I have and of which I am advising the Member for Araluen.

The young people are not known to have had any previous adverse involvement with Territory Families or the youth justice system. That does concern me but it also means that they have not been flagged. The young people above the age of criminal responsibility are being considered for youth diversion.

If NT Police hold child protection concerns, they are required to make mandatory notifications to Territory Families. If NT Police believe that the young people and families may benefit from family support, they can contact Territory Families to refer the families to appropriate service providers.

If NT Police consider that support to a Youth Outreach and Re-Engagement Team—the new team we have created and funded this term—they can be involved, depending on consent and referral. There are systems in place to deal with these children.

This is important to make sure we have a safer Alice Springs. Territory Families has committed to co-locating a full-time Intelligence Liaison Officer in the Alice Springs police station. It will go a long way to coordination and fits in with the Crossover Families Management Unit work for children who are known to us.

These children are now known and will go on the list, as having committed an incident. It is unfortunate as we do not want to see people doing this, but it is important that when they have an incident it is the only one—we have to break the cycle.

Aboriginal Territorians – Jobs and Careers

Ms AH KIT to MINISTER for ABORIGINAL AFFAIRS

Could you please explain what our government is doing to see more Aboriginal Territorians in jobs and progressing in their careers?

ANSWER

Madam Speaker, I will answer this question as Aboriginal Affairs minister and also under the Workforce Training portfolio that I hold, as the member is speaking about jobs and Aboriginal Territorians.

The number one priority for the Gunner Labor government is jobs. I have the privilege to hold both portfolios, where we are talking about jobs for Aboriginal Territorians—not just in urban and town centres but across the Northern Territory.

We are proud of working with Aboriginal Territorians—key word ‘with’, not ‘for’, ‘under’ or ‘in front of’, but working ‘with’ Aboriginal Territorians. The Member for Karama is passionate about Aboriginal affairs, particularly in her electorate and with her wide community connections across the Northern Territory. She is very interested in this area.

A number of key reform areas we have undertaken since coming to government are to make sure we are growing jobs and workforce capacity, now and into the future. Future skilling of all Territorians—Member for Karama, you are speaking specifically about Aboriginal Territorians.

The Skilling the Territory annual investment plan provides both training and employment opportunities. It is a plan we are dedicated and committed to—ensuring the success for Territorians, particularly Aboriginal Territorians.

This funding supports employers, industry and our training organisations to be successful to provide local job opportunities for Aboriginal Territorians. As at 31 January this year, 954 Aboriginal people were in training, comprising 29.9% of all Territory apprenticeships and traineeships. Considering the size of our population, that is a great ratio. The population of the Territory is one-third Aboriginal Territorians. It is great to see that

in our apprenticeships and traineeships they are well reflected in that space of workforce training and capacity.

We had the Aboriginal Responsive Skilling Grants, which awarded 52 businesses and organisations to support workforce training of over 1000 Aboriginal Territorians. Recently, the Aboriginal Workforce Grants approved 13 Territory organisations and businesses to support 43 job outcomes and 50 career advancements. Some of the areas are:

- tourism
- the arts
- events organisation
- marine
- Aboriginal women in start-up enterprise, which is really important
- digital technology
- social media
- retail
- construction
- Aboriginal health
- Aboriginal patrol officers.

The Northern Territory Labor Government is committed to investing in Aboriginal Territorians and workforce trainings, jobs and employment, now and into the future.

Housing – Federal Government Decisions

Mr MILLS to CHIEF MINISTER

Yesterday you made clear your support for increasing the burden on struggling small businesses by supporting pay rises for workers without explaining where the money comes from.

Do you also support federal Opposition Leader Shorten's plan to remove negative gearing, a plan which will further reduce the value of homes in a declining housing market? Can you please explain your position to families already experiencing mortgage stress, and whose homes are worth less now than the debt they owe the banks?

ANSWER

Madam Speaker, the Member for Blain may wish to consider a career in federal politics because this is obviously a federal policy question. It is something they are debating in the federal scene across Australia. The Member for Blain may have realised.

If we are talking about policy issues here, what we are wrestling with is access to market. If you look at a range of Territory government policies—and other governments, but we have probably the best in the country—you will see that a lot are designed to get people into a market they cannot otherwise get into. The government has to spend money, sacrifice stamp duty receipts and do other things to provide access to the market.

This is where the Member for Blain cannot see the whole picture; he only looks at pieces of it. You have to realise that as a government we are doing a lot to help people into the market. One of the reasons they are proposing the changes to negative gearing is to help get people into the market. There is a cost to government to assist people in. I would encourage the Member for Blain to recognise there is more to a policy debate than one simple sliver; you have to look at the bigger picture.

He did it yesterday on wages policy. He was unable to look at the bigger picture. I realise that conservatives often have a very narrow view of the world, but it is important that you open it up to consider as much of it as you can. It is a very particular approach that Tories take.

Obviously on the Labor side we are looking at how we can do things better and fairer for workers and for Territorians to make sure that more Territorians own more homes. The former Chief Minister, former Leader of the Opposition, is thinking purely about investment portfolios: 'How many houses can I own, make the most from and rent out?'

It is important to think about how many Territorians we can get to own homes. This is a very clear policy difference between Labor and the Tories. How big can my investment portfolio be versus how many Territorians can we get into the housing market to own their own little piece of the Northern Territory?

Just like yesterday, that was, 'How can we make sure that workers do not get fair pay?' There is a clear difference between Labor and Tory values. We want to support workers. We want to support Territorians into the housing market and make sure more Territorians own their own little piece of the Northern Territory. We want to be there for Territorians. We want to make sure they own their own little piece of the Territory. We want to have a good population here.

Unfortunately, again, I have to reject a Tory point of view. I am not pro-investment portfolios and massive investment portfolios. I am pro as many Territorians as possible owning their own little piece of the Territory.

Jobs for Territorians

Mrs WORDEN to MINISTER for INFRASTRUCTURE, PLANNING and LOGISTICS

This government recognises that times are tough and that creating local jobs continues to be our number one priority. Can you please outline how government is delivering on this priority?

ANSWER

Madam Speaker, like me, the Member for Sanderson knows that creating local jobs for Territorians is a number one priority for this government. Our $1.45bn budgeted infrastructure spend in 2018–19 is focused on supporting jobs for Territorians.

I will repeat that: $1.45bn budgeted infrastructure spend in 2018–19.

Infrastructure is a key enabler to economic development. It underpins our capacity to create jobs, increasing productivity and stimulating economic growth. In February 49 construction contracts valued at $34.1m were awarded to local Territory businesses—every single one of them. Of that there was $14.6m for projects in the Barkly; $10.8m to Exact Contracting for upgrading and sealing of the Barkly Stock Route—a great thing to see; and $2.2m to ITS Contracting for crossings and upgrades along the Wollogorang Road.

We are fixing up the beef roads so we can get cattle out during the Wet Season. Often those roads are closed for up to three months of the year. We are sealing the Barkly Stock Route.

Member for Katherine, you will be pleased to know there is $7.3m for projects in the Katherine region, including $4.8m for VRD Quarry Enterprises for upgrading and sealing of the Buntine Highway. There are about 15 Territory pastoral stations in that region that will benefit from the sealing of that road. It is also about mining and tourism in that area.

There is $8.5m worth of projects in the Darwin, Palmerston and rural area, including upgrades to Parap preschool, Driver Primary School—one of the best schools in the Territory, in my electorate of Drysdale—Berry Springs, Adelaide River and Wanguri schools.

There is $3.5m, Member for Braitling, for the north Stuart Highway upgrades …

Mrs FINOCCHIARO: A point of order, Madam Speaker! Standing Order 110: relevance. The government promised 14 000 jobs a year. Where are they, minister, and why not give us an update?

Madam SPEAKER: It is not a point of order. Sit down.

Ms LAWLER: There is $3.5m for the north Stuart Highway awarded to Black Cat Civil—it is about jobs in the Territory. There was $34.1m for 49 contracts in February—all to Territory businesses. That is what we will continue to focus on. There is $1.45bn budgeted on infrastructure this financial year. We will make sure that money supports Territory businesses.

Darwin Port Lease

Mr McCONNELL to CHIEF MINISTER

First, I thank the Chief Minister for updating the House regarding Cyclone Trevor. I am feeling for our fellow Territorians who are in the path of the cyclone.

Chief Minister, yesterday, in response to my question regarding the select committee on the lease of the Darwin Port, you said:

> *We never recommended the lease of the Darwin Port …*
>
> *…*
>
> *The select committee said, 'If you are ever to go down the path of leasing the port, here are things you need to consider …'*

However, the terms of reference clearly state that we were talking about the leasing of the port. Can you clear this up, please?

ANSWER

Madam Speaker, it is pretty straightforward. If you read the report and my remarks in the Chamber about my contribution to the report, you will see it does not recommend the lease of the port.

The chair at the time was the former Member for Blain—who is now not with us, for various reasons—and the members were the Member for Spillett and the Member for Nelson. I cannot remember the Member for Nelson's position now. At the time the Members for Spillett and Blain were supportive, but I was not. We negotiated it in committee, which is what you do in committees. I said I could not support the lease of the port, and the Chair said, 'Let's skip that and talk about if you were going to lease; how would you do that?'

We went through the process to make sure the committee did its work. We toured the ports. We looked at what would happen if it was leased. I was clear on the record at the time that I did not support the lease of the port. I thought it was important for it to remain strategically in our hands. That was my position, the Caucus position and the Labor Party's position.

It is now leased. I will work with the people who hold the port to make sure we deliver the best port we can for Darwin. That is important. It was our position not to lease the port. I articulated that in my contributions through the committee and in the Chamber, and that is why it was not in the recommendations of the committee. That is the approach we took.

The accusations that the Member for Stuart is talking about were tried and trotted out—like the classics with Adam Giles, 'I'll have a little bit of a play with this'. It is not true. We do not support it, and we did not support it at the time. It has served a few years so it is a 96-year lease now. We have a good working relationship with Landbridge. I have met with the Chair, worked with the company and made sure we are delivering the best we can for Darwin with the port. We saw it as a critical strategic asset for how we deliver on the Territory's future.

We are the part of Australia that is closest to the rest of the world. One of the touch points of making that work is the port, along with the airport and a few other things. It is critical we get the work in and out of the port right. We are the only capital city in the north. This is a very valuable, strategic asset. We are working with the people who are leasing that port to deliver on the abundant future of the NT in planning ahead.

If Australia wants to be globally competitive come 2050, it must be about the north. We cannot keep focusing the future of Australia on that pocket on the east coast that is as far away from the rest of the world as you can get. We are Australia's global competitive advantage, here in the north. That is why it is crucial we get it right with the port and maintain a very positive working relationship. That is what I do. This is where the future of Australia rests—here in the north.

Child and Family Centres in the NT

Ms NELSON to MINISTER for TERRITORY FAMILIES

In Katherine we are really excited that it will be the second location to receive a child and family centre. How is the establishment of child and family centres in the NT paving the way for generational change?

ANSWER

Madam Speaker, I thank the Member for Katherine for her question. There were some very exciting meetings in Katherine this week. The feedback I have received is very positive.

On this side of the Chamber we know that every child deserves the best start in life and all families deserve high-quality services, no matter where they live in the Northern Territory.

Child and family centres throughout the Northern Territory will help us ensure families have access to health services; support services; disability services if they require them; and, most importantly, early years education and therefore a pathway into education. We know that for every dollar we spend when a child is under five, we will get a return of about $6.64. That is an important investment.

That is why we do not underestimate the importance of these centres. They are not just about one-way delivery of services and us telling people what they need. This is about a new model with local decision-making, family decision-making and where communities will have a say about how they want to bring up healthy, resilient and strong children. We are investing heavily in the local decision-making process on a number of levels to ensure we get these centres right.

There are six existing centres. They are in Palmerston, Ngukurr, Gunbalanya, Maningrida, Yuendumu and Alice Springs. I have had the pleasure of visiting most of them—I have to get to Gunbalanya. They are very productive places throughout the Territory. We have promised and will be delivering 11 more child and family centres across the Northern Territory.

One will be opening soon in Tennant Creek. That is a very important step forward. That was set up following discussions with the local community. There is agreement amongst the NGO sector about who is best to run and lead that sector. That was done through a collaborative process. I am looking forward to that opening.

We started negotiations in Katherine on that process. In a meeting there was broad discussion about who was best placed to deliver services there and what they would look like. What we will deliver in Tennant Creek and are quite different because they are different communities. We are starting to work in Wadeye and what will happen there will be different again.

We will know these family centres are a success when every community has a child and family centre that reflects the needs in their community. What we deliver in Alice Springs has to be different to what is delivered in Darwin—as in Wadeye and a range of communities.

I am very proud to be part of this government that is listening and working together with communities. We look forward to the opening of further centres.

Beetaloo Basin – Liquid Production

Mr WOOD to MINISTER for PRIMARY INDUSTRY and RESOURCES

The federal Resources minister, Matt Canavan, said on a recent trip to Darwin that there were a lot of people excited about the potential for liquid production in the shale fields of the Beetaloo Basin. Could you give the parliament some information on the potential for liquid production in the Beetaloo Basin and how it will be regulated? In other words, will it be covered by the recommendations of the Pepper inquiry if the oil recovered is part of the fracking process?

ANSWER

Madam Speaker, this is a very important issue, as is the onshore gas industry across the Northern Territory. It is a marvellous opportunity to clarify a couple of the issues. It is a question that has come up before. We have different lobby groups speak to us about concerns. It is a good opportunity to clarify what we understand about liquids.

We promised that the independent inquiry would either ban fracking or allow it in highly regulated circumstances. We kept that promise. The final report of that inquiry was handed down on 27 March 2018. It had the 135 recommendations that we often speak about in this House and which this side strongly endorses.

Our government is in the process of implementing all 135 recommendations. From the discussions that we have had and the commitments that we have been given we know that when they are all implemented the risks from the industry will be mitigated or reduced to an acceptable level.

Industry invests millions of dollars when it goes into these things. It is not done by chance. Industry has cutting edge technologies to be used when it goes into these types of situations. They would have a fairly good understanding of what is beneath the surface before they go into those situations and before they start opening anything up and going into a mining scenario.

From our best information, there are not massive deposits of any liquids that are going to play a part in the onshore industry. The inquiry considered the risks from oil production and the findings are laid out in chapter six of the report. The inquiry found that the Beetaloo sub-basin has been insufficiently explored for oil and is unlikely to be economically feasible as an oil development.

The inquiry also found that if liquids are recovered when production occurs, it will not materially affect the risk assessments and recommendations made in the report. The recommendations already in place are sufficient to cover any findings that occur in the future.

Our government's message about this portion of the industry is clear. We will make sure that this industry progresses and that our unique natural environment is protected. The Chief Minister has been particularly strong on this when he says that all of our other industries, aquaculture, agriculture, fishing and tourism, have to be here for generations to come. We will do all that we can to make sure they are protected as we introduce other industries.

Ms FYLES (Leader of Government Business): Madam Speaker, I ask that further questions be placed on the Written Question Paper.

YOUTH JUSTICE AMENDMENT BILL
(Serial 84)

Continued from earlier this day.

Consideration in detail

Mr McCONNELL: Mr Deputy Speaker, I seek leave to make a statement. I would have liked to speak in general debate but I was meeting with people about this issue. I was not here before the minister commenced her closing statement. I seek leave to make a statement at the beginning of the third reading, or whenever is appropriate.

Leave not granted.

Mr McConnell: I cannot believe it. One day's notice! It is disgraceful!

Mr WOOD: Mr Deputy Speaker, I would like to discuss all the sections in the amended bill. Some may be …

Ms FYLES: A point of order, Mr Deputy Speaker! Perhaps the Member for Stuart could raise his thoughts during this committee stage. The minister has summarised and we have closed off on that debate. We would be willing to consider his thoughts in the committee stage.

Mr DEPUTY SPEAKER: Honourable members, the Member for Stuart has the opportunity to ask questions in the consideration in detail stage about the Schedule and the remainder of the bill. The member is free to do so as long as it is in relation to operations within the bill.

I will now go back to the Member for Nelson and ask him if he is able to identify particular clauses in relation to your questions.

Mr WOOD: Clauses 2, 4, 5, 6, 7 and 8—a clarification? Some answers that you give earlier may change whether I go down that path.

Clause 1, by leave, agreed to.

Clauses 2:

Mr WOOD: Mr Deputy Speaker, this clause states that this act is 'taken to have commenced on 24 May 2018'. In other words it is going back to when the original bill was passed in this House. Could the minister explain why there is a need to retrospectively approve the amendments to this bill?

Ms WAKEFIELD: Mr Deputy Speaker, last May, when we passed the legislation, that was when we set the intent. These amendments are clarifying questions, therefore they need to be retrospectively applied to when the intent was set.

There are legal precedents for that. The Member for Fong Lim spoke about that in his speech this morning. It is not unusual for that to happen and we believe that it adds clarification to the intent of the original act.

Mr WOOD: Are there any legal matters in play at the moment which require this to happen?

Mr DEPUTY SPEAKER: I remind honourable members that this is in relation to the operations of the bill.

Ms WAKEFIELD: Since this bill was enacted we have had a range of feedback through legal letters and legal processes seeking clarification around the act. That has informed the development of this bill. It is important that we not only clarify it for staff but also for legal practitioners and the judiciary.

Mr WOOD: I understand what you are saying but in this case this clause is fairly broad because there has to be a reason why we are retrospectively approving it. That is the reason I am checking. For instance—and this is not knocking any particular staff members—are there any legal actions against departmental people that would be rectified if this legislation was moved retrospectively?

Ms WAKEFIELD: It is not reasonable for me to talk about any specific legal matters, but as I have said very clearly, over the period of time since we introduced the act we have had a range of—particularly—legal opinions and legal questions regarding clarifying the act. This seeks to clarify the issues that have been raised by legal practitioners in the Northern Territory.

It is important to note that it would prevent any loopholes. To give an absurd example: one clause on separation is to clarify that children asleep in their cells overnight is not a period of separation. We would not want to—if we did not do this—face a group action about children sleeping overnight in their cells.

It is to ensure the intent of the separation clause which was set last May, to make sure that legal separation and isolation was prevented within the legislation. There have been questions on whether children who sleep overnight in their cells are under separation.

This is to clarify it and ensure we do not end up with absurd situations.

Mr WOOD: Minister, this law is being passed on urgency. Is the reason that there are some possible legal ramifications if this is not passed today?

Ms WAKEFIELD: We debated this at length in the urgency debate, earlier in the week. It is to give clarity to staff. While there is ambiguity, we do not want our staff in difficult situations where they do not have clarification. It is two months until our next sittings and we felt that was too long not to support and backup our frontline staff.

We know there have been some incorrect interpretations across the board and we want to ensure they are correct. One of the challenges of the reform of the detention centres is that we are reforming a system where there are children in custody. We want staff to be clear on what they can do, from today. Our expectation is that they can intervene to stop emergency circumstances, and they can transfer young people between Alice Springs and Darwin. We need that clarified.

Clauses 2 and 3, by leave, taken together and agreed to.

Clause 4:

Mr WOOD: Minister, section 5 inserts the definition of, 'emergency situation'. It is a phrase that is used in the existing legislation. Was there a definition of 'emergency situation' in the existing legislation?

Ms WAKEFIELD: Yes there was. One issue, particularly when training—scenario training was introduced by this government. Staff re-enact a circumstance and work out how they would react. After debates on that, it became clear that there was a separation between emergency situation and imminent risk. Through this process we have made it clear that an emergency situation can include an imminent risk.

The definition of 'emergency situation' is not an exhaustive definition. This amendment clarifies that the emergency situation can include three situations of 'imminent risks', to remove any doubt about the difference.

Mr WOOD: Minister, the words 'seriously damaging property'—will there be guidelines to explain this?

Ms WAKEFIELD: That was recognised by the royal commission. Recommendation 13.6 says:

> *… restraints only be used to protect a detainee from … serious damage to property and an emergency situation exists.*

That is about not adding to a serious situation. If a young person has destroyed some furniture to use as a weapon that is clearly something that requires staff to act. That is the point we are trying to clarify. It is not someone who has hit a wall and there is a dint, nor is it graffiti on the wall. It is about serious damage. It is within the lens of the legislation of safety and security of the facility.

Clause 4 agreed to.

Clause 5:

Mr WOOD: Minister, in this clause the word 'reasonably' is added into section 10(1)(a). This will mean it goes from 'all other practical measures to resolve the situation' to 'all other reasonably practical measures'. What does that mean?

Ms WAKEFIELD: This is a change in the legislation to clarify where we are up to. The royal commission recommended that force only be permitted in certain circumstances. A lot of what we did last year was to introduce clear guidelines about when someone could use force. It was also about making sure that there was increased transparency on that, so that there was a register and a threshold on who could use force within what circumstances.

