

Madam Speaker Purick took the Chair at 10 am.

### VISITORS

**Madam SPEAKER:** Honourable members, I advise of the presence in the gallery of two Year 6 classes from Driver Primary School accompanied by Brianna Grazioli and Bryan Downing. On behalf of honourable members, welcome to Parliament House. I hope you enjoy your time here.

**Members:** Hear, hear!

### LEAVE OF ABSENCE

**Member for Wanguri**

**Mr GUNNER (Fannie Bay):** Madam Speaker, I ask that leave of absence be granted to the member for Wanguri today for personal reasons. Before anyone jumps to conclusions, we are not expecting baby Manison any time soon. The member for Wanguri is not here today for personal reasons.

**Mr ELFERINK (Leader of Government Business):** Madam Speaker, we support the motion. We are all aware of the member for Wanguri's circumstances and I am sure I can comfortably speak for all members of this House to wish her the very best.

**Mr WOOD (Nelson):** Madam Speaker, on behalf of the Independents I also wish the member for Wanguri all the best and recommend, if it is a boy, she knows what name to call it.

**Members:** Hear, hear!

Leave granted.

### LEAVE OF ABSENCE

**Member for Arafura**

**Ms ANDERSON (Namatjira):** Madam Speaker, I seek leave for my colleague, the member for Arafura, for personal reasons.

Leave granted.

### MOTION

**Proposed Censure of Chief Minister and CLP Government**

**Ms LAWRIE (Opposition Leader):** Madam Speaker, I move that this House censure the Chief Minister and the CLP government for their lies, culture of cover-up and failure to govern with the integrity and honesty Territorians require.

It will be no surprise to Territorians that this House moves to censure the Chief Minister. It has been the most disgraceful period of any Chief Minister

and the last 18 months under his failed leadership have left the public wondering where the shreds of integrity exist in government today. We saw, for the third Question Time this week, consistent with Question Time last week, this government, the Chief Minister and the Attorney-General fail and refuse to answer the most basic questions around the resignation of magistrate Peter Maley, just as last week they failed to grapple and deal with what the public knew was wrong: the homophobic rant by the Deputy Chief Minister. The disgraced member for Fong Lim, if this Chief Minister gets his way, will be returned to the spot of Deputy Chief Minister on Monday.

The member for Fong Lim is holding the government to ransom, because he has made threats in the parliamentary wing that he will walk out of parliament altogether, prompting a by-election in the seat of Fong Lim. Threatening - because there is a stench around this government and there is more to come out about this scandalous Peter Maley affair, the scandalous CLP connections and the scandalous government - that they risk losing the seat of Fong Lim. If they risk losing the seat of Fong Lim, we are in the situation that we found ourselves in before, they risk going into minority government.

That is the real threat the member for Fong Lim is holding over the head of his government, and holding it to ransom on. It is a disgrace that a Chief Minister does not have the authority to exert on his own parliamentary wing the choice of a Deputy Chief Minister, to walk in here for sittings and have a Deputy Chief Minister sit next to him. It is unprecedented in any Australian parliament that there is not a Deputy Chief Minister, or a Deputy Premier, filling a seat going into parliament. It is unprecedented that you leave such an important public office vacant, because there is a vacuum of leadership by this Chief Minister.

This censure is about a breach of trust to Territorians, who have a reasonable expectation that a government will operate ethically, free from undue influence, rather than in the interests of a few select mates who exert undue influence on government decision-making through close financial ties.

In the two short years since the CLP came to office, we have seen persistent conflicts of interest, cover-ups, scandals and blatant lies. The modus operandi of this government is always to deny, cover-up and deceive when unethical, inappropriate or corrupt behaviour is exposed. There is no clearer example of this than the Chief Minister's persistent statements in this House, denying he had any links with Foundation 51.

This is what he said in this House:

*In relation to Foundation 51 and any directorship Peter Maley may, or may not have had, I am not aware of how that works and I do not know about Foundation 51. There is no connection between Foundation 51 and the CLP as a legal body.*

That is a lie, but we now know from Graeme Lewis, Foundation 51 Director and CLP Management Committee member that - and I quote from his e-mail to CLP President Ross Connelly:

*I have made the Chief Minister aware of this probability, much to his concern, he and I have on many occasions discussed the matter of the Foundation and he is well disposed to having the Foundation continue its activity with the wall between the entities currently fixed in place.*

Deceit like this does not get much more brazen. The Chief Minister has clearly known about the nature and activities of this CLP slush fund for a very long time. Not only has this Chief Minister known about it all along, and not only has he lied to Territorians about his knowledge, but he has actively encouraged the CLP and the slush fund directors to operate in the clandestine way that it does.