The royal commission also gave practical information on how to do that. This was that the person using force would be required to give a clear warning and allow time for that warning to be followed and to use no more force than what is necessary and reasonable within the circumstances and having regard to the age, gender, physical and mental health and background of the youth in relation to whom the force is being used.

The person using the force is required to have a current qualification. We expanded this over the time since the legislation was put in place. It has gone from four to seven weeks. We have increased the training, recognising that it is about making sure we have skilled frontline people who have the ability to interpret the act.

We have said that in an emergency situation, a person would have to attempt other practical measures to resolve the situation or give a warning of the use of force. If there is an emergency situation there is unlikely to be the time to do that. We are inserting the word 'reasonably' to make it clear to staff that they would not have to do unreasonable things even if those things were practical. This is about giving staff clarity on what we do not expect them to do—we do not expect unreasonable things.

We have made it clear that if a person uses force, they are only to use no more force than what the person using the force considers to be necessary and reasonable according to the circumstances they perceive. This is the most important part of this—this is not just a subjective test. Because we require these people to be trained, it has to be based on their training and their beliefs brought through that training.

It is a test that requires the person to subjectively have that belief and requires that the belief must be based on reasonable grounds. They will have been trained in this during the initial training. It is about making sure they are able to apply their training. We are not asking them to do unreasonable things.

Mr WOOD: In reference to section 10(1)(b)(iii), which has been significantly changed—still clause 5—it changes it to 'uses no more force than the person considers to be necessary and reasonable in the circumstances as perceived by the person'.

There is a change in that section, and I will get onto that later. What do 'necessary' and 'reasonable' mean? I ask that because if we have similar situations where people are asked about why there was a certain action, they can refer to this bill. It would be good to know what those terms mean.

Ms WAKEFIELD: Whilst it looks like a significant change within the context of this legislation, it is actually clarifying the way this legislation interacts with the Criminal Code. It is about bringing consistency between the two pieces of legislation. That is why we are considering it as bringing further clarity to the legislation.

Mr WOOD: A more technical change—it appears you have moved subsection (1)(b)(iii), or the main bulk of it, and turned it into a new section 3, which says 'for subsection (1)(b)(iii) a person considering what force is necessary and reasonable in the circumstances may have regard to the age, gender, physical and mental health or background of the youth in relation to whom the force is to be used on'. Can you explain why it was shifted into a new section?

Ms WAKEFIELD: It is one of those mysteries of Parliamentary Counsel. We have not changed the circumstances in which someone would make that decision. That is where we have made sure those safeguards are still there. It is a drafting decision.

Clause 5 agreed to.

Clause 6:

Mr WOOD: This relates to section 153 which, as it presently stands, talks about each of the following actions being prohibited in relation to a detainee—subsection (2)(c) says:

> *… the use of force or a restraint for the purpose of:*
>
> *(i) maintaining the good order of a detention centre; or*
>
> *(ii) disciplining a detainee …*

My understanding is that maintaining the good order of a detention centre is no longer a prohibited action. Am I correct?

Ms WAKEFIELD: No. It is very clear that the superintendent of the detention centre is responsible for the physical, psychological and emotional welfare of detainees. It is also within the act that they must maintain order and ensure safe custody and protection of all persons within the precincts of the detention centre, detainees or otherwise. That is part of the *Youth Justice Act*. But in 2018 we introduced amendments to prohibit the use of force to maintain the good order or a detention centre or to discipline a detainee.

Part of this change has led to some uncertainty about the superintendent's existing powers and responsibilities to maintain order and ensure safe custody and protection of all people in the detention centre. There is an ambiguity that we are seeking to clarify about the powers. It has led to some misinterpretation of our original intent: that because of this prohibition on the use of force, staff can never appropriately follow the careful steps and requirements introduced to make clear when, how and by whom force and restraints can be used.

We are not going back on the change that prohibited the use of force to discipline a detainee. We want to be clear in complex and dynamic situations when other detainees are being threatened, or people who might be visiting—there are more visitors stemming from our reforms, making sure there is constant program delivery—are at risk of harm, or there is a serious breach of security, that we need our staff to be able to act decisively.

Mr WOOD: Basically, 'the power to maintain the good order of a detention centre' is now not prohibited. Is there a definition of what the 'good order of a detention centre' is? Once again, if anything goes to court and

somebody challenges this, it would be nice to know if there is an indication of what is regarded as the 'good order of a detention centre'.

Ms WAKEFIELD: I will be clear that we never removed that power. This is about clarification. There had been misinterpretation related to this clause. This is about making sure that we are clear that the superintendent has that power and it can be applied in different aspects.

Mr WOOD: For my clarification, at the moment it is:

(2) Each of the following actions is prohibited in relation to a detainee:

…

(c) The use of force or a restraint for the purpose of:

(i) maintaining the good order of a detention centre …

You said 'We have taken that section out'. Does that mean that force can be used to maintain the good order of a detention centre?

Ms WAKEFIELD: There is a big difference between prohibition generally and that which is used in certain, allowable situations. The use of force to discipline is still absolutely prohibited. But, we have said that we can use force in certain allowable situations. This is about making sure that those situations are clearly defined in the act.

Mr WOOD: Is there a distinction between maintaining discipline and maintaining the good order of a detention centre?

Ms WAKEFIELD: Member for Nelson, could you repeat the question?

Mr WOOD: You are talking about disciplining a detainee in this section of the bill. Is there a difference between maintaining good order—could someone say, 'I am maintaining good order by disciplining a detainee'?

Ms WAKEFIELD: No, that cannot happen. It is clear that it is prohibited for discipline. One of the things in the previous act was that in one section we said that force was prohibited, but later in the act it said that it was prohibited under certain circumstances. This is about clarifying those two parts of the act.

To be clear, the use of force for discipline is absolutely prohibited. But force can be used to maintain the good running of the centre.

Clause 6 agreed to.

Clause 7:

Mr WOOD: Mr Deputy Speaker, this section is on the use of force. My understanding is that it is a more specific clause on how force can be used by the superintendent. This has been changed from the 'superintendent of a detention centre' to:

… the superintendent or a person authorised by the superintendent may use force if the superintendent or authorised person believes on reasonable grounds that force is necessary to …

Is that just allowing others to come within this section of the act? Is there any danger that the definition of 'authorised person' could be anyone? When I say 'danger'—I should not use that word. Does that mean that anyone can be authorised within the youth facility?

Ms WAKEFIELD: No, this is about making sure that the test within the legislation is clear.

Mr WOOD: Thank you. This is another technical question. In section 154(1)(a)(iii), at the end of that clause the word 'and' has been scrapped. It has been changed to 'or'. And you are inserting a new clause—am I right or wrong there? I could ask why—I had better get this right—you are then inserting new section 154(1)(b). You are scrapping the existing subsection (b). I will say that again so it makes sense to me.

Section 154(1)(a)(iii) has the amendment of the word 'or' when it was 'and', and you have now a new section 154(1)(b), which is totally different to what was there previously. Could you explain why?

Ms WAKEFIELD: It is about consistency. The new circumstances where force may be used have been included to allow for the use of force to prevent a detainee from engaging in contact that would endanger the safety of any person who is within the precinct of the detention centre, including another detainee, or seriously threaten the security of the detention centre.

These situations may not necessarily fall within the new definition of 'emergency situation' and would be subject to strict controls on how force can be used under section 10 in the *Youth Justice Act*.

One of the circumstances, where we have been talking about another detainee, is if there are disagreements between detainees within the centre. It is very important that we are clear that it is about the safety and security of the facility.

Mr WOOD: Minister, what has been deleted here, of course, is the section that says:

> *… unless an emergency situation exists – all reasonable behavioural or therapeutic measures to resolve the situation have been attempted and those measures have failed to resolve the situation.*

Could you say why that subsection has now been deleted? I thought it was part of the royal commission's requirements?

Ms WAKEFIELD: It is because section 10 still applies.

Clause 7 agreed to.

Clause 8:

Mr WOOD: I am trying to get my head around it, sorry. Clause 8 is for section 155, 'Use of restraint devices'. This is a new section, basically. I put a note against section 155(2), so I will have to read it to remind me what it is. The amendment will be:

> *The superintendent of a detention centre or a person authorised by the superintendent may appropriately use an approved restraint on a detainee if:*
>
> *(a) the superintendent or authorised person believes on reasonable grounds that the detainee is likely to attempt to escape the detention centre …*

My understanding is that had to be put in because previously escaping only meant escaping either within the detention centre or from a vehicle where the person was being taken to court.

Ms WAKEFIELD: Your interpretation is correct, Member for Nelson.

Clause 8 agreed to.

Clause 9:

Mr WOOD: There is a change to 155A(3)(a). Is that the same answer you gave before—that it is included in clause 10, which talks about all reasonable behavioural or therapeutic measures et cetera?

Section 155A(3)(a) says 'unless an emergency situation exists'; I think you are getting rid of that section. Is that the same reason you gave before regarding clause 10?

Ms WAKEFIELD: Separation can only be authorised through very specific circumstances and this is about making sure that is clear within the act.

Clause 9 agreed to.

Clause 10:

Mr WOOD: This is the problem with trying to read a lot of stuff in a short time. Clause 10 regards searching. What has been added is the words 'or pat-down search'. Is that an additional type of search or does it replace an existing search?

Ms WAKEFIELD: Again, this is clarifying one of the recommendations of the royal commission that referred to strict limits against strip searches. This is upheld. We will not be making any changes that allow for strip searches. However, we also want to clarify the power of the superintendent to conduct searches when necessary to ensure safety. We want to make it clear to staff that they can use a pat-down search if necessary to keep themselves and other detainees safe.

There is also some clarification around the protections of that, making sure we have staff of the same gender et cetera and some of that will be put out in policy. We wanted to make it clear that pat down searches were not part of the royal commission recommendation. It was very clear about strip searches, which are still prohibited.

Mr WOOD: I thought that strip searches were still permitted when there is reasonable belief that a search is necessary to prevent risk of harm to detainees.

Ms WAKEFIELD: It is 'personal searches', and they are done in a certain way. There are very clear guidelines about how and when they can happen. The issue with the pat-down search is that it may be necessary—while we have screening facilities in place, they do not pick up plastic. This is about making sure that if there is a belief that someone has something, a toothbrush or something like that, that they can pat down to check.

Mr WOOD: Just a simple question then: how do they find out whether they had a pencil down their socks before? Were they not allowed to do a pat-down search before to see if something had been in the clothing?

Ms WAKEFIELD: That is really a matter for the previous Corrections department. One of the issues that we had right throughout this is that many parts of the act were ambiguous. The whole point of many of these changes are about being really clear. It is the same in the next clause on transfers.

The power is implied but it is inexplicit. That is one of the things we are doing with this area, making sure there is explicit clarity about what type of searches are available.

Clause 10 agreed to.

Clause 11:

Mr WOOD: I will be a bit ambiguous on this one. Having been to Don Dale I actually understand why we sometimes need to transfer detainees. I am not saying they should be. My understanding of recommendation 11.2 of the royal commission is that Territory Families ensures that a child or young person is placed in the detention facility nearest to the place of residence of his or her family care.

Obviously that would include consultation, but that is not included in the requirements here. Could a person who knows what the recommendations of the royal commission were—and knowing that the government has said it supports the royal commission's recommendations—say that this piece of legislation does not cover what the royal commission said? It leaves that section out.

Ms WAKEFIELD: The royal commission spoke extensively about young Aboriginal people being off country and some of the challenges in that. We acknowledge that. Much of the discussion on the recommendation of the royal commission was about process and decision-making regarding movement of detainees over long distances. We acknowledge that and have changed our procedures for when a young person has to be moved. We have been facilitating contact with family using video conferences, and making sure that we acknowledge the difficulties.

However, there are times when we need to transfer young people. The previous act was ambiguous. It was implied in the CEO and superintendent powers, but very different to the adult Corrections act, which has a very implicit power, as with the *Mental Health Act*. This is about bringing the *Youth Justice Act* in line with those other two acts.

Clause 11 agreed to.

Remainder of the bill, by leave, taken together and agreed to.

Ms WAKEFIELD (Territory Families): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

Mr McCONNELL (Stuart): Mr Deputy Speaker, I seek leave to make a statement.

Leave not granted.

PUBLIC INFORMATION LEGISLATION AMENDMENT BILL
(Serial 77)

Continued from 29 November 2018.

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

Mrs FINOCCHIARO (Spillett): Madam Speaker, the Public Information Legislation Amendment Bill 2018 represents an erosion of the intent of the legislation to ensure that public monies are not used to advance party and political interests.

The weakening of the *Public Information Act 2010* through this bill may serve the interests of the Labor government today, but will only serve to further lower public confidence in parliament as a whole. The content, timing and lack of consultation concerning the bill lead to the conclusion that it is nothing more than an attempt by the government of the day to further utilise Territorians' taxpayer dollars for their own ends. As such, this legislation should not be passed.

When it was originally passed in 2010 the act was intended to ensure that public monies would not be used to advance partisan goals. As the then Chief Minister, Hon Paul Henderson stated in his second reading speech on 16 February 2010:

> *The primary purpose of the Public Information Bill is to establish a transparent and accountable mechanism for the review of public information …*
> *…*
>
> *… ensure public funds are used appropriately to provide the public with information which does not promote party political interests, and clearly differentiates between facts and opinion.*

It should be noted that the requirement that a statement of fact and an opinion be clearly differentiated has been completely removed from this bill. Government funds can be used for political spin in direct contravention of the intent underpinning the act.

The then Leader of the Opposition, Terry Mills, supported the legislation brought in this House by Labor Chief Minister Henderson, and added this explanation to his comments:

> *I applaud the government's introduction of this bill. I will explain why it is supported: because we need these much-needed controls over the indiscriminate promotion of Labor Party politics using public funds.*

These comments reflect a sentiment that is now near-universally held by all Territorians: that public funds should not pay for information that promotes party interest in any way, shape or form. Said differently, information that is paid out of the public purse should be objectively and factually accurate, free of bias and apolitical.

The bill alters the act in three primary ways. First, the bill provides that the dissemination of factually inaccurate and opinion-based public information will not violate the act so long as that information is accompanied by a:

> *… source, or a means for identifying a source, of any facts (including comparisons), statistics or data.*

Second, the bill reverses changes made by the Labor government in October 2016 which disallowed the use of images of ministers on information disseminated to the public.

Third, the bill alters the Public Interest Exemption Regulations so as to allow unfunded, partisan election commitments to be communicated using public funds. In particular, subsections 6(2)(b) and (c) of the act currently prohibit public information that contains statements that are misleading or factually inaccurate, or that fail to clearly distinguish a statement of fact from a statement of comment.

The amendments proposed by the bill remove this prohibition against presenting factually inaccurate or opinion-based government information to the public. First, current subsection 6(2)(c) is removed entirely. Second, the term 'factually inaccurate' is specifically omitted from subsection 6(2)(b) of the bill. Third, the bill adds a new subsection, 6(2)(f), which provides that a contravention of the act will only lie where:

> *… the information fails to specify the source, or a means for identifying a source, of any facts (including comparisons), statistics or data.*

The bill provides in a note to new subsection 6(2)(f) that a:

> *… source may include providing a contact person or a website that can provide references for the source of any fact, statistic or data included in the public information.*

The logical implication of the changes proposed in the bill is that information, no matter how factually inaccurate or opinion-based, will never be found to be in contravention of the act so long as a source, no matter how unreliable, is provided for the information.

This much was confirmed during the committee hearing which took place on 20 February 2019, where a representative of the Department of the Chief Minister confirmed that a media release, for example, would suffice as a source under new section 6(2)(f).

The DCM representative stated that it would not be a strong source …

Mr Gunner: It is literally in the legislation. Do some work!

Mrs FINOCCHIARO: I am sorry, our incompetent Chief Minister does not want to hear what I have to say.

You are out of touch, arrogant and incompetent, Chief Minister! You are the most incompetent Chief Minister the Northern Territory has ever had!

Madam SPEAKER: Member for Spillett, through the Chair!

Mrs FINOCCHIARO: It would pay for you to listen, Chief Minister. Perhaps I will just start again, as I have lost my place.

Mr Gunner: I am listening, but you have literally not read the legislation in front of us.

Mrs FINOCCHIARO: The logical implications of the changes …

Mr Gunner: You are providing comment that is wrong, against the actual legislation.

Madam SPEAKER: Chief Minister!

Mrs Lambley: You are having a bad day.

Mrs FINOCCHIARO: He would be having a bad day, Member for Araluen. You are right.

This much was confirmed during the committee hearing which took place on 20 February 2019, where a representative of the Department of the Chief Minister confirmed that a media release, for example, would suffice as a source under new section 6(2)(f).

The DCM representative stated that it would not be a strong piece of sourced information, implicitly conceding that it would qualify as a source under the amendment contemplated by the bill.

The fact a government media release penned by a government minister could serve as a source for a subsequent advertisement or government communication, completely undermines the intention of this act.

If, for example, a government minister prepared a media statement saying the Labor government had accomplished its election promise of adding 14 000 jobs per year, or that it had a balanced budget—statements that are completely false—a full media campaign and government communications could nonetheless be pushed out through the machinery of government simply because of a referral to the source document stating this was the case.

Contact persons and websites which are specifically referenced as acceptable sources in the notes for the new section 6(2)(f) in the bill are just as problematic. We all know there is a person or a website out there to back up almost any idea no matter how far-fetched. What is more, fake news gets far more attention on the Internet than factually accurate news.

A 2018 MIT study published in *Science* concluded that fake news, falsehoods, hoaxes and rumours—in other words, factually inaccurate information—are much more likely to reach people, penetrate deeper into public consciousness and spread more quickly than accurate stories on the Internet.

Simply because a website, media release, contact person or other inherently unreliable source parrots some information, that does not make it factually accurate. As the MIT study findings suggest, factually inaccurate political news proliferates further and faster than any other category.

The motivation for the change contained in the bill is apparent. In 2018 the Auditor-General found seven separate contraventions of the *Public Information Act*. None of these would be contraventions after the passage of this bill, so it is little wonder you have brought these exact amendments to the House, Chief Minister. The only logical conclusion is you read the Auditor-General's August 2018 report and did not like what it had to say. Now you bring amendments to the House to change the rules of the game.

It is a very dangerous precedent and will allow politically motivated spin to substitute for objectively verifiable factual information. The Chief Minister has failed to say why he has made this change so as not to ensure there is a difference between a statement of opinion and a statement of fact.

The backflip on using images is stunning. One of the first pieces of legislation introduced by the Labor government in October 2016, just a couple of months after coming to power, was the Public Information Amendment Bill (No 2) 2016. That bill included a provision which became law at the end of that year, adding 6(2)(d), prohibiting an advertisement that includes an image of the holder or occupier of the office of a minister.

The term 'advertisement' in that section was appropriately interpreted broadly by the Auditor-General. Read in conjunction with section 6(4)(i) of the act, the conclusion was reached that public information advertisements included non-paid emails to public servants, media releases, social media posts and other information given by a public authority to the public using money or other property of the Territory.

In the past year, this provision was contravened by the Labor government on a number of occasions. In the August 2018 Auditor-General's report to the Assembly, the Auditor-General found that three separate violations of section 6(2)(d) where blast emails from the Labor government to public servants and others included the images of ministers in self-promotional advertising materials.

The recommendation of the Auditor-General in all three instances was that the offending advertisements should be withdrawn or changed to comply with the act. Understandably, these instances were concerning to the government. But instead of complying with their own legislation, which they brought here when they first came to government, their reaction was to change the rules of the game.

Under the changes put forth in the bill, the image of a minister is only prohibited in an advertisement however the term advertisement is narrowly defined meaning only an advertisement published by the purchase of a media placement under a commercial arrangement.

This would not include media releases, blast emails to public servants and others, social media posts and other communications that are not subject to as strict commercial arrangement. This about-face by the Labor government is very interesting given that, when the changes were brought in October 2016, the Chief Minister, at that time, stated that prohibition on using the images of ministers on public information would strengthen the act. It would ensure government money spent on advertisements was done in the public interest.

They are the Chief Minister's own words. He said that in October 2016. Now, we get to enjoy listening to him say exactly the same words in relation to the amendments to this bill, which reverse what he did in October 2016. Unbelievable. He is a hypocrite in the truest form of the word.

In a media release dated 28 November 2018, the Chief Minister stated that the new changes would improve and strengthen the act and ensure money spent on advertising was done in the public interest. Well, Chief Minister, have we not heard that come out of your mouth before? One statement made two years apart cannot possibly be true.

The reality is that we are just 18 months out from an election and Territorians deserve to be told the truth. The reason for these changes is not to provide clarity or strengthen the act as you say—even though you said it was strengthening it doing one thing and now you are strengthening it by reversing what you did to strengthen it in the first place. Absolutely ludicrous. This is the second time in one day we had legislation brought in by this government and now have to reverse it because it did not live up to what their expectation was. Incompetent.

Importantly, the bill also adds a new public interest exemption that is not in the public interest and will allow unfunded Labor election promises to be promoted using Territorians' tax dollars. Section 6(2)(a) of the act currently includes a provision which allows the Auditor-General to find contravention of the act where the content generally does not meet a public interest test.

In turn, the act's regulations provide quite an exhaustive list of criteria for determining the public interest including information that maximises compliance with the laws of the Territory and so on. The bill adds a new clause to the regulations which provides that public information will be in the public interest so long as it is intended to inform the public of new, existing or proposed government programs, policies or projects.

In her submission to the Social Policy Scrutiny Committee, of which I am a member along with three of the Chief Minister's backbenchers, the Auditor-General told us that the new provision introduces a new level of complexity and that the clause is circular and confusing. The Auditor-General went on to state that the clause would cause ambiguity in relation to interpretation and introduce a risk of politicising the role of the Auditor-General.

The addition, which broadens the public interest exemption to the point of absurdity as pointed out by the Auditor-General, is probably premised on a change which Victoria made to its equivalent act in 2018. However, the Victorian regulations include further protections that are not included in this bill before the Assembly. For example, regulation 7 states:

> *For the purpose of section 97(e) of the act, it is a prescribed advertising standard that a public sector communication does not directly promote services, activities or infrastructure projects for which funding for development, commencement or delivery of those services, activities or infrastructure projects has not been provided.*

Therefore, the Victorian regulations clearly prohibit the use of government money to promote election commitments or other projects that are unfunded—something which this bill does not provide for. By choosing one provision of the Victorian regulations, without adopting the other protections included in that subordinate legislation, is greatly weakening the act.

Essentially, the Labor government is giving itself permission to promote unfunded election promises through the machinery of government, something the act was specifically intended to prohibit …

Mr Gunner: And amazingly still does.

Mrs FINOCCHIARO: You are the most delusional Chief Minister. You are not across your brief. You are incompetent, arrogant and out of touch, Chief Minister. It will pay you to listen. Do you think this is what Territorians want us debating in the Chamber—how you can spend their money promoting your incompetent, arrogant and out-of-touch government? I do not think so. They want us talking about what you are doing to fix our fiscal and economic crisis. They want us talking about what you are doing to combat crime. But you are devoid of answers to those questions as well.

I continue with the bill before us. The Chief Minister has stated that these changes will strengthen the act, but the addition of regulation 3 in the bill does just the opposite. Territorians deserve to understand that this is a weakening of the act, basically to the point of uselessness.

Finally, the lack of consultation with the Auditor-General on this bill is shameful and underscores the purely political motivation behind this legislation. It is suspicious and incomprehensible why the Auditor-General was not consulted. I am not buying any of the excuses that have been provided to me so far.

It was really interesting. The committee held a public briefing. We had before us the *Electoral Act*. The Electoral Commissioner—a statutory authority—had been consulted on the amendments to the *Electoral Act*. Everyone got to speak to one another, and had the wisdom and ability to have consulted on the plan—all of these things. Two minutes later, after ones that had been dealt with by the Electoral Commission, we moved on to this and we have a situation of, 'Oops, sorry, I do not know how we forgot that. Anyway, we forgot about it and we will still not go away and do it.'

It was unbelievable that in one breath the government had gone out of its way to ensure that it consulted and, in the other, had completely deviated from the proper process it is supposed to undertake—it says so in its Cabinet Handbook and its legislative handbook. It completely walked away from all of that.

There was an apology by the department. Even when the government realised that had happened, surely if it was an oversight, at some point someone said, 'Oh, my goodness. How on earth did we possibly forget to consult the Auditor-General? That is terrible. We will have to tighten up our processes for next time. Let us press the pause button and go away and speak with her about it.'

No, you did not. It was, 'too bad, so sad', and you pushed on with your blind and arrogant agenda once again. It was astonishing.

I believe it was a conscious decision not to consult with the Auditor-General and the government should have stopped this, gone back and started all over again. What do they have to hide? What harm could possibly come from speaking to the Auditor-General about it? If anything, it would be hugely beneficial. It would truly strengthen the act, as you so proudly profess it does. I cannot understand, for the life of me, why you did not do that. It just causes suspicion. It does not pass the pub test. It is not right, Chief Minister. There is something deeply not right about it.

You are not following best practice. I asked your department why you did not consult with relevant independent statutory officer, who in this situation is the Auditor-General. I was told that it was not a requirement. It is part of the legislation handbook and it is considered good practice, but it is not always undertaken.

Why would you not always undertake good practice? It defies logic. If you undertook good practice you would have better outcomes for Territorians, better governance and support in the community for what you are doing. You have failed to follow good practice. As a result, nobody is with you on this one except for yourself, Chief Minister. It is an absolute failure to follow procedure, to exercise best practice and to remedy that mistake, if you say it was one, and do it all over again.

What is the urgency? Could the bill be delayed until May or even the end of the year? What on earth is the urgency? It is because you do not want to be in breach of the act any more times, because seven times last year was a few too many, Chief Minister. Especially because two or three of them were because of your own legislation that you introduced in October 2016.

It is all getting very embarrassing and you needed to shut down one element of embarrassment for your government. Everyone knows there are that many other embarrassment elements lingering out there in the community and that you will do whatever it takes to shut down one of them. That is exactly what you have done with this bill, Chief Minister.

You could have pressed pause, gone back to the drawing board and consulted, but you did not. That is an active decision you, as the minister with carriage, and your Cabinet made to fail to follow procedure. In learning that you failed to follow procedure you then failed to rectify it, despite it being best practice.

This Gunner Labor government should hang their heads in shame. They stand in this Chamber and profess to be the open and transparent Labor government. They love to go back, listing all the things the CLP never did and those things other Labor governments did. In the same breath they try to dress up their demolishing of this legislation as some kind of Labor victory, as with all the other achievements they like to list.

Chief Minister, you cannot put yourself in the same category as the Paul Henderson government. I am sorry to be the breaker of bad news to you. You cannot lump all those things together and somehow hope that no

one cares or no one is listening and that you will get away with it anyway. We are here to tell you that you will not get away with it.

Territorians deserve to know and understand the process and the ramifications. You can snipe from the sidelines and call out things, and in your reply I am sure you will say things like, 'Oh, well you are not across your brief,' or, 'You are not reading the legislation properly' and other derogatory comments. You are trying to sling a bit of mud my way as if I have not put in the time and effort to understand it and like I am not a member of your government's Social Policy Scrutiny Committee.

Honestly, your credibility is woeful. It is completely lacking because you have no basis to make these claims. The only person who is incompetent is you, Chief Minister, which you continue to show time and time again. It might pay for you to sit there more quietly so that it is not revealed as often as you like to reveal it.

The spin and propaganda machine will be ramped up once the government uses its numbers to push this through the House. They are essentially legislating to propagate spin throughout the machinery of government. That is shameful. You are no Henderson government, Michael Gunner. We do not support this legislation for all the reasons I have outlined. We will never support it.

We will do our best to never support the amendments. We have a tricky, slimy Chief Minister who is willing to divert attention away from this …

Madam SPEAKER: Member for Spillett, I heard that. Please withdraw those comments, your description.

Mrs FINOCCHIARO: Madam Speaker, all right, I will withdraw that. I will say something else. We have an incompetent Chief Minister who wants to turn people's attention away from this in any which way he can, but he cannot escape what it is. The fundamental factor, that the Auditor-General was not consulted, speaks volumes about the quality and content of this legislation. We will do everything in our power to ensure that Territorians know exactly what you have done. It is shameful and you should be completely embarrassed.

Mrs LAMBLEY (Araluen): Madam Speaker, I will speak on the Public Information Amendment Bill. Things have really deteriorated in this government over the last two weeks. The wheels have fallen off. We are seeing a fractured, dysfunctional government. It has already pushed two bills through parliament on urgency today. We are finishing two weeks of parliament debating this piece of legislation, which is completely unnecessary. Nothing about this bill needs changing.

The Social Policy Scrutiny Committee, which I have benefited from enormously regarding the ability to debate and analyse pieces of legislation in a structured and informed process, was able to see very clearly that this bill does not improve or strengthen the intent of the act whatsoever.

The *Public Information Act 2010* was first enacted to ensure appropriate use of public funds when providing information to the public. This includes ensuring that the public information is factual and free from political bias. The act establishes a transparent and accountable mechanism for the review of public information produced by public authorities.

The existing bill does that. Ironically, in October 2016 this government strengthened it. Now we see another backflip. Another day, another backflip by the Gunner government. This time it was perpetrated by the Chief Minister himself in parliament tonight. It was a backflip to what they legislated just 18 months ago. This bill does not serve any real purpose. In fact, it serves to weaken the original 2010 bill.

I put in a dissenting report to the Social Policy Scrutiny Committee report tabled on 12 March. I did not agree with the recommendations of the committee. I had major concerns about this bill. I am very pleased to talk about those concerns on behalf of my constituents.

The first point of dissention I have with the recommendations of the Social Policy Scrutiny Committee, but generally with this bill, is the inadequate consultation. The Member for Spillett talked about the fact that the Auditor-General was not consulted, which beggars belief how the person with the responsibility for making determinations under the *Public Information Act* could not be part of any consultation process in the writing and formation of this bill. How could that be?

I could only interpret that as a slight against the Auditor-General herself. If I was the Auditor-General I imagine I would feel quite offended by not being included in this process whatsoever. It is almost a personal affront. I cannot quite understand why this government that maintains a platform of honesty, integrity and respect would treat someone as esteemed and highly-accomplished as the Northern Territory Auditor-General in this

way. Our Auditor-General is an outstanding public servant and bureaucrat. She has contributed so much to the transparency of government since her time in that position. Obviously previous Auditors-General have done the same. She really is an outstanding public servant.

The fact that she was not included in any consultation for this bill is an omission and a breach of the procedures outlined in the Northern Territory Chief Minister's legislation handbook, relating to best-practice consultation. Why would you do that, Chief Minister? Why would you not follow the procedures and best practice outlined in this legislation handbook? I find it very suspicious and very odd. It beggars belief.

In the public hearing held on 20 February by the Social Policy Scrutiny Committee on this piece of legislation, when asked about consultation we were told by one official who attended the hearing that:

> *We spoke broadly with communication officers from across agencies about the difficulties they were experiencing in applying the intent, purpose and principles and lining that up with the act and their interpretation.*

We were not given any detail on the number of communications officers that were consulted or the process of consultation that was used. It was very vague and obtuse—I will not say deliberately but when things are omitted, once again, it creates suspicion.

Given that there are a relatively small number of communications officers employed by the Northern Territory Government, I think you can safely assume that this consultation process was very limited. In other words, what the Social Policy Scrutiny Committee was told was that the Auditor-General, the person with the carriage of this bill in terms of determining breaches, was not consulted. The people who were consulted were communications officers and I can only imagine that equates to no more than 20 or 30 people. The process was not defined.

I had a major issue with that and I still do. This bill should have been sent back for proper consultation and I recommended that in my dissenting report. The other interesting aspect was that at the public hearing we were told that the bureaucrats, the communications officers who ensure that all government communication adheres to the *Public Information Act*, had difficulty interpreting the act.

I found that curious. This is an act that has been used since 2010, quite effectively. It is a great piece of legislation. It was brought into parliament by a former Labor government and it really does protect Territorians from unscrupulous politicians who might be inclined to use public money to promote themselves. We have seen that time and time again over the years of different governments.

The Chief Minister, or whoever it was, in Question Time referred to examples of the Giles government breaching the *Public Information Act*, using a lot of public money to try to discredit members of this parliament. It was shameful and disgusting. I was an Independent at the time and I felt quite affronted and outraged at that particular breach of the *Public Information Act.*

There are several other examples of the Giles government breaching the *Public Information Act.* Since we have seen this government in power, they too have breached the *Public Information Act* many times. We heard the Member for Spillett allude to seven breaches in 2018. There are other breaches too, and I will go on to refer to a specific example later in my speech.

I just could not fathom why this has come up as an issue now. We are in 2019; the original act was put in place in 2010, and it was effectively strengthened by this very government, which is reversing the legislation it put in place in October 2016.

Over that period of time it has worked well for Territorians. We have been protected in terms of breaches of the *Public Information Act*—misuse of public resources in advertising, for example.

Why is it in 2019 we have bureaucrats, public servants and communications officers that are unable to interpret or have enormous difficulty interpreting what is a well-respected and presumably well-understood piece of legislation. I do not buy it for a minute. I do not think that that was the reason this legislation was changed. Suddenly we have a group of communications officers that do not understand the legislation and cannot use it. I am sorry, but that did not make sense to me and I do not think it made sense to other people in the Social Policy Scrutiny Committee.

The reason why this has been changed is purely political, and that was made very clear by the Member for Spillett in her speech. This is about a government that has been caught out. They criticised the former Giles

government over and over again, and still did it today in parliament. Here we are, March 2019, and we are still hearing about the terrible Giles government, how they breached the *Public Information Act*—well, hello, you guys have done exactly the same thing.

You are no better and that must be a bitter pill to swallow. You have taken the moral high ground for years now. For years we have heard how terrible the CLP were and how great you are. You are not! You have not even lived up to your own expectations. You have bitterly disappointed yourselves. In relation to this bill you have probably breached this act just as often, if not more, than the former Giles CLP government.

Your breaches commenced quite early and I refer to one that was made by the Gunner government within months of coming to power. I remember it well, as will the Chief Minister because he perpetrated this particular breach of the *Public Information Act*.

I sent a letter to the Auditor-General in May about this particular breach and I will read some of the script from a media release that I put out at the time. I was stunned, disappointed and surprised that this government had so quickly lost their way in terms of adhering to the *Public Information Act*, falling off their ivory tower of great moral virtue and succumbing to the trap of being an arrogant government.

I quote:

> *The Auditor-General has confirmed today …*

Which is 29 June 2017:

> *… that the Gunner government's cheap political stunt sending out defamatory and misleading electronic flyers from Parliament House on 10 May 2017 was in complete contravention of the* Public Information Act*. The government sent out a range of tacky political flyers on 10 May 2017, including a nasty portrayal of some politicians including myself. These electronic flyers were posted on the Chief Minister's and the Member for Braitling Facebook pages.*
>
> *I immediately called out the Member for Braitling, Dale Wakefield, in Parliament and undertook to refer this matter to the Auditor-General for investigation, which I did on 12 May 2017. Today …*

On 29 June 2017:

> *… it has been confirmed that these electronic flyers produced by the government were not lawful. The Auditor-General has dissected the three electronic flyers produced and distributed by the Gunner government on 10 May 2017 and found that these fliers contravened the Northern Territory* Public Information Act *on seven counts pertaining to section 6(2)(c) and regulation part 2 section 4(c).*

I go on to say in my media release dated 29 June 2017:

> *The Chief Minister should make a full apology to the people of the Northern Territory for producing and distributing this derogatory and offensive political propaganda at the taxpayer's expense. He should also immediately reimburse taxpayers for all costs involved in his political stunt that has seriously backfired.*

Less than 12 months after he was elected, the Chief Minister and his gang of political advisers and boffins on level five produced nasty little electronic flyers about me and other politicians. He was caught in breach of the *Public Information Act 2010*. Obviously that practice has gone on.

There were seven breaches in 2018. There are probably others that we will not mention tonight. The issue is not that the bill needs to be changed. It is about compliance and governments respecting the fact that you cannot use taxpayers' money to produce, for example, nasty little flyers about Robyn Lambley, the Member for Araluen. It is ethically and morally wrong.

The fact that the Auditor-General does such a fabulous job is obviously not in the best interest of the Gunner Labor government. They have gone about reversing the changes they made to the legislation in October 2016 to allow them more scope and latitude to promote themselves and not get caught out by the Auditor-General. It is wrong to change legislation to suit yourself so that you do not get into trouble.

Why do you not change your behaviour and not do it? You are not meant to do it. You are not meant to use the hard-earned money of the Northern Territory's taxpayer to do stupid things like sending out electronic flyers saying nasty things about people. It is gutter politics and it is awful.

As a new Chief Minister the last thing that you want to experience is having someone like the Auditor-General slap you over the wrist and tell you that you have done something wrong. That is exactly what happened. She has done it many times. She is very thorough, objective, clever and good at her job.

This is not about the Auditor-General. This is about a government that is telling us today, in the Northern Territory parliament, that it does not want to do that anymore. It does not want to adhere legislation. It wants to be able to paint its face over as much government material as possible.

I refer to the explanatory speech given to parliament by the Chief Minister when he introduced the legislation. One of the first examples he gives on page two is on how the legislation will be a great thing and:

> *… will not change the intent or weaken the act …*

Which I contradict and do not agree with. He gives an example:

> *… an agency may not publish an achievement photo of an employee receiving an award from a minister on its Intranet out of concerns this could breach the act. This is clearly an unintended outcome of the legislation as it stands.*

That is not an unintended outcome at all. There are good reasons why you do not want the faces of politicians, ministers, the Chief Minister, or whoever it is splashed all over the government Intranet. The amendments will open the door. All Intranet posts will contain endless photos of the various Labor ministers.

I said to one of my colleagues on the Social Policy Scrutiny Committee, 'You have to think very seriously about this. You might be in favour of this legislation as it stands, with your government in power, but in 18 months' time chances are this government will not be in power. It could be the faces of the Member for Blain or the Member for Fong Lim that are spread all over the Intranet site. You have to look at this objectively. It might meet your ends at the moment and serve your purposes to be able to more broadly politicise the public service and have your face splashed all over the Intranet and other mediums, but there will be a change of government, whether it is in 18 months' time or at some point in the future, and you will regret that you allowed these changes to occur.'

These amendments and this bill are not in the best interests of the Northern Territory. It is sneaky. The Chief Minister is being disingenuous. This is a backflip. It is about someone who has taken the moral high ground. I always feel very sceptical and concerned when I hear people take the moral high ground. Once you take that high ground there is only one place to go and that is down.

We can see that this government is spiralling out of control. It has lost the confidence of Territorians. If you look at today in the history of the Northern Territory Gunner Labor government, you have lost more confidence of Territorians today than any other day. We had the debacle of two more members of the Labor Caucus making derogatory and destructive comments about the Chief Minister and the management of the finances. You have pushed two pieces of legislation through today which have deeply offended stakeholders. We have been flooded with emails from stakeholders in the youth justice sector, outraged by the fact that you pushed through these significant legislative changes on youth justice within a matter of hours—giving notice of it on Tuesday and smashing it through today without any consultation.

Here we have the final piece of legislation to be debated today—unnecessary changes to the *Public Information Act* which will allow you to promote yourselves more widely and politically using taxpayers' funds. It is unethical, not in the spirit of good governance, not honest, does not display integrity and is disrespectful. I believe you have lost your moral compass and credibility. If today has not been the worst day you have had since coming to government, then I am very concerned for your future.

Ms AH KIT (Karama): Madam Speaker, I also take the opportunity to contribute to the debate on the Public Information Legislation Amendment Bill 2018 and thank the Chief Minister for introducing this important piece of legislation.

As the Chief Minister stated in his explanatory statement, this bill was introduced to help clarify and strengthen the approach to sharing public information and to ensure that public funds are used appropriately when providing information to the public.

The bill comprises seven objectives. The first objective aims to consolidate obligations of both the act and regulations and place them together in a single section of the act.

The second objective aims to remove inconsistencies and terminology used across the act and regulations to help strengthen requirements when referring to information containing facts, statistics and data.

The third objective aims to clarify obligations that are often misinterpreted, in the hope that the redrafting of obligations such as distinguishing statement of facts from a statement of comments should result in consistent application.

The fourth objective aims to clarify when an image of a minister can be used in an advertisement by amending the definition of the word 'advertisement' to one that is both contemporary and appropriate.

The fifth objective restricts the use of images of a minister to ensure they are only used for content that is related to the portfolios they are responsible for, with the Chief Minister being provided an exemption as his responsibility extends across all portfolios.

The sixth objective ensures that the circumstances where the use of an image of a minister is prohibited will also apply to the use of a minister's message.

The final objective strengthens the intent of the act by introducing a public-purpose test of the content of public information.

In his second reading speech, the Chief Minister advised that this bill was created to provide greater clarity around promoting public information, following recent rulings from the Auditor-General and feedback from government agencies.

I understand, and we heard in this debate, that both the Labor and CLP governments have been found by the Auditor-General to have breached the act. I believe that this bill will help to make it clearer about how public information can be shared with Territorians for their benefit which in turn should reduce the number of inappropriate uses of the act.