We can see this is a clear pattern in the Chief Minister's behaviour of denying wrong doing and misleading the parliament when he is exposed and then covering up his direct involvement. It is clear that this Chief Minister and his crooked CLP government have said about to deliberately mislead this parliament and deliberately lie to Territorians.

Another example of this is the CLP's over-allocation of water from vital Territory aquifers to facilitate the granting of licenses to CLP mates.

Evidence from estimates hearings confirms the Minister for Land Resource Management - although he had previously denied it - was directly involved in the allocation of huge licences to former CLP candidate, Tina MacFarlane and former magistrate, CLP member of parliament, and director of Foundation 51, Peter Maley.

In response to a written question, the minister denied he had ever discussed these licences with either Tina MacFarlane or Peter Maley but, under the pressure of questions in estimates, he confirmed he had held discussions behind closed doors about the licences and their business interests. On 17 June this year, the member for Katherine said:

*I can confirm that I have had a discussion with Tina MacFarlane about her water licence which occurred, to the best of my recollection, in January 2013 at my electorate office in Katherine. I have had one meeting, I think, with Peter Maley. It was only a few months ago.*

He was following the lead of his Chief Minister, who denied in this parliament any involvement of his Cabinet in the allocation of water licences.

In awarding these licences, the government has ignored the legitimate interests of our stakeholders, including farmers, AFANT, Indigenous communities and the NT Environment Centre.

The appointment of Graeme Lewis as director of the CLP slush fund, Foundation 51, was a clear conflict of interest from the start. He was appointed as Chair of the government's Land Development Corporation. Emails from Mr Lewis, tabled in this Assembly, clearly indicated, despite denials, that Foundation 51 fundraises for the CLP and supported its campaign in the recent Blain by-election. This is a clear breach of the political donation disclosure provisions of Territory and Commonwealth legislation.

Former magistrate, Peter Maley, admitted recently that he had donated money to Foundation 51 and it is known, on the public record, that he continued his directorship of Foundation 51 while sitting as a magistrate. Despite this, both the Chief Minister and the Attorney-General persistently refused to investigate or terminate Mr Maley's appointment.

We understand both the Australian Electoral Commission and the Northern Territory Electoral Commission are investigating the CLP's slush fund, Foundation 51.

There are very close parallels between Foundation 51 and the corrupt activities of Eight-by-Five, a Liberal Party slush fund recently exposed by ICAC in New South Wales. A common thread between the New South Wales Liberal Party's slush funds and Foundation 51 is the appointment of political mates to keep positions in commercial and regulatory environments.

Let me run through some on this list: Graham Lewis, director of Foundation 51, member of the CLP management committee, appointed as Chair of the Land Development Corporation - a clear conflict of interest. Denis Burke, former CLP Chief Minister and political lobbyist, appointed as Chair of the Development Consent Authority - a clear conflict of interest which has caused grave concern in the Territory development community.

The Chief Minister has refused to disclose the financial arrangements and secret discussions with former Chief Minister, Terry Mills, prior to his appointment to the created position of NT Commissioner to Indonesia and ASEAN, with a budget of \$750 000 per year, footed by the Territory taxpayer.

This is extraordinary cronyism from this CLP government and it is causing concern and disquiet right across our community. This culture of cover-up and denial has been evident in the last two weeks in relation to the Chief Minister's failure of leadership relating to the appalling behaviour of the member for Fong Lim. They defended the indefensible. The Chief Minister refused to discipline the member for Fong Lim, and it took community outrage for you to even concede that Dave Tollner's homophobic slur was inappropriate. Now, just a few days later, you are keeping open his return to the position of Treasurer and Deputy Chief Minister because you lack leadership and the ability to maintain any standards of decency or governance. If it had not been for the leadership of the members for Goyder and Araluen to speak up and stand up against this appalling behaviour, Dave Tollner would still be the Deputy Chief Minister and Treasurer.