As a member of the Social Policy Scrutiny Committee who inquired into this bill, I want to acknowledge and thank the Auditor-General, who provided the lone submission. The Auditor-General quite clearly expressed her frustration at not being consulted on the development of the bill and provided a number of suggestions on how it can be clarified to allow her to do her job—to review allegations of improper use of public funds under the *Public Information Act 2010.*

I thank the staff from the Department of the Chief Minister for acknowledging the oversight of not consulting the Auditor-General and note Deputy Chief Executive Officer Maria Mohr's response to the committee at the public hearing that:

> *The department acknowledges the concerns raised by the Auditor-General about the lack of consultation and we apologise for this oversight. However, we were under the genuine belief that we did not wish to compromise the independence of the Auditor-General.*

The committee felt that if the department had consulted with the Auditor-General during the development of this bill, many of the concerns raised by the Auditor-General in her submission would have been resolved.

I thank the Chief Minister and his department for considering the Auditor-General's concerns on this bill and look forward to having a strengthened bill that helps to reduce the inappropriate use of public funds to share information with Territorians.

The current bill is not suitable for operation in the current environment as there is no flexibility to encompass technological advances in advertising that has resulted in silly restrictions that are not in the spirit of the act. In regards to advertising, some NT Government agencies have Facebook pages where they share information with the public. I think this is a great way of communicating with Territorians.

Whilst there is no cost to create these pages or promote information, there is a cost to boosting a post more widely so that information can be viewed by more people. With more than two billion people using Facebook, many community members possessing smart phones, and cheap advertising costs, online advertising is a cheap and easy to use method of advertising.

In my previous role as coordinator of the Chief Minister's Round Table of Young Territorians, I used Facebook to advertise recruitment and targeted the boosted promotion to Territorians aged 18 to 65 years. I did this because I did not have a big budget to work with so Facebook suited my needs. I found Facebook advertising cost-effective and effective in reaching my target audience. This bill needs to be clarified to ensure that other instances of sharing public information are covered.

The Chief Minister spoke about the hesitation surrounding the publishing of photos celebrating staff members' achievements if they are photographed with the minister. This hesitation should not exist and I, for one, believe that staff achievements should be celebrated and promoted widely. It is just a photo.

Many schools also share this hesitation and we have discussed this a number of times at the schools in my electorate. They put out regular Facebook posts, emails and electronic newsletters to share information. It concerns them, whether or not they can share a photo of the minister with one of their students receiving an important award. Education should be promoted and celebrated and so should our students.

Through the committee's inquiry into this bill, a range of viewpoints were expressed and I thank members of the committee for their contribution to the debate. I note that the Members for Spillett and Araluen provided dissenting reports to the report submitted by the Social Policy Scrutiny Committee. I thank the Auditor-General for her participation and the Department of the Chief Minister for answering the committee's questions, which were numerous, and the committee secretariat for their extensive support on this particular bill.

This bill will help clarify how public funds can be spent to share public information for the benefit of Territorians. Before I commend the bill to the House, I ask the Chief Minister in his response to clarify—I am quite concerned that the Leader of the Opposition is stating that we can use this bill and these amendments to promote party interests. I read the original bill and I have read the amendments and I cannot see it outlined anywhere.

I keep coming back to Part 2 under the Auditor-General's functions. Under section 6, Review of public information, it states:

> *(2) The Auditor-General may determine this Act is contravened in relation to particular public information if the Auditor-General is satisfied one or more of the following applies to the information:*
>
> *(a) the information promotes particular party political interests;*
>
> *(b) the information includes statements that are misleading or factually inaccurate …*

When I read both bills and this amendment—and I did my homework, as I do for the majority of the bills that come before the House. I saw this in the original bill of 2010 and noted that it is kept in these amendments. If the Chief Minister could clarify that this is the way legislation is supposed to be delivered, that would be best. This bill is not being introduced to push party politics.

I commend the bill to the House.

Mr WOOD (Nelson): Madam Speaker, it has been a while since this bill first came in and now we have these amendments before us today. It is a pity the amendments could not have come a bit earlier. The amendments were dropped on the table just as the debate started. Even this morning would have been nice, just to see how they relate to what we have in front of us.

The whole idea of the Public Information Amendment Bill is to make sure that governments do not use their power and finance to promote something which is not purely government but has a second meaning. You might say it is about spin and promoting something, as the Auditor-General showed in her report, where issues or so-called facts are stated with no support.

That can be seen by people outside as spin. The government might say it is promoting something, but occasionally you need to get someone from the outside to look at what you are putting forward. Sometimes you can be so mixed up in what you are doing, promoting the government and what a wonderful job it is doing, that you need an independent person to assess whether what you are doing is spin or legitimate government information.

That is why you have an Auditor-General. She is there to sieve out the spin from the facts and that is what she has done when there has been a complaint. That does not mean we should not look at the legislation and see if it is worthy of amendments et cetera.

I will talk about a bit of the history of the *Public Information Act.* It was introduced in 2010 to establish an independent and transparent review mechanism of public information produced by Members of the Legislative Assembly and other public authorities as defined in the act. According to the second reading speech, the ground breaking legislation was to discourage the misuse of public funds in providing the public with information about government policies, programs and services.

The act provides the Auditor-General with the power to conduct a post-assurance review of the public information upon referral by a Member of the Legislative Assembly or on the Auditor-General's initiative. It serves to determine whether the public information breaches section 6(2) and 6(2A) of the act in that it promotes particular party interest, includes statements that are misleading or factually inaccurate, does not clearly distinguish a statement of facts from a statement of comments, is an advertisement that includes an image of the holder or occupier of the office of a minister, or does not meet the criteria prescribed by regulation.

The act also defines the types of public information the Auditor-General can review and the process for the review. If the review of the information suggests a contravention, the Auditor-General issues a preliminary opinion on the relevant public authority, seeking their comments before reporting. The public authority may implement the recommendation if it considers it appropriate to do so.

That is what you find in the Auditor-General's report. In 2015, a private member's bill was introduced by the Member for Wanguri, and I remember the effort that the member put in to try and get that legislation passed in a hostile government at the time. That private member's bill was to discourage breaches of the act by creating an offence not to withdraw information when instructed to do so. The bill proposed that costs incurred by the giving of information in breach of the act could be recouped. The bill was withdrawn—I wonder whether we would look at re-introducing that now that the Member for Wanguri is in government.

In 2016 the Gunner government amended the act by re-inserting standards of public information guidelines, which had been revoked by the Giles government. At that time it was not possible to incorporate all the information from the guidelines into the act due to the way the public information regulations were structured.

The Auditor-General's rulings and feedback from government agencies indicated a need to provide further clarification and guidance to ensure compliance with the act and regulations. The Auditor-General's report to the Legislative Assembly in August 2018 contained her findings relating to four matters referred under the *Public Information Act*, including a matter regarding an email that contained a message to recipients with a photograph of the then minister for Infrastructure Planning and Logistics accompanied by two individuals. She determined at page 177 that an advertisement is, as defined by the Oxford dictionary:

> *A notice or announcement in a public medium promoting a product, service, or event or publicizing a job vacancy.*

Whilst it might be argued that the message within the email does not constitute an advertisement, it does promote ride sharing and named the two private sector entities delivering such services in the Territory. She went on to say her finding was that there was a contravention of section 6(2)(d) of the act in that the content of the information was an advertisement that included an image of the holder or occupier of office of minister; section 6(2)(a) promotes particular political party interests; and 6(2)(c) does not clearly distinguish a statement of facts from a statement of comments. The email failed to meet at least one of the standard criteria specified in regulation three.

She made no recommendations, due to limitations of the act, as to what she could recommend. The reason I will not support this bill is not because—I will not say that the act should not be looked at. I thank the Chair of the scrutiny committee for her report. There were a couple of dissenting reports as well. The fundamental issue, for me, is not to bring in the Auditor-General at the beginning of this discussion. It is a slap in the face to the Auditor General.

If this legislation had the approval of the Auditor-General—and she is the person who has to work out how to interpret this legislation. I cannot speak for her so I will not verbal her. This is one of the harder bits of legislation she has to deal with, because she has to make some 'decisions' that would be nearly political. She does not want to be political, and should not be political. She should not be put in a situation where she is political. You then have to be very careful when you change the act that you do not put her in a position

where she has to make decisions that could be seen by the public as a political interpretation of the act rather than independent.

I will read from the first part of the scrutiny committee report. Regarding the development of the bill, it said:

> *3.2 As noted by the Department, the majority of amendments to the Public Information legislation proposed in the Bill relate to section 6(2) of the Act which:*
>
> *sets out contraventions of the Act and is used by public authorities when preparing public information, as well as by the Auditor-General when reviewing pieces of public information.*

The committee heard that although communication directors across government were consulted during the development of the bill to ensure the independence of the Auditor-General, she was not consulted. The Auditor-General pointed out to the committee:

> *Whilst I recognise it is not the role of the Auditor-General to establish policy, both my predecessor, Mr Frank McGuiness, and I have previously been afforded the opportunity to comment on the original legislation and subsequent amendments to the legislation.*

That is not making policy; that is commenting. She continues:

> *Our feedback included explaining challenges experienced in interpreting the legislation. I am appreciative of the consideration given to our feedback on those previous occasions.*

And then from the scrutiny committee report:

> *3.4 The Auditor-General also raised concern that the failure to consult with her office was counter to the Department's guidelines regarding the development of legislative proposals. The Committee heard that the Department's Legislation Handbook, May 2018, Version 3, states that:*
>
> *3.22 Agencies are to consult with Independent Statutory Officers (ISOs) as/if relevant during the development of legislative proposals. ISOs include the Ombudsman, Auditor-General, Anti-Discrimination Commissioner, Information Commissioner, Commissioner for Public Interest Disclosures, Health and Community Services Complaints Commissioner and Children's Commissioner.*
>
> *3.23 Cabinet Submissions are generally not circulated to ISOs for comment, but Agencies should discuss legislative proposals with these Officers as appropriate and incorporate the views of those Officers in the Cabinet Submission.*
>
> *3.5 By way of clarification, Ms Maria Mohr (Deputy Chief Executive Officer: Department of the Chief Minister) advised the Committee that while the provisions in the Legislation Handbook are considered to be 'good practice', it is not a requirement that Independent Officers be consulted in the development of legislative proposals and is not always undertaken.*

I find that difficult to believe when the report says 'agencies are to consult'. It continues:

> *Ms Mohr further noted that:*
>
> *The department acknowledges the concerns raised by the Auditor-General about the lack of consultation and we apologise for this oversight. However, we were under the genuine belief that we did not wish to compromise the independence of the Auditor-General's role.*

I find that hard to accept. It clearly states that the Auditor-General should have been consulted.

The Auditor-General attended the scrutiny committee's hearings and she raised an issue—there are a number of issues that other people have brought up—which is one of the key issues that is at fault with the bill. She said:

> *My submission addresses four direct concerns that I have in relation to the proposed amendments to the* Public Information Act*. Those being in summary: referencing the public information to a website or a contact person may not necessarily be specific enough to enable a reader of the public information to verify the factual accuracy of the content.*

Surely one of the things at the crux of this type of legislation is to make sure that the government does not put out spin. How do you know it is not spin? You have to put out clear evidence of why you say a certain thing is to happen. The government has added section 6(2)(f) which says what you can get knocked back on. It says:

> *… the information fails to specify the source, or a means for identifying a source, of any facts (including comparisons), statistics or data.*

I have a note here on sources of facts. The government is now saying that facts will include data, comparisons and statistics and will require a source reference or include a way to identify a source. The department said that a ministerial media release could count as a source document if the information in it was a fact. It continued to say that it would also require a link to a website or contact details of a person who could provide further information.

That is far too broad. If I am to say that, 'This year the fish harvested was 22 000 tonnes of mackerel', I would expect a source section in the department of agriculture annual report, and quote the page and source of that information. I would write it down to say, 'Page 2 of the annual report of the department of Primary Industry et cetera'. I would not expect to be sent to a media release. How do I know the media release is accurate?

Mr Gunner: It has to pass to satisfy everything else.

Mr WOOD: No—that is what I am worried about. It should be far more accurate, because—I will start from the beginning. This allows the government to make statements. Those statements have to be facts, otherwise one could say that it is using those statements for its own political purposes because it is spin, not fact.

The Chief Minister might say, 'ooh ahh', but that is the same thing as what the Auditor-General is saying, the independent person who has to then deal with this act. We need to be mindful that even though the Auditor-General was not part of this. I would have preferred this legislation go back and start again.

It is not to say there should not be some changes to the legislation. It is not an easy area but the Auditor-General also mentioned that the problem with these changes is that they are becoming more ambiguous. She said the law should be simpler so it is easier for her to interpret.

Lots of other things have been said. I will not go any further than that. I had a bit on today; I would have liked to prepare a bit more for this debate. They were two of the key issues. I note that there was one piece of legislation the government introduced where you could not use your picture and then that was reversed so you can use your picture. I do not know why it was not good a couple of years ago and now it is good a couple of years later. I have never quite worked out why that change came into being.

I get back to the whole principle of what we are trying to do. This legislation will get passed, but I will be extremely disappointed if it allows loopholes to open that promote a government's political agenda rather than its parliamentary role. That is what I am concerned about. I am not the only one; the Auditor-General is concerned.

The government, if it really supports the independence of the Auditor-General, should have dropped this legislation for the time being and started again. Simply write to the Auditor-General and ask her what her issues were in relation to carrying out this piece of legislation. I can see the issue of an email with a photograph on it from her report, but other things have been changed. It was not just that—it was not just the definition of 'advertisement'.

It is complicated. I understand that. The Member for Karama is saying she can use Facebook. Admittedly she is the local member and they are exempted from that. They can use their electoral allowances to advertise. We are talking about ministers here. If ministers are using their offices, which are taxpayer funded, to put out newsletters or emails, does that mean they are indirectly being paid for by us, the taxpayer? Are they a paid advertisement to some extent?

I understand that the issue about what is an advertisement needs clarification. As I said, Chief Minister, I am not against some changes to the legislation. But for me it started off, as I sometimes say, at three-quarter time. The government is 20–5 goals; the Auditor-General is just coming on the field. It should have been the Auditor-General coming on to the field before the game even started. That is why I feel that supporting this would not be supporting the Auditor-General.

Ms NELSON (Katherine): Madam Speaker, this bill is mostly basic housekeeping, but it is important nonetheless. With the continued growth and accessibility of the Internet and social media, information in all its various forms is available 24 hours a day, seven days a week. It can and does spread enormous distances in an instant.

Ensuring that information is accurate and presented in the public interest is a constant challenge particularly for the likes of Facebook, a social media platform that is in the middle of a battle against alternative facts and fake news.

The passage of this bill will make the requirements for public authorities, such as government departments, crystal clear when it comes to publishing information through a wide range of new and emerging methods. It will also prevent those public authorities from breaching the legislation accidentally or technically.

As the Chief Minister mentioned in his second reading speech, under the existing act a department is not allowed to publish a photo of an employee receiving an award from a minister on its Intranet, as technically this would be a breach. While this would be no loss for ministers whose images are everywhere, it would be a shame for a public servant team not to be able to celebrate its achievements just because the minister appears in the photo.

With the proposed amendments, clarity is given to agencies on when a minister's image can be used .There is now a clear distinction between paid communications, paid social media posts, commissioned articles and television segments versus unpaid communications, including Intranet posts, emails, newsletters and general social media government reports and policy documents.

If accepted, the amendments will allow a minister's image to appear in unpaid communications if the minister has a connection with the content, or if it is the Chief Minister, who has responsibility across the entire public service.

Changes put forward in the bill also remove the very subjective matter of comment or opinion versus fact. It will now focus on authorities not publishing misleading statements on information that is in the public interest as determined by the Auditor-General. This will include informing the public of new and existing government programs, policies and projects, to be guided by the development of guidelines and training material by the Department of the Chief Minister.

Amendments also outline the obligations around facts, statistics and data, ensuring that sources of information be published or be made available through a website or contact person. I am pleased to see this part of the legislation strengthened. It took me back to my days at university where you had to footnote all of the resources and research material that you used to write essays and papers.

The bill contributes to our commitment of accountability and trust. I commend the bill to the House.

Mr GUNNER (Chief Minister): Madam Speaker, I thank members for their contribution to the debate on the legislation. I believe it is important to put the debate into two contexts.

The first is our record of important reforms to improve openness and transparency over the last two decades and the consistent opposition that we have received from the CLP. The second is the history of this particular piece of legislation and the consistent attempts of the CLP to scuttle or ignore it. We believe in open and transparent government. It is in our DNA.

We promised and delivered FOI laws and whistleblower protection following the 2001 election victory. These were important reforms which the CLP fought against for decades. It was why the Martin government introduced the Estimates Committee, so that for the first time Territorians had a fair dinkum opportunity to scrutinise the budget. Once again, it was an important transparency reform that was opposed, tooth and nail, by the CLP.

That is why this government promised and delivered a Northern Territory ICAC to help restore trust in government after the disgraceful behaviour of the Mills and Giles CLP governments. Once again this was a crucial reform to increase openness and transparency. It was opposed every step of the way by the CLP. That brings us to this piece of legislation.

The *Public Information Act 2010* was introduced by the Henderson government. To give credit where it is due, the Member for Nelson played an important and key role in pushing for the act. He had significant input

to its contents. The purpose of the act is to ensure that public money is spent in the public interest and not the party political interest of the government of the day.

The members of this Chamber who were around at the time might recall that the original had a set of guidelines that set out many of the safeguards to protect public money being spent on political advertisements. I have noted some of the comments from those opposite regarding appropriate consultation with statutory officers before amending the act. I heard no such howls of outrage when the former Attorney-General, John Elferink, used an opportunity when there was no question before the Chair to summarily gut the act by revoking the guidelines.

Let us be clear, the CLP's approach to this act when in government was to gut it in an attempt to weaken its effectiveness. Despite the watering down of the act, they continued to blatantly breach it. Who could forget the infamous ice legislations ads? I am sure Madam Speaker has not forgotten those. It was a disgraceful abuse of taxpayers' money and it spread CLP lies about Labor's and independents' positions on an important piece of legislation.

The CLP Chief Minister, Adam Giles, was also found to have breached the act four times in the space of eight weeks during the Casuarina by-election, in a desperate attempt to influence the outcome. These are the values of the CLP when it comes to openness and accountability. They have blocked or stymied every piece of reform to create more open, transparent and accountable government in the Northern Territory.

They gutted this piece of legislation when in government, blatantly ignored and breached what was left and now pretend they are interested in its effectiveness. No one is buying it. When we came to government, one of the first pieces of legislation we brought before this Assembly was a strengthened *Public Information Act*. We reintroduced the protections the CLP gutted when they scrapped the guidelines. Since that time there have been a number of rulings by the Auditor-General that found that the act was breached.

I make it clear that this government respects the Auditor-General and her rulings. The Auditor-General plays an incredibly important accountability role and we value the important work that the office does. We made our legislation—this bill, these amendments—in an effort to clarify the operation of the act in light of the rulings by the Auditor-General. This was based off the Auditor-General's work and her findings.

I respect the Auditor-General and if any offence was caused, I sincerely apologise; it was not my intention at all. The bill seeks to provide clarity and transparency in the act. It retains all the safeguards that the public rightfully expect, that information is released in the public interest, not for party political purposes, and is accurate and not misleading.

We are seeking to avoid departmental staff having to make complicated and philosophical assessments of fact and situations whereby important events, significant signings—some examples include the City Deal signed with the Prime Minister, or the Anindilyakwa Land Council agreement that I signed with the Chair of the council, Tony Wurramarrba, where I was cropped out of the signing. Clearly, this is not how it is meant to work; this is what we are clearing up.

Importantly, it is not for paid advertisements. This is a distinction that has been lost by some of the contributors to this debate. It all must still comply with (2)(a), that it cannot promote party political interests. You have to read the legislation as one. We are trying to avoid situations that do not make sense, based on the Auditor-General's rulings.

We respect the Auditor-General and she has made rulings where she has interpreted the act. We get where she is coming from, but that was not the intention; let us work together to fix this up. This bill clarifies and strengthens the act, and maintains all protections the public expect—which the CLP has shown time and time again that it will scrap or ignore if it comes to government.

We will be accepting recommendations 2, 4 and 5 from the scrutiny committee report. We will not be accepting recommendation 3, which states:

> *The Committee recommends that the Bill be amended to clarify whether it is the role of the Auditor-General to assess whether information is factually accurate; to assess the adequacy of a source; or simply to note that a source has been cited for any claim of fact and leave any qualitative assessment of its veracity to the public.*

This amendment is not required due to the existing provisions of section 6 of the *Public Information Act*, which achieves the same objective. It is one of those times where we agree that it is the method of delivery,

and section 6 does this. Section 6 outlines the role of the Auditor-General with respect of the following: to review public information and determine whether the act is contravened in relation to particular public information. Pending passage of the bill, the Auditor-General will be required under this section, to assess whether:

(a) the information promotes particular party political interests;

(b) the information includes statements that are misleading;

(c) the information is an advertisement that includes an image of a minister or a minister's message;

(d) for public information that is not an advertisement—the information includes an image of a minister or a minister's message other than:

(i) the Chief Minister; or

(ii) the relevant minister;

(e) the information includes facts (including comparisons), statistics or data that are not presented accurately;

(f) the information fails to specify the source, or a means for identifying a source, of any facts (including comparisons), statistics or data.

We felt that section very neatly covered what was being asked for. I take this opportunity to respond to some of the assertions and dissenting reports, many of which are wrong. It can all be summed up neatly by looking at parts of the bill in isolation of other parts of the bill.

Subsection (2)(a) makes it very clear that information cannot promote party political interests. It is very clear that you cannot do that. It also makes it very clear that information must be factual. Stats or data must be presented accurately. It must be facts, it must be accurate and it cannot be in a party political interest. That is very clear within the legislation.

It is one of those cases where things have been cherry-picked to present a certain view. I guess it is sometimes the role of the opposition to present things in a certain way but the bill is very clear about how this must be used and provides all those protections within that.

With all that in mind, I commend this bill to the Assembly.

Motion agreed to; bill read a second time.

Consideration in detail

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4:

Mr GUNNER: Mr Deputy Speaker, I move amendment 1 to clause 4(1).

Mrs FINOCCHIARO: Chief Minister, why in this section did you remove the words 'or factually inaccurate'?

Mr GUNNER: I point the Deputy Leader of the Opposition to section 6(2)(e):

… the information includes facts (including comparisons), statistics or data that are not presented accurately.

Mrs FINOCCHIARO: Why move it from (b) to (e)?

Mr GUNNER: This just sounds like an argument about words. The words 'facts' and 'accurate' are there and I am pointing the Deputy Opposition Leader to that. It is just a question of whether you have it with a different numeral in front of it or a different order of words. These are the words that OPC have chosen.

Mrs FINOCCHIARO: The original words were 'factually inaccurate' not just 'facts'. They were inaccurate facts.

Mr GUNNER: Accurate is accurate; facts are facts.

Mrs FINOCCHIARO: That is a very interesting interpretation, Chief Minister. Why was 6(1)(2)(c) removed? Chief Minister Henderson said that section was the intent of the act not just a feature; it was the act.

Mr GUNNER: It is all there, Deputy Leader of the Opposition. You cannot promote party political interests—must be facts. It is all there.

Mrs FINOCCHIARO: No, it is not all there. Part (c) that was removed says:

… does not clearly distinguish a statement of facts from a statement of comments.

Why was that removed?

Mr GUNNER: Here it says information must include facts, statistics or data that are not presented accurately. It is just a different way of saying the same thing. It is based off the drafting advice.

Mrs FINOCCHIARO: No it is not. It makes no requirement to distinguish between a statement of facts and a statement of comments.

Mr GUNNER: It must be a fact.

Mrs FINOCCHIARO: In relation to the requirement that there be a source, is it the role of the Auditor-General in your view, Chief Minister, to verify that the information in that source are facts?

Mr GUNNER: The Auditor-General conducts herself the way that she chooses. She is an independent officer.

Mrs FINOCCHIARO: But there is a requirement that there be a source. Who will then determine whether or not the source is factual? As I said in my example that you had created 14 000 jobs a year, which you have not—say you put out that press release. That would not be factually accurate. It would be justifiable under this section if you provided a source for it. You are allowed under this bill to source the press release. Who is then testing the veracity of the press release?

Mr GUNNER: That is a really important area to clear up. That is a complete misreading of the bill. You cannot—it must be a fact. You are reading the section in isolation to other parts of the bill. It must be a fact. The Auditor-General conducts herself under this legislation as she did under the previous version of the legislation. That has not changed. You made this mistake yesterday. You cannot say that this clause exists in isolation. The legislation has to be read as a whole. It says that information must be factual.

Mrs FINOCCHIARO: But I am saying that it just has to rely on a sourced document to prove the fact. If the sourced document is the ministerial press release …

Mr GUNNER: You are reading 6(2)(f) and not reading 6(2)(e). You have to read both.

Mrs FINOCCHIARO: That is right. If the government is saying 'fact', it no longer has to distinguish between a fact and a comment.

Mr GUNNER: You cannot say something is a fact. It has to be a fact.

Mrs FINOCCHIARO: I do not know, Chief Minister. You are the king of that. If a press release went out saying, 'We have created 14 000 jobs', using that as an example, the source is the ministerial press release. Then one of your departments thinks, 'That is fantastic. We will put it on the Department of the Chief Minister's Facebook page with a photo saying that there are 14 000 more jobs in the Territory', and there is a little asterisk and the source is Chief Minister Michael Gunner, dated X. That is permissible now that you have written the bill this way?

Mr GUNNER: The whole bill applies. It must be a fact. You have to read it all together. You are making the mistake again of only reading part of it.

Mrs FINOCCHIARO: Who is determining that it is a fact? You are just requiring the reference of a sourced document. There are plenty of websites that also have factually inaccurate material. At what point is it determined that it is a fact?

Mr GUNNER: I will say again that it must be a fact and accurate. You are reading it without looking at the whole bill. The Auditor-General's role remains the same as it did prior to these changes. I have now answered this question repeatedly.

Mrs FINOCCHIARO: With respect, who is deciding if it was a fact or not? Is it the person putting out the information, or is the Auditor-General reviewing the information? You cannot just say it is a fact. If information is lobbed out …

Mr GUNNER: As I have already advised, the Auditor-General's role has not changed.

Mrs FINOCCHIARO: With respect, the Auditor-General has submitted to the Assembly through the scrutiny committee process that this is confusing. I am trying to understand what the government's intention is.

Mr GUNNER: It reads very simply to me. It must be a fact and the Auditor-General's position has not changed. It cannot promote party political interests. It cannot be misleading. It is all there and very simple to read.

Mrs FINOCCHIARO: Who is determining that matter of the fact? Previously it was the difference between a statement of fact and a statement of comment.

The Assembly divided.

Ayes 14	Noes 5
Ms Ah Kit	Mr Collins
Ms Fyles	Mrs Finocchiaro
Mr Gunner	Mrs Lambley
Mr Kirby	Mr McConnell
Ms Lawler	Mr Mills
Mr McCarthy	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	
Ms Wakefield	
Mrs Worden	

Amendment agreed to.

Mr DEPUTY SPEAKER: The question is that clause 4, as amended, stands.

The Assembly divided.

Ayes 14	Noes 5
Ms Ah Kit	Mr Collins
Ms Fyles	Mrs Finocchiaro
Mr Gunner	Mrs Lambley
Mr Kirby	Mr McConnell
Ms Lawler	Mr Mills
Mr McCarthy	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	
Ms Wakefield	
Mrs Worden	

Clause 4, as amended, stands.

Mr GUNNER: Mr Deputy Speaker, I move amendment 2 to clause 4.

Mrs FINOCCHIARO: Chief Minister, why did your government feel the need to change the Auditor-General's definition of 'advertisement' as per her ruling.

Mr GUNNER: We have accepted the recommendation of the scrutiny committee.

Mrs FINOCCHIARO: Sorry, but this was happening prior to the scrutiny committee's deliberations. Why has there been a legislative decision made to overrule the Auditor-General's determination.

Mr GUNNER: There was no definition, so we added one. We have not changed anything. We accepted the recommendation of the Social Policy Scrutiny Committee.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5, by leave, agreed to.

Clause 6:

Mr GUNNER: Mr Deputy Speaker, I move amendment 3 to clause 6.

Mrs FINOCCHIARO: Chief Minister, why does this clause not include further protections, like in the Victorian legislation, which would then stop a government from being able to promote non-funded activities?

Mr GUNNER: A government can make a policy decision that is unfunded and will not come into effect for a while. This will allow for that. I note the Member for Spillett's comments during her speech, but it has to be read with the other parts of the bill. It cannot be done with a party's political interests or be misleading, which is one of the concerns she had. It still must meet the other parts of the bill.

There are examples where a government makes a policy decision—policy decisions do not always involve funding. If you have made an unfunded policy decision that will not come into effect for a while, it will allow for that. You will want to be able to inform the public that you have done that.

Mrs FINOCCHIARO: Are you saying that it would not permit election commitments?

Mr GUNNER: It cannot promote party political interests.

Mrs FINOCCHIARO: Chief Minister, in your view as the lawmaker, would that then mean that election commitments cannot be promoted? Would they fall foul of the act?

Mr GUNNER: They cannot be a party's political commitments. Government may make a policy decision that does not involve funding, as they do not always involve funding, that comes into effect at a later date. That is simply the work of government. You are putting a time line in there that is not relevant. It cannot run afoul of the act by being a party political interest or be misleading et cetera.

For example, you may make a public health policy decision that is unfunded and that will come into effect at a later date—you should be able to promote that. That is an example of where it falls. It is a natural use of public information.

Mrs FINOCCHIARO: Where is the line? For example, you are the government of the day. If you decide three months out from the 2020 election that you are making a policy decision to promise to bituminise every road in the whole Northern Territory—where is the line?

Mr GUNNER: That is all covered by the act. It is all in there.

Mrs FINOCCHIARO: No, I am asking you a question. That would be an unfunded commitment and a policy decision of your government …

Mr GUNNER: I am saying that it is …

Mr DEPUTY SPEAKER: Please sit down both of you. One speaker at a time. Deputy Leader of the Opposition, please finish your question, then I will ask the Chief Minister to answer.

Mrs FINOCCHIARO: That example would be an unfunded policy position of your government and simultaneously an election commitment, would it not?

Mr GUNNER: That example makes no sense to me. If you read 6(2)—cannot promote a party's political interests; cannot be misleading; cannot be a paid ad that includes an image of the minister or a minister's message et cetera. It is all there and all applies.

Mrs FINOCCHIARO: The Auditor-General made some comments—not to verbal her, because I do not have them front of me—about the public interest tests now being extremely broad, because it has been broadened from what it was. The government has included everything in it rendering nothing a breach.

Mr GUNNER: I note the Member for Spillett's comments and respectfully disagree.

Mrs FINOCCHIARO: It is a great shame, because if you had consulted with the Auditor-General she could have told you that and it could have been worked through. It is a significant broadening of the scope intentionally designed to mean that your government will never be in breach of this act.

Mr GUNNER: No. Again, that is a comment made in isolation of the rest of the bill. You cannot do that, you have to look at the bill as a whole.

The Assembly divided.

Ayes 14	Noes 6
Ms Ah Kit	Mr Collins
Ms Fyles	Mrs Finocchiaro
Mr Gunner	Mrs Lambley
Mr Kirby	Mr McConnell
Ms Lawler	Mr Mills
Mr McCarthy	Mr Wood
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	
Ms Wakefield	
Mrs Worden	

Amendment agreed to.

Mr DEPUTY SPEAKER: The question is that clause 6, as amended, be agreed to.

The Assembly divided.

Ayes 14	Noes 5
Ms Ah Kit	Mr Collins
Ms Fyles	Mrs Finocchiaro
Mr Gunner	Mrs Lambley
Mr Kirby	Mr McConnell
Ms Lawler	Mr Mills
Mr McCarthy	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	
Ms Wakefield	
Mrs Worden	

Clause 6, as amended, agreed to.

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

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

The Assembly divided:

Ayes 14	Noes 5
Ms Ah Kit	Mr Collins
Ms Fyles	Mrs Finocchiaro
Mr Gunner	Mrs Lambley
Mr Kirby	Mr McConnell
Ms Lawler	Mr Mills
Mr McCarthy	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	
Ms Wakefield	
Mrs Worden	

Motion agreed to; bill read a third time.

PAPERS TABLED

Members' Statement of Registrable Interests March 2019

Mr DEPUTY SPEAKER: Honourable members, pursuant to a resolution of the Assembly on Wednesday 19 October 2016, I table an annual return of members' interests.

Auditor-General's Report to the Legislative Assembly March 2019

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

Ms FYLES (Leader of Government Business): Mr Deputy Speaker, I move that the report be noted and I seek leave to continue my remarks at a later time.

Leave granted.

Debate adjourned.

Royal Commission into Institutional Responses to Child Sexual Abuse – First Progress Report

Ms WAKEFIELD (Territory Families): Mr Deputy Speaker, I table the Royal Commission into Institutional Responses to Child Sexual Abuse First Progress Report. I move that the report be noted and I seek leave to continue my remarks at a later time.

Leave granted.

Debate adjourned.

CONSIDERATION OF COMMITTEE REPORTS, AUDITOR-GENERAL'S REPORTS AND GOVERNMENT RESPONSES

Mr DEPUTY SPEAKER: Honourable Members, pursuant to the routine of business the Assembly now consider committee and Auditor-General's reports and government responses. I invite members if they wish to proceed with any item.

Consideration deferred.

ADJOURNMENT

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

I wish to put on record the grand final win in the 2018–19 season for the greatest team in the NT, the Nightcliff Tigers.

Members interjecting.

Ms FYLES: Listen to the House erupt in cheers. It has been long time since Nightcliff claimed the silverware. It has been 54 years since the mighty Tigers won the flag. It will not be another 54 years before we win it again.

As the local Member for Nightcliff I was extremely proud and honoured to be one of the mainly yellow and black—one of 7000—fans at TIO Stadium last Saturday. I acknowledge AFLNT for a fantastic afternoon and evening. The Members for Brennan, Casuarina and Drysdale were there. There were also a lot of yellow and black fans.

The Tigers finally got the monkey off their back and showed poise, prowess and real Territory toughness to win in what was a low scoring game. I think it was three goals apiece at half time. The Tigers pulled away to win 8/13/61 to 5/9/39.

I acknowledge the gallant effort put in by last season's premiers the Southern Districts Crocs, who were coached by a true Territory football legend, Shannon Rusca. The Crocs showed once again why they will never stop trying. Despite the loss, I am sure they will bounce back next season.

It was an exciting night for Nightcliff players, fans and volunteers. The 22 players who gave their all on the night to deliver a flag for the fans have such an amazing bond. You can certainly see that. As the patron of the Nightcliff Football Club I get the opportunity to interact with them on a regular basis. You can tell that there is a real bond between the players. They will go down in Tiger folklore.

The full back players are:

- Number 3, Jonathan Peris, fullback—I note that I used to teach Jonathan in primary school. I was proud to see him on the field. The Peris sporting dynasty rides high in Territory sport
- Number 4, Matthew Bricknell
- Number 5, Kaine Riley.

The half back players are:

- Number 6, Liam Holt-Fitz—he also won the Chaney Medal—best on ground for a stellar performance. He is a Tennant Creek boy. We caught up with him on Monday. It was fantastic to be able to congratulate him in person on his performance
- Number 7, Jess Budarick
- Number 9, Koko Nikki.

The centre players are:

- Number 10, Cameron Ilett—assistant coach, one of the greatest players ever to play in the NTFL and an all-round fantastic person
- Number 11, Phillip Wills—Nichols Medal for 2018–19. It was beautiful seeing the players on the field with their young families, particularly Cam and Phillip
- Number 12, Joel Budarick.

The half forward players are:

- Number 14, Nathan Brown—captain and inspirational leader. He brings the troops together, speaks to the media and is a real leader in our club. Congratulations to him on bringing those Tigers to a premiership after such a long time
- Number 15, Blake Grewar
- Number 18, Harry Williams.

The full forward players are:

- Number 19, John Butcher
- Number 20, Trent Melville
- Number 22, Daniel Bowles.

The rucks are:

- Number 23, Brodie Filo
- Number 24, Tyson Kidney
- Number 26, Simon Deery.

Interchange:

- Number 27, Danny Butcher
- Number 28, Clayton Holmes
- Number 29, Jonathon Miles
- Number 31, Hugo Drogemuller
- Number 33, Shaun Wilson.

Teams do not get to the grand final by themselves. The support staff ensure they are that lean, mean, grand-final-wining machine, which is what we saw last week. I congratulate and thank the staff, who include the following:

- coach Chris Baksh
- assistant coach Cameron Ilett
- water carriers Coen Mckinnon, Mark Derksen, Gavin Greenoff and Mick Taylor
- head spots trainer Alison Kelly
- team physiotherapist Calum Page
- property manager Louise Taylor
- team manager Clive Fowler
- club development manager Sandy Kickett.

I thank the management committee:

- President, Jeff Borella

- Junior Vice President, Graeme Shaw
- Treasurer, Mark Kelly
- NSC Representative, Paul Bleile
- Media/Marketing, Mark Dodge
- Secretary/Public Officers, Tim Scott, Mick Taylor, Sean Kavanagh, Nick Eades, Vanessa Sutcliffe and Brett Walker.

It is impossible to talk about a local sports team and not mention the invaluable volunteers. It is not news to anyone here that volunteers are the life blood of sports teams at all levels and across all sports. Nightcliff Football Club is no different. I will now try to capture the brilliant volunteers that support the club. Apologies to anyone that I miss, as there are just so many people that are willing to commit their time to the mighty Tigers.

I live near the Nightcliff football ground and I start my Saturday or Sunday and see the volunteers putting up shade structures at 7 am and making sure the scoreboard is ready. Later on in the afternoon at about 4 pm I head over to the footy to support our team and those same volunteers will be there, and they will have been there all day. As we head home they start to pack down. It is really important to acknowledge our volunteers:

- Norm Watson, former president, and Pam Watson—both are life members and are very active volunteers. They support teams by attending games across the grades during the season and Pam works on the gate, collecting money for all home games held at PSC BM Insurance Oval. You cannot get past Pam.
- Steve Glennon—life member—runs water for multiple teams and is tribunal advocate for the club. He has been very involved in the master planning project of the Nightcliff sports ground, the football and cricket ground. It will be fantastic to see lights delivered by this government later this year.
- Nik Halkitis runs water for multiple teams, is a club sponsor and player/sponsor with Nightcliff Spartans Division 2 side.
- Mark Pedretti runs the barbecue at all the home games and marks the oval with Graeme Shaw, and John Tait works to maintain and water the PSC BM Oval throughout the year for football and cricket clubs. John Tait is already getting the cricket pitch ready. It shows what wonderful volunteers they are to keep those grounds in such amazing condition.
- Mark Derksen—life member—won the 2018–19 Mabel Griffin memorial award for over 23 years of active volunteering for the club running water, mentoring players, coaches and coaching women's teams.
- Dave Collins and Leon 'Boo' Rea work in the donga for home games, which is fantastic. There is nothing better than a game of football on the Nightcliff sports oval. You have a lovely afternoon sea breeze. Locals wander up, watch the game and enjoy a chat at the donga. It is the heart of our community.
- John Greenoff—life member—played over 150 games for the club and is a former committee member, former president and current sponsor.
- One cannot talk about the Nightcliff Football club and not mention the great Kevin 'Joe' Bonson, who has sadly passed away. The club's premier league best and fairest is named after him, the Joe Bonson Medal. This was awarded to Phillip Wills this season, who also won the prestigious NTFL best and fairest medal, the Nichols Medal.

It has been fantastic to attend presentation nights for many years now and see the Bonson legacy.

I acknowledge Sandy Kickett. She has been critical to the development and success of the club over many years. She is someone I interact with regularly and she is on a first name basis with every player, parent and member of the club. She is our match day manager for all home games. She runs the canteen and makes the most beautiful salad and hamburger rolls. All committee members are active in setting up and packing down on home game days.

The support by the business community for local sports teams keeps them ticking. As a government, we do what we can, but it is the sponsors that provide support. I acknowledge the major football club sponsors for

2018–19, but I also acknowledge all sponsors that support our sports clubs right across the Northern Territory:

- Nightcliff Sports Club
- Mix 104.9FM—it was great to raise the awareness of such a family-friendly club through that sponsorship deal as the players would attend and speak on radio on a regular basis
- Crystal Clean Carwash on Bagot Road
- PSCBM insurance brokers
- Fredbuild
- Bendigo Bank
- Merit Partners
- Metalmaster
- Asset Services
- Cazaly's Palmerston
- DMG Darwin
- Seaswift
- Energy Electrical
- JN Mousellis
- Vocus
- The Zest Group
- Darwin Family Law
- Arafura Crash Repairs
- UCart
- JSM Civils
- RMP Accountants
- Perago Coatings
- M&M Electrical
- Hireworks
- NP Civils
- Roof Power
- Wicked NRG
- Arnhem Electrical
- ACSM Builders

- Beachfront Hotel
- Browns Precision Plastering
- The Cricket and Football Shop
- Di Borella Consultancy
- Express Signs
- Gibbsys Autos
- Central Business Equipment
- FitnessWorks
- Hobbs Builders
- JEC Transport
- Readycut Screens and Doors
- the Kelly Family
- Hire a Hubby
- the Borella Family
- NT Powerlines and Electrical
- MMI Investments
- Prodigy Construction and Roofing
- Rhino Industrial
- Rent 4 Keeps
- Steadman Construction and Engineering.

I apologise if I have missed any sponsors.