On top of all this, the Chief Minister has refused to come clean on what he knows about the circumstances surrounding the resignation of magistrate Peter Maley. Both the Chief Minister and Attorney-General have refused point blank to tell the truth about what they know about these serious matters. Why will they not come clean to Territorians? Why have they refused to conduct an inquiry? We have an inexperienced, arrogant, and out-of-touch Chief Minister leading a government ridden by personal acrimony and dysfunction, and imbued with a culture of cover-up. Stop the cover-up!

I call on the CLP to accept the responsibility to clean up their party and government and embark on good governance for the Northern Territory. The first step in this process of rehabilitation would be the removal of the Chief Minister who, clearly, is not up to the job. The Chief Minister pretends they are creating jobs when unemployment has doubled under his watch. The Chief Minister pretends the carbon tax reduction on power prices is the family saviour, after his government has slugged households \$2000 in tariff increases, and small businesses in excess of \$4500 in tariff increases, and that was made up by Labor when it was contained in a media release by the former CLP Treasurer, the member for Araluen. He is a Chief Minister who pretends he is getting on with the job of improving education when they have slashed the Education budget by \$15m. The Chief Minister pretends that only 35

teachers have been sacked when, in estimates, we uncovered the facts that at least 125 teachers have been sacked from our schools. The Chief Minister pretends it is okay out in the schools and that teachers are getting great support when they have sacked 60 support staff from our schools. The Chief Minister pretends he is helping the most disadvantaged students when he rejected the funding contained in Gonski that would have gone to our most disadvantage students - the students who turn up to school across the remote communities of the Northern Territory. Shame on you, Chief Minister!

The Chief Minister pretends that giving and slashing secondary education across the remote areas of the Northern Territory is the right thing to do when the people and the families in the communities are saying 'Leave our secondary education system in the bush. Do not strip it away. Do not have just a boarding school model for the Northern Territory'. By all means give our kids choice. Let there be boarding schools, but let there be secondary education in the remote communities across the Territory. You are a disgrace!

The Chief Minister pretends the \$11m cut to Health will not mean a cut in real terms to services, because he is busy pretending the reduction in elective surgery waiting lists is all because of him and his government when, in fact, it was federal funding provided under the federal health agreement delivered by former Prime Minister, Kevin Rudd. That is okay, keep pretending. The Territorians accessing our services can see you are lying to them.

You pretend Labor is just making up the crisis at Royal Darwin Hospital when in fact the Australian Medical Association called it a crisis. The Australian Nurses and Midwifery Federation says it is in crisis. Anyone going to Royal Darwin Hospital is spending extraordinary times in ED, not through the fault of the staff who are doing an amazing job, but because you, Chief Minister, keep lying about the state of our health system. You, Chief Minister, preside over an \$11m cut to health, a \$15m cut to health, while you find \$33m to add to the Department of the Chief Minister for one year alone and what do they do? They provide advice to you, Chief Minister.

They do not provide the nurses, doctors or support in our hospital system. They do not provide the teachers and support staff at our schools; they simply provide advice to you, Chief Minister. It is okay for you to have a \$33m slush fund to fuel your glossy brochures you so desperately cling to in Question Time, but you are okay to watch the cuts to our schools and okay to watch our hospital in crisis. You, Chief Minister pretend you are getting on with the job of

delivering Palmerston hospital when, in fact, they chose a site that was not serviced and has blown out the hospital by four years.

We needed that hospital to continue on the time line set in place with a serviced site, but in your arrogance you had to choose a different site. You had to do that despite the needs of the people in Palmerston or people in the rural area.

It is a disgrace. You put yourself before every single Territorians and their need. It is all about you, it is all about having fun and it is all about taking care of your job, your mates and jobs for the boys. It is all about how you can wash through the CLP's slush fund funding you need to cling to power. You are a disgrace. You are not a Territorian, you are a blow in. That is what people say. I hear it all the time. 'When is that blow in going away? He does not represent us, he does not talk the way we do, when is he going?'. It is unbelievable the way people talk about you, Chief Minister because they can see real arrogance when it shouts down the TV screen at them; they see it and they do not like it.

They want a government that consults with the community. They want a government that puts the education priorities ahead of their own \$33m glossy brochure fund in the Department of the Chief Minister. They want a government that will acknowledge that Royal Darwin Hospital has been in crisis. They want a government that admits they made a fundamental error when they stopped the use of the 100-bed medi-hotel built for purpose to deal with the subacute - to alleviate crowding in Royal Darwin Hospital and they put - you will not even say the figure - is it seven alcoholics, is it 15? In your culture of cover-up whatever you do, do not say the real figure but use the Territory-wide figure of, 'We've put 400 people through mandatory rehab'. Do not talk about the number of clients in the 100-bed medi-hotel putting our hospital into crisis.