As the local member and Nightcliff Football Club patron, I offer a huge congratulations again to all involved in that long-awaited premiership. Congratulations to the players. Celebrate this. The club will take the premiership flag to our local schools to engage our children. Many of the children at our schools play football for the Nightcliff Sports Club. They have such a strong juniors program and it has been in place for many years and we are now seeing that come through.

A big congratulations to the Nightcliff Tigers on winning the 2018–19 NTFL Premiership.

Mr COLLINS (Fong Lim): Mr Deputy Speaker, I rise tonight to make some comments on the resolution of the Assembly last night to dismiss the Select Committee on a Northern Territory Harm Reduction Strategy for Addictive Behaviours. It was hugely disappointing to see that happen last night. The committee provided an interim report to the Assembly, and there had been no discussion conducted about that.

The body of work conducted by the committee was extensive and important in terms of reducing harms in the community for individuals, for families and for the community. It had quite some way to go. It is really disappointing that the Assembly decided to dismiss the committee without any further consultation or consideration of what needed to be done.

I am very disappointed in the Leader of the Opposition in moving the motion without notice and without providing me with any indication that he was intending to do that. The Leader of the Opposition took an active

part in the committee meetings that developed the interim report. At no time during those meetings did he voice any concern about the ongoing work of the committee or the need for that work to continue, hence the disappointment there.

I thank the 33 groups that provided written submissions, and the groups that came together and provided evidence at public hearings and forums. The discussions we had in Darwin, Tennant Creek, Alice Springs and Katherine—we had been scheduled to attend Nhulunbuy and Yirrkala next week on Thursday and Friday, but we will not be able to get out there to hear the important messages from those communities about the harms they are suffering from, how they are being addressed and how the government can best go about providing them better results for their communities.

I will go out and visit on my own and talk to them, because the work that was undertaken by this committee is important. I intend to keep pursuing it because I believe that it is in the interests of all Territorians that we complete this work and move forward in this area.

I thank Jennifer Buckley for the extensive work that she did in keeping us in control, for all the submissions and the work that went into providing background information to us. To Elise, Vicky, Julia, Kim and Russell in the Committees secretariat, thank you for the work you did. Please do not think that it will go to waste, because it will not. It will be part of what I intend to pursue here in this Assembly.

I stress my disappointment in this decision. My support goes to all those groups who have a real interest in providing a better future for Territorians.

Ms AH KIT (Karama): Mr Deputy Speaker, tonight I will share some of the activities and achievements of my electorate and touch on a couple of endeavours I have been involved with of late.

I send a shout-out to all the schools in my electorate. I am fortunate to have six schools. I have a mixture of government and Catholic schools. I also have the Top End School of Flexible Learning, including Malak Re-engagement Centre with Bernie and her team doing an incredible job. Thank you to all my schools for their efforts and all the kids who have been acknowledged for their efforts, either for academic achievement or for their values. I spend a lot of time at the schools and love going to the assemblies. I like seeing people rewarded for good behaviour. There are a lot of lessons we can take out of that.

A variety of my schools have had school discos. I joined Karama Primary School, the principal Tim Morgan and a group of students and families to get stuck into their garden the other weekend. It was very fruitful. It is a wonderful garden and the school does an amazing job. They have one of the best kitchen facilities, which the kids use. They are able to grow the organic produce, look after it, tend to it—they are fascinated by earthworms, as am I—and they can then use the produce to make healthy meals. It is a wonderful program and I would love to see that throughout the Territory.

I was able to meet with Bernie Davies, the principal of the Malak Re-engagement Centre of the Top End School of Flexible Learning. Bernie is fantastic. It was exciting to hear about the First Steps training and employment opportunities for students and to be able to talk about that in parliament. They are doing a wonderful job and I want to thank everyone involved in First Steps. Well done to all of those students who are involved. Congratulations to the young person who has gained full-time employment because of that. It is a wonderful story.

I was able to catch up with Lina Paselli-Kruse, who changed her name after her recent wedding. We discussed the Malak Marketplace, and we are gearing up for a fantastic season this year. I believe the Palmerston Markets start up on the Friday before. Go out to Palmerston, visit the Palmerston markets and then spend Saturday night in Malak. It will kick off at 4 pm, so make sure it is in your diaries everybody.

In regard to the Karama Shopping Plaza there is Salim, and Jambo Security Services have recently taken over that security contract. They are doing an amazing job to make sure that traders and visitors to the centre and everyone else nearby are safe and secure. Thank you to Salim and his team. We are all working very closely with the traders, NT Police and Larrakia Nation to do what we can to make sure that our shopping centre is safe and secure. It is also great to see Woolworths bring on board their own security guards. Well done to Woolworths.

Just a reminder that the Karama Shopping Plaza has a no school, no service policy. For all of you kids out there who are hoping to come into the shopping centre and ditch school at the same time, please note that is not the way the centre operates and you will be held to account.

The Multicultural Council of the NT is located at the Malak shops and they continue to do a wonderful job. It was fantastic to be able to join my colleagues, the Members for Drysdale, Wanguri and Sanderson at the recent International Women's Day luncheon. It was a fantastic event in the Malak Harmony Hall. It was a wonderful celebration of all things women. It was great to have nice entertainment as well. Well done to the board and to Karen and her team for pulling off another wonderful event.

I give a shout-out for the happy families monthly dinner. On the last Friday of the month from 5.30 pm to 7 pm, the Multicultural Council of the NT partners with CatholicCare. It is a fantastic, free community dinner where we get to welcome and catch up with our newly settled migrants to Darwin. It is a wonderful acknowledgement of how tough it can be when you are settling into a new place. It is always fantastic to hear the stories of how everybody is settling in and to extend a hand to see if there is anything I can provide information-wise to make their settlement easier.

I was able to catch up with CatholicCare NT recently. I thank Jayne Lloyd and her team for having me. We discussed their Men's Behaviour Change program. I acknowledge that the funding has come from Territory Families and they are delivering the service for the Top End. I am really excited about this because it is a 24-week program where perpetrators of domestic violence are supported to change their behaviour. It was great to hear the in-depth details. The program will run from the Malak Community Centre, which is operated by the City of Darwin and sits next to the Malak Primary School. If anybody is looking for any information or might be interested in participating in the program themselves, please contact CatholicCare NT.

The Member for Sanderson and I were able to catch up with Karen Cieri from the Sanderson Alliance to discuss their way forward. The alliance has been operating for a number of years now and we are still trying to evolve to see how we can best work together as a group under a collective impact model to provide support for vulnerable children and families in the Karama and Sanderson electorates. I look forward to continuing to work and support Karen and the others at the Sanderson Alliance.

Last Saturday I opened the Malak Family Centre Reggio Emilia teaching conference. That was a fantastic opportunity because the Malak Family Centre is located in my electorate. It was great to support Jo, Kathy and the rest of the team and to walk into the hotel at 8.30 am on a Saturday and see 100 people eager to learn and upskill on the Reggio Emilia model.

Knowing that the early childhood and teaching staff all gave up their Saturday to learn more so that they can deliver more for our children is fantastic. I was really inspired by their commitment. Thank you to everyone for attending. Thank you to Jo and her team for putting in that Community Benefit Fund application. I think it is a wonderful way to spend the $15 000. Because we were able to support it through the Community Benefit Fund, attendance was free. I encourage them and everyone else—if you have a good conference or a training session that you are looking at running that will benefit the Territory, apply for a Community Benefit Fund grant.

Yesterday, the City of Darwin partnered with the Territory Child Care Group Incorporated and Early Childhood Australia to hold a free Harmony Day event at the Malak Community Centre. I acknowledge that today, 21 March, is Harmony Day. Happy Harmony Day to everyone around the Territory. Being a melting pot of cultures is probably our greatest strength in the Territory. I hope everyone had a fantastic Harmony Day. I acknowledge that many of the schools in my electorate had Harmony Day events. I hope they all went well and I am sorry I missed them

I touched base recently with Darwin Olympic Sporting Club, with Charlie Kathopoulis, to discuss their needs in the upgrading of the facility. Their clubhouse at the Malak Oval has been the same since I rode my bike around there when I was about six years old. They are looking to partner with the federal government and the City of Darwin to see what can be done to extend, expand, build on and improve the clubhouse, which is much needed to support the operation of the Malak Oval.

Karama Kids Club continues to occur every month. It runs for two hours on the first Tuesday of every month. If you have young kids at home and are in or near Karama Shopping Centre, please come along to join in the free activities. As you walk in you will see a fantastic set up in front of Woolworths. There are mats on the ground for kids to sit on and to play on, and there are art and craft tables established. It usually starts with a reading by the librarians. I thank the Manunda playgroup, the Karama centre management, and the Karama Library for this amazing partnership.

I recently attended a church service, joining the Karama Indonesian Uniting Church congregation. Being able to attend a church so close to home is comforting on a Sunday. When I am not in the Indonesian Uniting

Church congregation I try to attend church with my mum. She will tell you that I do not attend enough. As a politician I am sure that I have a lot of sins I need to make up for.

It was great to join Ferdy Mauboy, Pak Reva and the rest of the crew, including Nuri, in the wonderful service that is held at the Karama Indonesian Uniting Church. The church has been fantastic in supporting me as the local member. It has helped partner with local events. It does an amazing service for our community. It is also looking for volunteers for its op shop. Make sure you come along.

There is so much more that I could put on record, but I will run out of time. To everyone in Malak and Karama, feel free to join in my community events and to contact my office. I am at the shopping centre.

Mr MILLS (Blain): Mr Deputy Speaker, I will add a little more that I have learned since taking an interest in the issue of vaping. We had a debate in parliament about vaping. On consideration of the matter that we had to deal with in parliament, I came to the view that we need to legalise vaping in the Northern Territory.

I was convinced after careful consideration. I declare that I am not a smoker and that I have never been addicted to tobacco. I have never smoked and I abhor it. However, my wife has been a smoker for many years—I mentioned that in my speech. I am grateful, as are our children, that she has been able to free herself from smoking. She attributes that to access to vaping. Upon greater consideration of how important vaping is as a tool to assist people to be free of nicotine addiction, I think that it is a matter that needs to be reconsidered. Nonetheless, the position that the government has taken is one that will be very restrictive and damaging to some small businesses in the Territory. That is what I will dwell on.

If the Attorney-General or anyone from government wishes to come to visit one vape store in particular, you will be able to see the impact of the legislation that was passed here, on a small business that has a significant contribution to many people who are trying to get off tobacco. The restrictions placed, perhaps as an unintended consequence, will be damaging for the business. They place unnecessary obstacles for people who use vaping as a way to get off tobacco or as a better alternative.

I will read from an executive summary of a new report. It is called Legalising Vaping in Australia, a report by the McKell Institute, written by Associate Professor Colin Mendelsohn and Dr Alex Wodak AM. At the beginning there is a conflict of interest statement that says:

> *The authors have never had any commercial or financial relationship with the vaping or tobacco industries.*

They go on to explain that they have no conflict of interest in coming to their own view. In the Territory there is such a high precedence of people who smoke, people who are vulnerable and who smoke, and the cost of smoking—because of that addiction—can damage families. We need to think again about this. In the executive summary it says:

In spite of a substantial fall in the smoking rate over several decades …

Not particularly so in the Territory, I add:

> *… nearly three million … Australian adults still smoke tobacco. Smoking remains the leading preventable cause of death and illness in Australia. Smoking is especially prevalent in disadvantaged populations such as Indigenous people, low-income groups and those with mental illness or substance use and is a major contributor to health and financial inequalities.*
>
> *The long-term decline in smoking rates in Australia has slowed considerably since 2013. Many Australian smokers are unable to quit in spite of Australia having the highest cigarette prices in the world, plain packaging and strict tobacco control laws. Ever-increasing tobacco prices place a huge financial burden on low-income smokers and are almost certainly contributing to a growing illicit tobacco industry. New and effective strategies are needed.*
>
> *One option being widely used overseas is vaping (using an e-cigarette). Vaping is a reduced-risk alternative to smoking for adult smokers who are unwilling or unable to quit. Vaping delivers the nicotine smokers are addicted to along with the hand-to-mouth ritual smokers enjoy …*

I can cite my wife's example:

> *… but without most of the harmful toxins present in smoke. Australia imposes a de facto ban on vaping and is increasingly out of step with other similar countries, such as New Zealand, the United Kingdom, the European Union, Canada and the United States. Smoking rates are declining faster in many countries where vaping and other reduced-risk nicotine products are legal and readily available. Ironically, it is illegal to possess nicotine liquid for vaping in Australia without a prescription from a doctor although smokers can readily purchase higher-risk cigarettes from supermarkets and most corner shops.*
>
> *Vaping is not risk-free, but long-term use is estimated by several reputable authorities to be no more than 5% as harmful as smoking. There is convincing scientific evidence that vaping helps some people quit smoking, including a recent, large randomised trial which found that vaping is nearly twice as effective as conventional nicotine replacement therapy. Vaping is now the most popular quitting method in the United Kingdom, the United States and the European Union.*
>
> *Vaping provides another quitting strategy at no cost to the public purse. Smokers who switch to vaping can expect substantial improvements in health as well as large financial savings, of special importance to low-income groups. Fears of vaping being a gateway to youth smoking, renormalisation of smoking and uptake by non-smokers have not materialised to any significant extent in over 10 years of overseas experience so far.*
>
> *Legalising vaping has enormous potential to improve public health, particularly for disadvantaged smokers who are disproportionately affected by smoking-related diseases.*

It goes on. For anyone with an interest that is the McKell Institute's report, Legalising Vaping in Australia.

I will go to the local situation. By viewing vaping as an activity that needs to be restricted, the unintended consequences are on a business that I visited with Steve and Kirsten. They are suffering significant risk to the operation of their business. When you have a closer look at it—I hope members opposite will take the time to investigate this further—you will find that it is illogical.

It is so much so that the people who have been coming into the shop have signed a petition. I was surprised to learn that this petition basically explains their position and why they have come into the shop. They have come in because they have been using it to get off smoking or they do not smoke and use vaping instead. There were 780 signatures just from one shop. They do not like the way the legislation is impacting their freedom of choice to be able to access vaping as an alternative to the only and ready option, tobacco.

These are some of the issues that I uncovered. Because vaping will soon be classed as smoking, does that in fact mean that from 1 July vaping will no longer be allowed in a vape shop? That brings a variety of issues for business owners. That means they will have to vape outside the shop, which is ridiculous when access to vaping is something to assist them to get off tobacco. You will see vapers on the footpath, not in the shop.

When people make their way to a vaping shop—this particular shop is excellently run and presented—they go in to inquire how to vape. I remember that when we were overseas my wife went in and had the whole thing explained to her; it took some time. You need some skill and to be taught how to use this stuff. It is beautifully set up for thoughtful engagement with those who want to learn more about vaping.

You will soon go into that shop and not be able to see anything. If you go into the shop every product will be covered in curtains. You will have to suggest what you are in there for and they might give you a peek behind the curtain. These are adults who have freely chosen an alternative to tobacco. Vaping is very hard to access, but tobacco is very easy to access. There are some ramifications and unintended consequences from the actions passed in parliament that will really damage this industry and remove access to an alternative that those addicted to tobacco need. I will continue with this another time.

VISITORS
Rick and Mary Hines

Mr DEPUTY SPEAKER: Honourable members, I advise of the presence in the gallery of Rick and Mary Hines, all the way from Kansas. Welcome to Parliament House, and enjoy your time in the Northern Territory.

Members: Hear, hear!

Ms MOSS (Casuarina): Mr Deputy Speaker, I welcome Rick and Mary. We love cruise ships in the Territory. We hope you have enjoyed your travel here.

I rise to talk about a range of things, but it would be remiss of me not to start by reflecting upon the events of last Friday in Christchurch, New Zealand. I add my voice to the condolences of the Assembly to the community of Christchurch, the broader New Zealand community, Muslim communities in New Zealand and Australia, to the Islamic Society of Darwin, Islamic Council of the Northern Territory and to the community members who attend our Darwin Mosque. The mosque is just down the road from my electorate office, in the electorate of Wanguri.

The Deputy Chief Minister spoke about this earlier in the week because she and I are quite regular visitors to our local mosque. It is not unusual to be travelling between my electorate office and my office in Parliament House on Fridays and see the many Territorians who attend the Darwin mosque for prayers. It is not unusual for us to attend open days or international food fairs at the mosque, or the many interfaith and educational events that the Muslim community puts on.

The events of last Friday were shocking, hideous and should be outright rejected by all. I believe they have been. My thoughts remain with the 50 victims—mothers, fathers, children, teachers, business owners, people from the community just like you and me—who were going about one of the things that we value as Australians, the freedom to practice your religion. It has really struck me. I have been a bit lost for words about it over the last week.

As the Chief Minister put, it churns up a lot of emotions for many of us. I felt angry when I attended the mosque with some of my colleagues on Sunday to hear that the president felt that he could not say he felt safe attending prayers at the mosque. That is here in the Northern Territory, where we as a community have been successful at being multicultural—one of the best examples world-wide.

We still have people who are feeling impacted in their day-to-day life by what occurred. That makes me angry and it should make us all angry.

As I listened to the stories of different people and the prayers throughout the night, I also felt angry that our Muslim community have worn the burden of having to stand up against things that happen across the world for almost two decades. They are constantly expected to stand up to condemn the actions of others. They have been wearing the burden of education and building understanding. That is the responsibility of all of us.

It is not just the responsibility of those who experience discrimination and hate speech day-in and day-out to educate the community. It is the responsibility of all of us. I stand in strength with our local Muslim community. Now, more than ever, as a community we need to listen to Muslim voices.

ABC's *The Drum* had an all-female Muslim panel the other night. A young leader who I have a lot of respect for, Sara Saleh, was one of the women on that panel. She was the Chair of the Australian Youth Forum when I was a member. I have so much time and respect for her. She said a lot of really important things on white supremacy and the growth of hate speech.

I saw some of the comments that she received as a result of being brave enough to speak out. They essentially ignored most of what she said. I urge people to listen to understand, not to respond. Now, more than ever, those voices are really important.

I give my congratulations to the Nightcliff Tigers for breaking their 54-year drought. That was absolutely wonderful. Waratahs won the Women's AFLNT grand final—that was wonderful. Phillip Wills, who was the Nichols Medal winner, is really wonderful. We went to school together. Not only is he a star footy player, he is also a good bloke.

Janet Baird won the Gwynne Medal for best and fairest. She is the youngest winner ever. The Member for Brennan was excited to be cheering on a young woman from Palmerston, from the Member for Drysdale's electorate. There are lots of people who were proud of her.

I congratulate the Indie Book Award winners for this year. It is a national book award nominated by independent bookshops, which we know are few are far between these days. I encourage everybody to support independent bookshops. The overall winner was *Boy Swallows Universe* by Trent Dalton. Some of the other winners were *Bridge of Clay* by Markus Zusak, *The Arsonist* by Chloe Hooper, *Welcome to Country* by Marcia Langton, *Lenny's Book of Everything* by Karen Foxlee, and *A Song Only I Can Hear* by Barry Jonsberg in the young adult category.

I have to declare a conflict of interest here. Barry Jonsberg is my stepfather. He is also a constituent of mine. We are a very proud family. One of his other books is being made into a movie that will be released later this year. We could not be more proud. I think this is another example of a brilliant Territory story.

Henbury on Aralia is a new work training site attached to the Henbury School. It is not physically attached, it is an initiative of the school. It has been helped and supported by the Henbury Corporate Luncheon. It is an addition to the Henbury Op Shop. On 5 April, they will open Henbury on Aralia. It is a garden cafe and has a giftware component, which is excellent news. I was really pleased to take the Ministers for Education and Territory Families to Henbury School, where the Minister for Education released the framework for inclusion. It is a 10-year plan for how we can better build the capacity of schools to work with students with additional needs.

We were fortunate enough to meet with a group of students who are the school's first ever learning commissioners, or student commissioners—they were brilliant—and a range of representatives from the parent council. I put on record my thanks to the ministers for joining me. It is really nice to be able to share that school community with my colleagues. I thank Carolyn Edwards, who is an absolutely brilliant principal.

Everyone, get along and support Henbury on Aralia. If you cannot make it to their opening, every Friday they do a coffee morning and the students run the coffee and cakes. It is always a really wonderful morning and a good opportunity to have a chat and share some things. I really enjoy going.

To conclude, I put on the record my gratitude for my local Landcare group, Friends of Casuarina Coastal Reserve. I have been involved with them for years now. Deb Hall is the volunteer coordinator of that group. We helped do some work on a couple of blocks in the Casuarina Coastal Reserve; one called the moth block and one called the beach block. We did some work on the weekend on the beach block, weeding, and protecting the newly planted trees from fire. They will join the rangers in some burn-off activities in coming weeks.

They have been using some of the equipment purchased through their Community Benefit Fund grant but so much of the work in the reserve could not be done without them. The moth block is there to try to attract the atlas moth back into the Casuarina Coastal Reserve. My message to the community is this: many hands make light work. It is really interesting; you will learn so much. I know so much more about weeds and birds now than I ever knew before. It is a really lovely way to spend a Sunday morning. Please, get behind our volunteers and Landcare group and enjoy what we are fortunate enough to have in our back yard.

Mr McCONNELL (Stuart): Madam Acting Deputy Speaker, I rise tonight to discuss an issue of utmost importance to my constituents: housing reform. I have watched remote Indigenous housing being used as a political football numerous times and I understand there is a federal election coming up, so certain parties will feel free and feel like it is a great time for some sort of moral stand-off about housing.

The request for housing reform came very clearly from remote electorates in the last election. They requested housing reform and it came through very clearly at the housing forum held in Darwin in March by APONT, the Aboriginal Peak Bodies Organisation of the NT, and Aboriginal Housing NT.

The forum stated quite clearly that good housing starts with community control. It demonstrated the strong evidence that housing is an important part of health and wellbeing of families in communities, and that is the way you create better outcomes in education, employment and community sustainability.

It was reported by the government's own commissioned research which found that Aboriginal people in the Northern Territory feel their greatest barrier to creating a community housing organisation is government itself. Both governments—federal and Territory.

At this forum one of the attendees asked the minister for Housing—and I am paraphrasing here—to get off the big ship of government and talk to people on the ground. Instead of doing that, the government continues to let this issue fester. In recent weeks it has blown up as a great big boil. The government cannot continue to deliver remote Indigenous housing through a public housing model. It will not work. This model is failing. There is no wonder the federal government does not want to invest more money into a broken system.

Little rent has been collected and there are still unresolved questions about the ability of the Northern Territory to legally collect rent from remote housing. The methodology is probably not legal.

The other thing brought to my attention is that if those housing leases are suspended and the Northern Territory Government does not proceed with them, the major revenue base of rates for regional councils will be gone. If those houses are not leased to the Northern Territory Government, they are not rateable.

Commonwealth land is not rateable unless there is a sublease. Has this been considered? Probably not. A recent court case at Santa Teresa set a precedent, and there are a number of other communities pursuing similar claims. We have reached a very low point in remote Indigenous housing. It is unfortunate we reached this point before considering changing the system.

There is an opportunity for change, sparked by the political deadlock between the Northern Territory and federal governments. It is heartening to see Aboriginal people being involved in framing a new housing system through investments with land councils, AMSANT and APONT. From my experience and discussions over many years, remote Indigenous people—the clients—are looking for these things: community control; choice and flexibility; responsive repairs and maintenance; local training and employment; and the opportunity for private home ownership on Indigenous-held land.

I believe these goals are attainable. There is also opportunity to drive local remote economies through a housing program by having a high percentage of funding being used and utilised in the community. This will engage communities and individuals to commit to education and training that will enable greater community participation in the housing program. Some communities are ahead of others in this area and some are building their own homes now. In some communities there will be a need for significant capacity-building in rights and responsibility of tenants and potentially homeowners.

Housing funding needs to be extended with higher accountability and needs to be expended in a more targeted manner. Interestingly, the square meter rate to build remote Indigenous housing in the Northern Territory is more expensive than the rate to build housing on the North Shore in Sydney. That is a problem with the system, a broken system—a system you should not invest a further $550m in. We need more substantial change in that.

Communities must regain control of the entire service delivery and funding program, including housing construction and administration of housing. The process will bring together public and private organisations to develop partnerships for social housing outcomes and deliver a participatory economy.

There are many potential models going around and that I have worked on many over the years, including developing an idea that I refer to as the ‘community housing collective’. To set up something like this, we need to look at a new model.

We need to understand what is happening in remote Indigenous housing. We used to have a program called the Community Housing and Infrastructure Program, or CHIP. It was funded by the Commonwealth and was abolished before the intervention. It was negotiated at COAG. We ended up with a national partnership agreement for Indigenous housing over 10 years. That was negotiated between the Henderson Labor government and the Rudd Labor government. It was to be delivered in 10 years, but it has been extended to 11 years through a negotiation by the Gunner Labor government because it did not deliver it last year.

A lot of the houses that are currently being built, which the minister tells us about, are being built with Commonwealth money. I can show you the tender documents. I know the truth does not seem to matter much, but I can show you the documents.

We need to look at a new and alternative model. We used to have the Indigenous Housing Authority of the Northern Territory. It was a statutory body that received money from the Commonwealth and Territory governments to administer individual community-controlled housing organisations. We need to go back to that type of model. The funding that is being made available by the Commonwealth should be held by the Commonwealth. It should be held by the Aboriginal Benefits Account.

The Aboriginal Benefits Account should administer the money through a re-instated IHANT board. That IHANT board probably does not need to be a statutory body, but it should hold the money. Its default housing organisation should be Territory Housing, but it will have adequate oversight so that we know Territory Housing is telling us the truth, because it is not currently. It cannot even collect the rent, let alone do the repairs and maintenance or protect the assets. I am deeply concerned about the sustainability of housing because of the inadequacy of the rental collection.

We need to look at this alternative model—default to Territory Housing and the ability for communities to develop capacities for a community housing entity, which should be eligible to register as a proper community

housing enterprise. There is a federal framework of administration and registration regarding this. They should be meeting that level of framework. We need to have Indigenous people in the community they live in responsible and involved in every aspect of their housing, whether they build new houses or renovate houses, not just deciding what colour they paint them or which way they orientate them. We are sick of that stuff. My constituents and many other from remote communities are sick of that stuff.

We need a truly independent housing model. That housing model can be the framework to start a participatory economy in remote communities and stop leaving them behind. One of the major issues we have with remote communities at the moment is that a lot of people of capacity are leaving because they do not have opportunities regarding housing. If you live in Hermannsburg in the electorate of Stuart, you have one choice regarding housing—to live in a public housing property. There is no private housing market or opportunity to rent from another sector. There are no other opportunities.

You could live on an outstation if your family owns one, or there might be an opportunity where there is staff housing. I commend this government on its initiative regarding staff housing for Indigenous local recruits, but there is no housing economy.

If you want remote communities to start functioning properly, do not tell us about yesterday's ideas and how it is somebody else's fault. Come to the communities and work together on this for sustainable remote Indigenous housing led truly by community control, not rhetoric or press releases and spin.

Mr KIRBY (Port Darwin): Mr Deputy Speaker, I will start by congratulating AFLNT on the fantastic event they put on over the weekend. I congratulate all the winning teams. Nightcliff certainly deserved their great win. In Division 1, the team I am a proud patron of, the Banks Bulldogs footy club got up over Nightcliff in that game. Congratulations to the hard-working volunteers, not just in AFLNT but all the clubs as well. They do an amazing job.

Tonight I will speak about some great work being undertaken by staff in my agency, the Department of Primary Industry and Resources. We have some wonderfully talented people in the Northern Territory public sector, working hard to help develop our Territory economy and jobs for Territorians. I have mentioned before the incredible importance of the mango industry here in the Territory. We are already producing a $110m annual trade in mangoes. More than half of the Australian production of mangoes comes from the Territory. Amazingly, more than half of that is produced in the Katherine and Mataranka region.

It was pleasing to see recent national recognition for some great work by DPIR Research Leader Dr Cameron McConchie. This work is leading to an important advance in understanding the cause of resin canal discolouration, or RCD, in mangoes. Mangoes have an extensive network of canals that form a complex network just under the skin and in the flesh. When infected with RCD, the canals become brown or black in colour as the mangoes ripen.

These mangoes are safe to eat, but the discolouration means they lose a lot of traction at market. RCD is estimated to cost the Northern Territory mango industry between $5m and $10m per year. Until now we had no clues about the cause of this disease. This is an important thing to know if we are to develop strategies for minimising its impact on our annual harvest, which can save us millions of dollars a year.

The new research undertaken by our DPIR team in conjunction with the ARC Training Centre for Innovative Horticultural Products has found that that RCD is caused by bacterial infections and is likely post-harvest. This will help us to develop action that we can take post-harvest to minimise its spread and impact on fruit quality.

The research has also shown that some mango cultivators are more susceptible to RCD than others. Some of the new mango varieties that have been developed are very resistant to RCD, even when the infection is injected directly into the fruit.

I have also mentioned the great work that DPIR does in the area of biosecurity. I will finish on RCD first though. It is pretty amazing. In laymen's terms, they cultivate that disease at Berrimah farm with the intent of injecting it and implanting it into mangoes so that they can then work on how to resolve it and get it out of the products. Then we can be free of the disease in the Northern Territory. This means a great deal for our markets. Congratulations for that cutting edge work done by our hard-working staff.

Biosecurity is an important angle we take to make sure that we have control of everything that is leaving the Territory. Banana freckle eradication is a good example of a great program. It was one of the largest pest

eradication programs ever attempted and achieved in Australia. It supported our banana industry locally and nationally, which contributes more than $1.2bn to the nation's economy.

We are currently working hard on issues like citrus canker. We are getting good results on that as well. It was great to see the Executive Director of Biosecurity and Animal Welfare recognised with a national award. This recognised her contribution for more than 20 years to the prevention, response and recovery from biosecurity issues. This included work on a wide variety of threats including cucumber green mottle mosaic virus, Asian honey bee, Hendra virus, fire ants and now citrus canker.

There is a massive national program to do with fire ants, which I learned about at the last federal ministers' meeting. It is amazing work.

I also acknowledge the importance of engaging with industry, with our research partners, growers and peak farmers' body, the NT Farmers' Association. We are well served in the Territory with the staff of the department, growers and NT Farmers working together, engaging with industry to share in addressing biosecurity issues through the Northern Territory.

A strong agriculture sector has always been central to the Territory's history and our economy. It is a sector that contributes over $700m in sales per annum to the Territory economy. All this great work helps to support our agriculture industries. We will keep supporting our farmers to address biosecurity threats that threaten our industries and resources, attracting investment into the Territory and creating new business opportunities for Territorians.

The department's Aquatic Biosecurity team were also recognised with national awards for their work on our fresh water pests programs, marine pest monitoring and fish kill investigations. They were also recognised for the quality of their work on public awareness programs, risk assessments and their work with Aboriginal marine rangers.

The Aquatic Biosecurity team was established following a black-striped mussel infestation in Darwin's marinas in 1999 with only fraction of the staff and resources that larger jurisdictions have. They have been able to successfully monitor, control and eradicate aquatic pests that could otherwise significantly affect the aquaculture industry and damage the environment. That was another topic that was brought up at the agricultural ministers' meeting.

There has been a successful program in Cullen Bay to get rid of disease there. Our aquatic biosecurity team, led by Evan Needham, Natalee Leader and Michelle Skarlatos-Simoes, punches well above its weight in doing a great job helping implement our environment and maintaining the integrity of our fisheries. They are working hard with AFANT and other rec fishing groups to make sure that the Territory fishos are well informed of aquatic pests and how they can help in terms of vigilance, reporting, controls and protections for our great Northern Territory marine and freshwater environments.

Congratulations to all the staff I have mentioned and I look forward to catching up with you all over the coming weeks, now that we are out of sittings for a while. I am looking forward to getting out to as many stations and farms as I can.

We look forward to further opportunities to recognise and celebrate the work of all the hard-working staff, support our industries to make a strong agribusiness sector that is diverse, and grow as many jobs through the Northern Territory as we can.

Ms NELSON (Katherine): Mr Deputy Speaker, I have learned many things throughout my life and one of those things is that you do not realise what you are learning when you are learning it. The most significant things that have shaped and influenced my own thinking have come in circumstances when I would not have expected to learn anything, and sometimes in unexpected quiet moments of random revelation.

I have also learned, or come to accept and acknowledge, that I am an incredibly fortunate woman. I have had some wonderful people in my life who have shown me the values I most admire in a leader and I have tried to emulate this throughout my life.

Young leaders of today understand equality. They know what justice is, and working together they make a wonderful community and contribute so much to their communities. I commend the following school students, their teachers, their parents and grandparents and carers for leading by example and for raising the young leaders of our future.

It has been a very busy Term 1 for the schools in Katherine. Aside from the usual comings and goings of busy school life, students have also been very busy campaigning and getting elected to school representative councils and leadership roles.

Last week I placed on record my congratulations to the elected leaders from the following schools: Katherine South Primary School, Casuarina Street Primary School, Clyde Fenton School and St Joseph's Catholic College. Tonight I have the pleasure of placing on record my congratulations to the elected student leaders of the other schools in Katherine.

I will start off with the Katherine School of the Air:

- school captain, Sharlette Johnson
- school vice captain, Olivia McDonald
- house captain Cyclones, Wyatt McDonald
- house vice captain Cyclones Chloe Yuile
- house captain Bushfires, Elise Brown
- house vice captain Bushfires, Sam Brown
- student leaders Isla Scott, Colton Lorimer, Olivia McDonald, McKenzie Inskip
- student leader proxies, Cooper Thiess and Maggie Murphy.

From Katherine High School, congratulations to School Captains Floyd Keighran and Megan Pickering; Vice Captains Jerry Wang and Kaylom Johnson.

On 15 March, I attended the student strike for climate rally which was held in front of this House. It was a global event with similar rallies occurring throughout Australia and the world. Climate change is one of the biggest problems facing the world and it is not being addressed quickly enough.

In Australia, education is viewed as immensely important and a key way to make a difference in the world. Unlike some federal politicians in Australia who have taken the opportunity to belittle, mock and chastise students for striking, I have been and will wholeheartedly remain supportive of students who are passionate about the environment and want to see real action on climate change.

One of our passionate students at St Joseph's Catholic College in Katherine also took some time during their day on Friday 15 March to focus on climate change. I will read a message—a call to action, if you will—shared by Year 12 student Sarah Assmus. She said:

> *Missing school is not a problem if we do not have a future. Please read the signs that some of our Grade 12 class made and think for a moment. Over half of the Great Barrier Reef has died since 2016. That fact, a comment made by Scott Morrison, made our Grade 12 class stop for a moment.*
>
> *When we saw the school strike for climate change we knew this was our opportunity to raise our voice not only for ourselves but for the future generations, our future children, families and friends.*
>
> *This is our future that is being jeopardised. Change takes time so we need to act now. Here is a few ways that you can help. Reduce waste, use reusable containers, avoid buying things wrapped in plastic, support organic and eco-friendly movements and only buy what you need.*
>
> *Be energy wise by unplugging your electronics when they are not in use, use energy-efficient light bulbs, reduce the detergent you use in your washing machine and dryer and switch to solar power, if possible.*
>
> *Speak up and let people know the facts about climate change. Tell them why you think it is important and why you care. Tell them how they can help and what you are already doing to make a change. Every little thing helps.*

We are the grade 12 class of St Joseph's Catholic College in Katherine, Northern Territory. With the support of our teachers we are speaking up about climate change. We are insanely proud of our generation and the history that we are creating today.

Hear our voices because this is something worth listening to.

It is a fantastic call to action. It gives me great pleasure to put that on public record today.

We have some truly clever and articulate students in Katherine, who care about their community and are always thinking of ways to improve the community they live in and share with others.

I have great pleasure in being able to put this on public record as well. Nine-year-old Lachlan de Beer wrote a letter to me. I seek leave to table his letter.

Leave granted.

Ms NELSON: His letter reads:

Dear Sandra,

I strongly believe that we should really have an inside play centre. Inside the centre there will be a cafe, games arcade, rock climbing and a children's indoor playground also with a toddler area.

This play centre will appeal to the community, visitors and tourists. The benefits the community will get from this are local jobs, comfortable entertainment, money flow and community physical health.

The reason why I am asking for this is for entertainment other than the pool and the adventure playground. In the Build-Up everyone would be able to go play in a nice cold room.

Thank you for reading my letter.

Lachlan de Beer
Age: 9
Student of Casuarina Street Primary School.

I thank Lachlan for his letter and I promise to present his proposal to my government and respond to him accordingly.

Ms WAKEFIELD (Braitling): Mr Deputy Speaker, I acknowledge the work of all the emergency services working on the evacuation. I have seen bits and pieces on social media today. It is an extraordinary effort.

Territory Families is responsible for setting up the evacuation centres. A lot of people in Territory Families are working very hard today and will be over the next few days depending on what happens on the weekend. I say thank you for that work. Many of you will work over the weekend and give up time with family and friends to make sure other Territorians are safe. Thank you very much for that service, we appreciate it. Our thoughts are with everyone impacted by this very large system.

I acknowledge that World Social Work Day was this week. As a social worker of over 30 years I acknowledge the hard work of many social workers throughout the Northern Territory. It is a great profession. It is a profession where you can work in a wide range of settings from early childhood, to hospital, correctional, aged care and, as it turns out, political settings.

At the centre of all social work settings, the main focus of social work is about supporting people to be the best they can be, and supporting them through the difficult times in their life. It is a profession that is often misunderstood because a social worker can undertake such a broad range of tasks.

At its core it is about people, families and communities. Thank you to the social workers for all the work you do. The Northern Territory is a challenging place to practise social work in the Northern Territory. It can be invisible and thankless work. I thank everyone for their hard work and acknowledge their professionalism and contribution to our community to make it a safer and stronger place.

On a slightly unrelated matter—the Member for Namatjira did this last week—I want to congratulate the organisers of the FABalice Festival a week or so ago. It was a fabulous event and the first of many, I hope. It was a fantastic celebration of how far we have come.

During the speech which welcomed delegates and people to the festival, I acknowledged we had some leaders within the LGBTQI community who had been fighting for a long time for a festival like this. I acknowledge Phil Walcott, who many in this House will know because he is a keen political observer and has run in the seat of Braitling as an independent on multiple occasions.

He and his friend Kalikamurti Suich tried to do a similar festival 20 years ago. At that time it was a very challenging thing. They received hate mail and death threats. It is important we reflect on that, particularly today, Harmony Day, and with the events of the last few days. Our communities are changing. The FABalice festival, which was so welcomed in Alice Springs, celebrated LGBTQI culture and inclusiveness in such a welcoming way. Twenty years ago it was not so welcomed. That shows we have come a long way.

Following the events in New Zealand this week—and the fact today is Harmony Day—we have to reflect on the fact this was a hard-fought win. We must be vigilant not to allow those views of hate and intolerance to come back into our community. Alice Springs is a welcoming place and is much more welcoming than it was 15 years ago when I first arrived, when it was not a multicultural space. It is now. We have large Muslim and Sikh communities. We have Hindu, Buddhist, Indian, Nepalese and African communities. It is a very multicultural and tolerant place.

On Harmony Day I reflect on what we have done well, but we cannot take it for granted. Sometimes we celebrate our multiculturalism without having hard conversations. There are hard conversations to be had, and we have to be vigilant to ensure that we maintain the gains we have been achieving. Difference makes our community stronger.

Celebrating other people's strengths makes us all stronger. Celebrating other people's differences means that we concentrate on the things that are the same between us. I thank everyone who celebrated Harmony Day. I wish I was at the celebrations today—there were members of our community who became Australian citizens in Alice Springs today. One of the best things I do as an elected member is go to citizenship ceremonies. I will be sending each one of them a letter and will try to meet with them all to celebrate that achievement.

Welcome, and I look forward to the next FABalice Festival so we can all celebrate what is so good about our community.

Ms UIBO (Arnhem): Madam Acting Deputy Speaker, diversity seems to be the flavour of the night. I want to start by talking about my visit to Millner Preschool today to celebrate something pretty exciting that is happening across the Territory, and that is the Preschool Science Games. Thank you to the Millner Preschool, teachers, families, support staff and the Principal of Millner Primary School for allowing me to look at some of the Preschool Science Games being run. Millner Primary School is one of 11 schools across the Territory that have been doing this work.

It aligns beautifully with the science, technology, engineering and maths strategy, which I launched and which was released through the Department of Education last year—the STEM strategy 2018–22. It is great to see that we are not just looking at primary schools, middle schools and secondary senior colleges, but we are also looking at the early years, which are critical. It starts the journey to a bright future for our little Territorians. That was a wonderful way to start a Thursday.

Later down the track I will seek leave to table the media release from today. It is a great story to share. Thank you to the staff—Varn Baker, the teacher. When I arrived I could tell that Varn loves her job. She is so proud of their work at Millner Preschool and the support they are getting from the staff and community as a whole regarding things like the Preschool Science Games. I had a really good chat with her and some of the staff about the program they are running. Congratulations to them and Varn.

I also got to meet Caitlyn and Robert, who are the two new co-Chairs of the Millner School Council. Both have kids or grandkids at Millner school, so it was great to hear some of their stories and enthusiasm. They are just starting in these roles in the school council. My dad and mum used to be involved in school councils and it is a great forum for parents and community members to be part of to support school staff and, ultimately, students.

The 11 schools that are being trialled include some remote communities. Ramingining is one of them. I cannot remember the rest off the top of my head. If anyone is interested, I am happy to share the names of those schools. Thank you also to the Principal of Millner school, Warwick Peter-Budge, who hosted me during the visit. He actually worked with my sister, Jocelyn, when she was first starting as a teacher after graduating. She did a couple of days a week at Millner Primary School. It was funny, he accidentally called me Jocelyn a few times, and then said, 'Sorry, minister!' She and I look the same, so I understand his mistake. Thank you to Warwick for hosting me and showing me the great work the preschool is doing.

The second topic I will speak about this evening is investing in generational change. Our Labor government is proud of this and I thank the Chief Minister for taking the lead on his vision of making sure we work with Aboriginal Territorians in the Territory—they make up a third of our population—and driving our local decision-making agenda with Territorians in remote communities. I mention this because today is National Close the Gap Day. It is a timely reminder each year to look at what work has been done to close the gap between Aboriginal and Torres Strait Islander Australians and Australians in the mainstream, and looking at where areas of disadvantage are, particularly health.

Madam Acting Deputy Speaker, you are a fierce advocate for health and equity. I am sure you are aware that today is this special day, which looks at not just state and territory governments but our federal government working together to pledge support to Aboriginal and Torres Strait Islanders across the country to achieve health, social and educational equality by 2030.

Sadly, with the release of the national Closing the Gap report last month, even after 11 years we have only just reached one of our seven targets here in the Territory. We have a lot more work to do and I acknowledge that. In saying that, we are talking about investing in intergenerational change here in the Territory and we cannot do that unless we invest in important things like education, health, infrastructure and housing, which are critical to improving the lives of Aboriginal and Torres Strait Islander people in the Territory.

I acknowledge that today is a very important day. It is very different for me to be in parliament on a day like today. When I was a teacher out at Numbulwar, I used to organise a Closing the Gap basketball game with my secondary students. We did that every year for four years and it was a really great event. It became something that everyone expected every year. It was great to see the senior secondary students organising a basketball competition. We did face painting and went to each class to talk about what Closing the Gap meant.

Our students from early years, primary years and other secondary classes started to become familiar with the term and what it meant to Aboriginal young people in a very remote community. What does Closing the Gap mean in terms of the future aspirations of Aboriginal and Torres Strait Islander people across Australia?

It became pretty fun. It was a senior students versus teachers basketball game which, as you can imagine, was quite a fierce competition. It was a lot of fun. We had our principal and other staff members, teachers and support staff all playing basketball. I had a lot of fun, even though I am a soccer player. My hand-eye coordination is not that great, but it was still really good fun. It became so popular that everyone started demanding that we do a whole-school basketball game with the two moieties of our community.

The next year we took the feedback on board and made the events bigger and better every year. We would have our little ones and everyone else lined up from each of the moieties on each side cheering. We had a couple of little ones there, so we used a lighter basketball but the same adult rings, and they would score goals. Then we would have each consecutive year levels playing. It was pretty fun and a good way to celebrate something that is not always good news, and to promote awareness. I believe it has continued at Numbulwar School, so I am happy it has kept going.

Lastly, an update on Cyclone Trevor. I thank my Caucus colleagues for their support over the last couple of days. Yesterday was a bit of a shock and was overwhelming. But hearing some of the processes that are happening, I have every faith that the safety of our community members in that region is being catered for.

The first buses from Numbulwar have arrived in Katherine. My electorate officer, Kara Burgoyne, and acting liaison officer, Zelda Pomery, said g'day to our family at the showgrounds. They were doing the ticking off of names and getting people sorted. I thank the Red Cross, Territory Families and the other agencies that are at the forefront this weekend, giving up their time with their families to make sure other Territorians are safe.

Thank you to the people who are volunteering, and the mob who are coming into Darwin. I am thinking of everyone this weekend, but I am looking forward to going back to Katherine tomorrow, back home, and popping in to the showgrounds. My thanks to Kara and Zelda who have given out water bottles, plastic cups

and bags that people need. They are all red 'Selena Uibo, Member for Arnhem' bags, water bottles and cups. There will be a sea of red at the Katherine Showgrounds with all the Numbulwar crew and anyone else who is coming in. Thank you to my electorate officers for doing that.

I look forward to seeing people tomorrow and checking in with everyone across the weekend to make sure they are keeping safe. I thank our police, fire and emergency services, Territory Families, the Department of Education and all the volunteers who are working hard. We will be watching what happens on Friday night and Saturday very closely.

Ms LAWLER (Drysdale): Madam Acting Deputy Speaker, like others tonight I have a mixed bag of an adjournment speech. I will start by acknowledging all the hard work of the staff in emergency services and Territory Families who will be very busy over the weekend. I acknowledge the people who have had a huge disruption to their lives. We hope the damage is minimal and can be contained.

I have three constituents who turned 90 in the last few weeks. Happy birthday to Daphne Morse, Pamela Reeves and Shirley Kemp. It is an amazing thing to be turning 90, and I am proud of you all.

Last week I congratulated students on their leadership council appointments in their schools and I did not have Moulden Primary School's names at that stage, but I do now. I congratulate Simon, Ava, Michaela, Amber, Angela, Maddison and Mason for being on the student leadership council. I congratulate the house captains as well: Corella house, Josh and Avaya; Jacana house, Hazel and Matthew; Jabiru house, Pamela and Kirrilee; and Brolga house, Crystal and Jordan. There is a great community at Moulden and it is a pleasure to get out there and see the kids.

The Member for Braitling talked about citizenship ceremonies. They are one of the lovely things in this job. Palmerston had two on Saturday, at 10 am and 2 pm. There were 30 or 40 adults and kids there getting their citizenship. It was a lovely ceremony—I was there for both of them. It was a pleasure to see everybody so happy. I acknowledge Mayor Athina Pascoe-Bell; she made a lovely speech. We had one minute of silence at both services for the Christchurch victims. Well done to the City of Palmerston council on two lovely citizenship ceremonies. A special mention to my friends Maria and Neil Ariola, who became Australian citizens.

On Monday night I was at the launch of the local economic plan by the City of Palmerston. The NT Government has given the Palmerston council $50 000. The council will work with Deloitte to develop an economic plan for Palmerston. It was a great night and I was pleased to be a part of it. I had the opportunity to say a few words along with the mayor. It is great that the City of Palmerston council can focus on its economic plan—it has worked on the infrastructure plan and has six projects to focus on, some of which are funded and supported by the NT Government.

The next step is to make sure the council has a rigorous economic plan. They are now in consultation, so I hope people take the opportunity to be involved and have their say. Richard Fejo, the Chair of Larrakia Nation, was there to do the welcome to country. It was great to catch up with Richard and hear what is happening at Larrakia Nation. The Mayor, Athina Pascoe-Bell, and the Deputy Mayor, Sarah Henderson, were there as well as the aldermen from the council.

A special mention goes to the Department of the Chief Minister's staff, Sandra Schmidt and David Boustead, who are working tirelessly in Palmerston to coordinate the government's role in the City of Palmerston. There were a number of business people there. I had conversations with Paolo Randazzo, Peter La Pira, Jason Hanna, Matthew McCourt and John Mackenzie. It was a great group and cross section of the businesses—most of them are long-term businesses in Palmerston. Dicky from the Indonesian consulate was there as well.

It was a really good night attended by people from council as well as government—the Members for Barkly and Brennan were there with me. Palmerston has plenty of optimism. Lots of things are happening in Palmerston.

The Randazzos have just finished the multistorey building in the CBD of Palmerston. It is great. We need to see people living in the CBD. It is a bit like the Darwin CBD. When people are in the CBD they go to restaurants, cafes and shopping centres. The first residents are now living in the CBD. Those units are being filled. I drove past and saw some lights on there. Hats off to the Randazzo family for building those units in the CBD of Palmerston.

I look forward to the people of Palmerston having a say in the economic plan and how Palmerston can make the most of its strategic advantage. It is a city with young families. It is the family city. There are lots of people and a growing population. It is second only to Darwin regarding its population size. I look forward to seeing the economic planning work that comes out of Palmerston council, along with Deloitte.

It is a great initiative for Palmerston. I take my hat off to the Mayor, Athina Pascoe-Bell, for her leadership on that as well as Luccio Cercarelli, the CEO of the City of Palmerston. All in all, good things are happening in Palmerston. We have a lot of initiatives happening from a government point of view and money is going in to Palmerston, which I am very proud of. It is great to work in partnership with local government to get things happening for Palmerston.

Ms PURICK (Goyder): Madam Acting Deputy Speaker, I rise to speak of a man among men who gave so much to the Territory. It would be unforgivable if I did not place his name and contribution on the Parliamentary Record.

A long time ago, in 1938, in a wee place in Scotland a bonny wee lad was born called Grant Watt. This was no regular fellow indeed. Those who were around in the 1970s, 1980s, 1990s and later years will remember the big, burly Scotsman called Grant Watt who wandered the halls of the then parliament—which was in the Chan Building, as this building was being built—talking to politicians, political advisers and anyone who crossed his path. Grant talked of his work in trying to advance the uranium industry in the Territory. He talked about the people in Kakadu, notably in the Koongarra area. He talked about the nonsense Labor three-mine policy. Who would not talk about that silly and illogical Labor Party policy?

Grant talked about his friends and family. Grant was a great story-teller and when he started to tell a tale, you were wise to have plenty of time on your hands, as the stories morphed from one track to another and then on again.

Grant was tireless in his work towards a better place for the Aboriginal people of Kakadu and was good friends with the late Mr Big Bill Neidjie, and Mr Toby Gangali and Mr Nipper Kabirriki. Grant was a huge campaigner for the uranium and mining industry in general and worked tirelessly on behalf of the industry to have the Koongarra and Jabiluka projects come on line—he fought long and hard. He made friends and he made enemies, but being a Scotsman, Grant was not afraid of anyone—except his wife, Carmen, who was half his size but, boy, she had him bluffed. He did exactly everything that she asked.

Grant also fought for the preservation of Coronation Hill. Many in the Chamber were not born when the battle was waged on Coronation Hill. To this day so I tell you, it was a hard and ferocious battle. Federal politicians were smack in the middle of the crosshairs of Grant and others in the industry. Alas, that battle was lost, but the industry, and Grant, moved on.

Grant worked assiduously at overturning the Labor Party's three-mine policy and even attended their national conferences to try to convince politicians as to the detriment inflicted on the Territory. The other big campaign was getting the federal Labor government to lift the ban on the export of uranium oxide. This work—that he undertook with many others—was admired by many and if nothing else, Grant was honest, hard-working and always had the Territory and its people at the forefront of his mind.

The work Grant undertook will forever be the stuff of legends in the Territory mining industry. This was all done in addition to his real day job working for Queensland Mines, then Denison, then Cogema and then Areva, as subsequent companies bought out the original companies and took over the project. All companies wanted to develop the Koongarra project and again, the project has not eventuated despite being approved by the previous traditional owners, the late Mr Alderson and his family, as the rightful traditional owners of the area.

Grant and his wife Carmen lived in Nhulunbuy for years and while there they operated the Walkabout Hotel. I do not know much of this time; however, knowing Grant as I did, I am sure the pub was the place to be and enjoy a coldie and a yarn with Grant. Maybe three coldies. They also lived in Tennant Creek.

What was not well-known about Grant is he was an exceptionally good tennis player, and I mean seriously good. A-grade and state level. I do not know where that talent came from being a Scotsman, but he loved a good game of singles and mixed doubles.

My experience and friendship with Grant started when I worked at the Minerals Council. Boy, was that a wild ride! I was the CEO and Grant was the president. We travelled far and wide but mostly to Canberra for meetings with mining company CEOs, politicians and other like associations. Grant was a sight to behold—

wild and woolly hair, Scottish accent and big glasses. He took no prisoners. No one escaped Grant and everyone knew his passion for Koongarra and the Aboriginal people associated with the project and the land.

Grant was known to like a beer or three. During one trip, following the big annual dinner of the mining industry, I was in the lobby of the hotel the morning after, waiting to go to breakfast. In wandered Grant, dishevelled but chirpy, bow tie a little skewwhiff, but otherwise looking pretty normal.

In the lobby at the same time were some fancy pants, 'I am a very important CEO of a mining company' fellows who looked at Grant in awe. I am sure they were thinking, as I was, 'Where the hell have you been all night?' I have no idea where Grant was all night but I am pretty sure he was having a hoot of a time and chewing off someone's ear!

Another time we were in Canberra at a serious meeting with mining people. Grant got a phone call from a fellow called Bob Beadman. The Member for Sanderson remembers Bob Beadman. Many would know him from his work at senior levels in the NT Government. He is still around. Grant probably thought, 'Phwoar, must be important; Bob is ringing me.'

'Hey Grant', said Bob. 'What?' said Grant. Bob said, 'Do you know how copper wire was invented?', 'What?' said Grant. Bob said, 'Two Scotsmen holding a copper penny and arguing as to who owns it!'

I can still hear Bob laughing as I do every time I think of that phone call. Suffice to say, there were many expletives in Canberra that I am sure Bob could hear a long way away in Darwin.

Grant had a wicked sense of humour and it was often displayed in meetings and otherwise. As I would say, you had to get up pretty early to beat Grant. He had a heart of gold and was generous to a fault. Grant was protective of those he loved and cared for and would have been good in the role of William Wallace.

Grant had friends far and wide in the Territory, but especially around the Koongarra area where he had firm and dear friends including the late Mick Alderson and sister Jessie Alderson. This friendship covered years if not decades, and it was a great sorrow when Mick passed away in his fifties.

Grant was there to help the family and assist with funeral business. Grant had close relationships with many local Top End TOs and found himself sometimes in situations, bracing both black and white worlds. His support for the Gagudju Association and the Alderson families was strong and enduring.

One time he spoke at the coronial inquest in February 2007 regarding skeletal remains found at Nourlangie Rock at Kakadu. The findings outlined in Grant's testimony, who knew the possible deceased and recalled some details of the death in the 1980s, were:

> *The coffin was located and the Aboriginal men cleaned the bones. That evening they gave Mr Watt a small brown compressed cardboard suitcase with a single lock and told him it contained the remains of …*

Mr X. It goes on:

> *Mr Watt described it as … One of the ones the old railway guys used to carry around with them … just a sort of mottled brown [pattern] … you know it wasn't Gucci or anything like that.*

It showed the respect and the high praise that they had for this man that they entrusted him with that property.

I see Sharon Mulholland is in the gallery tonight. She works in Mr Higgins' office and also worked for many years with the CLP mines minister Barry Coulter. She knew Grant well and probably had to live through his many tales, meetings and phone calls. I quote from Sharon: 'Grant was a passionate, larger than life man who was highly intelligent, determined and tenacious, and he had a wicked sense of humour. He loved a wee drink from time to time and he was held in high regard by all who knew him. One could never have a short conversation with this man I called a friend.'

I express my deepest sympathies to Carmen, his wife, who was the true love of his life, and his sister and family in Scotland. Grant will be missed by all and I know that he is up there somewhere, regaling others with stories of his time in the Territory, his loves, his life and why the Territory, Australia and the world should have a complete nuclear fuel cycle.

Rest in peace, Grant. You were a great fellow. I will miss your phone calls and friendship, and everything about you. May you rest in peace forever. My love to Carmen and all the family.

Mr PAECH (Namatjira): Madam Acting Deputy Speaker, before I start my adjournment tonight, I seek leave to table a document on behalf of the Member for Arnhem, which she mentioned in her speech.

Leave granted.

Mr PAECH: On my first day in the Chamber, I spoke about why I put my hand up to represent the good people of Namatjira. I am passionate about improving the lives and livelihoods of people who live in remote regions. I take the responsibility and faith that the voters of Namatjira have placed in me very seriously. I work hard every day to live up to that responsibility.

I am proud that I have worked with the Labor team in this House to make some significant inroads into making Namatjira a better place to live, raise families, work and visit. I love getting out into the communities in my electorate: Santa Teresa, Titjikala, Finke, Imanpa, Mutitjulu, Docker River, Harts Range, Utopia, Ampilatwatja, Engawala, Amoonguna, the rural area of Alice Springs, my beloved town camps and all points in between.

I am humbled at the time people take to talk to me, to introduce me to their families, make me cups of tea and share a feed with me. I love nothing more than stopping by the side of the road, cracking open my tin of bully beef, slapping it on some bread with a good squirt of sauce and soaking up the Central Australian bush while munching on my sandwich.

I am very humbled that people take the time to share their stories and ideas with me about how we can improve the communities and deal with some of the issues, big and small, and achieve things that have a direct impact on the lives of people in Namatjira. These can be major pieces of infrastructure like roads and housing, or as small as new guernseys for the local footy team.

I own up to sometimes being frustrated. I am sometimes an impatient person. My family and friends would probably back me up here. Sometimes that impatience leads me to lash out in frustration, and it makes me cranky. I apologise for that. I know that sometimes I am guilty of having a go at people, driven by impatience. It is not an excuse and I hope I am getting better at managing this.

Being the Member for Namatjira is quite a journey. I do not mean in terms of the thousands of kilometres I travel in my job. It is a real journey of learning how to negotiate issues, advocate as part of a team with competing priorities, take the wins and losses, never giving up on something when you care about it, learning how government operates, and how quickly and slowly things can happen to see results.

I am proud that I have been able to see some significant results in my 32 months as the Member for Namatjira. Investing in the bush was, and continues to be, a crucial aspect of my agenda as a bush member for the Territory's third largest electorate.

I see firsthand the impacts government policy has on the front line, and the significant investments occurring in Central Australia to improve the lives of Territorians living in the bush.

I am very happy to accompany any member who is keen on a visit to some of my communities so they can see firsthand the delivery of much-needed infrastructure in my electorate.

Some of these major projects that the communities and I are very proud of include the continued investment in the Docker River Road. Over $9m has been invested so far. This is having a real impact on the lives of people in the tristate lands.

Finke community has received health clinic extensions and much-needed upgrades. Ilparpa Road will undergo widening and resealing. The tenders have been out for this project and, like Alice Springs rural residents, I am eagerly awaiting its commencement. The Plenty Highway has been allocated $25m to be invested in resealing, and sealing the Plenty Highway to the community of Harts Range, delivering future commercial land release in Alice Springs.

There is significant commitment to remote housing investment under this government. In Namatjira we have seen a number of investments in remote housing—three new builds so far and 18 replacement houses. There are 10 completed Room to Breathe projects with another 74 scheduled for completion this year. In remote communities, 158 housing upgrades have been completed with many more to come.

This is an outstanding commitment to the bush. We are on track to deliver more remote housing than any other Northern Territory Government. I take deep offence to the recent comments made by the CLP and Minister Scullion that we have turned our backs on remote Territorians. It was, after all, the CLP that sold out our people living in Northern Territory outstations.

I admit to being frustrated by the federal Coalition government and the NT CLP candidates' inexcusable inability to understand how important this investment is. The Northern Territory Government continues to work with land councils across a range of matters to ensure that remote living conditions of Aboriginal people are improved so we can lift the living conditions for our people in the bush. I make no apologies for standing up for the people of the bush and calling on the federal government to deliver in the bush.

It is important to have a positive and constructive relationship with the Territory's four land councils on matters such as housing, but we must also acknowledge the need for strong relationships with other key stakeholders such as Tangentyere Council. They do an outstanding job delivering services to the town camps in Alice Springs.

They, along with Central Australian Affordable Housing Company, have real skin and expertise in the issues regarding successfully delivering appropriate housing to Aboriginal people. We must acknowledge the need for such organisations to continue to be involved in the discussion and decisions regarding the provision of social and community housing.

The CLP and Scott Morrison want to shut out these important organisations. They are deaf to the expertise and experience they have to share. We have regularly engaged with land councils, peak bodies, regional councils and local community members on our remote housing program. I continue to support the establishment of a Northern Territory peak body dedicated to leading developments in Aboriginal housing matters in town camps and remote communities. I believe that this can be achieved without withholding important funds to remote people.

In the electorate of Namatjira, I have witnessed the positive results of the Northern Territory Government's remote housing commitment. We need the federal government to step up and stop playing games with people's lives and livelihoods. Our policy gives local residents in communities the opportunity to make decisions about the type of housing they want delivered as well as the design concepts.

This program has been well received in my electorate. I have witnessed firsthand the impact this is having. For example, in Santa Teresa I was able to work with residents to ensure that they were involved in the design, development and construction of their own home—a process which has never happened before.

I get out, work hard and get things done for my electorate. I have delivered housing upgrades, road upgrades to remote and regional roads, and renovations to remote clinics and schools. I have kept the doors opened for remote clinics in my communities. I have lobbied for greater police patrols in remote communities. I have supported town campers and stood tall with rural residents to stop industrialisation of rural land.

I have done all of this as a strong and proud Labor member. I will continue to deliver for Namatjira as part of the Gunner Labor government.

Motion agreed to; the Assembly adjourned.