There are so many things, Chief Minister you get so terribly wrong. In planning alone - when you hit the panic button because there is no land release in the booming environment of Darwin and Palmerston that you can stamp as a CLP land release, even though you will rename, rebadge and reclaim the Labor land releases across Johnston, Zuccoli, Mitchell to come, Muirhead and The Heights. You say, 'This is ours, these are our houses'. No, and Territorians know the truth. They know Labor planned and funded the infrastructure to turn off those new suburbs.

You desperately try to find a place where you can say, 'That is our land release', and you choose the area we know as Holtze but, in your arrogance, you call it Palmerston north and you choose

Berrimah. What is happening with the research facilities at Berrimah, Chief Minister?

You are keeping the prison to put our juveniles and the alcoholics in. We look forward to seeing your plans on what you can yield from a site that has a research farm and a gaol that will stay, or will we just find out at some stage that what you have been saying is not true, that the research farm will go? Who knows with this government, because what you say and what you do are two entirely different things. That is the lack of trust Territorians have in you.

What you say and what you do simply do not match up. You will not rule out the return of Dave Tollner to Deputy Chief Minister, even though our community - bless them - joined in a chorus of voices to decry his behaviour. You still stood and defended him and you will not rule out his return.

Such is your arrogance to press on with taking care of your mates above the interests of Territorians. We hear the numbers are being crunched to against you - little wonder. The polls tell us what we hear on the ground; you are in a slide to a loss of government, there is no hand-brake to put on. You are in a slide because Territorians see through your lies, they cannot stand your arrogance and they see you do things against their interests.

As parents of the Territory, as a parent myself, I challenge the CLP government to reinstate the funding to education. As a person born and raised in Darwin, with family in Darwin to use the Royal Darwin Hospital, I challenge you Chief Minister to accept the reality that the hospital is in crisis. Do not just bring 30 beds online in September, open up the 100 capacity at the medi-hotel that you blocked in your arrogance and your haste.

You will not even listen to your own community in Alice Springs. You pretend that it is fantastic. You will not acknowledge that 120 businesses in Alice Springs, under your watch, have simply closed their doors. You will not count the number of empty leases in the mall of Alice Springs. You will not acknowledge that one of the biggest manufacturers, OneSteel, has shut up shop in Alice Springs. You will not recognise the 340 business across the Territory which have closed their doors under your watch, because that does not matter to you. That is not what you are looking at, you are too busy trying to brand yourself as the man of northern Australia, it is a branding, a glossy brochure exercise that is as shallow as a petri dish.

There is not a Territorian who does not want to see the development; there is not a government in the history of the Territory that has not worked to

the development of the north of Australia. The CLP governments previously did it, the Labor governments previously did it, but in your arrogance it is all about you calling yourself the only person - you said on television the other day, it was extraordinary to watch – who will bring these projects.

No, Chief Minister. The projects are coming because of the work done by people in the role before you. The projects are coming because we have the brownfields. The projects exist because Labor invested in a Marine Supply Base, invested in the opportunity of chasing Ichthys, invested in time and energy to bring onshore Bayu-Undan to DLNG.

The conversation started under the previous CLP government, but it was landed by Labor. You are not big enough - you do not put the big boy pants on - to recognise who did the work. You are incapable of that, because it is all about you.

For the sake of the Territory, it is time for this parliament to censure this incompetent Chief Minister. You cannot keep walking into this Chamber, lying like you do, and not be held to account for it. There are things I would like to say in this debate about how grubby you have been in Question Time today, and this is form which you exhibit consistently. I will not; I have Supreme Court action under way, because as a Territorian I believe in justice. I believe in the pursuit of natural justice and I believe in the sanctity and integrity of our judicial system. I do not blur the separation of powers as you, Chief Minister, so arrogantly and wrongfully choose to do.

You have brought this censure upon yourself through your actions.

**Mr GILES (Chief Minister):** Mr Deputy Speaker, someone call the doctor, the Leader of the Opposition is on life support. That is one of the most embarrassing displays of debate I have ever seen in this Chamber. If ever there was an Opposition Leader on their last legs it is you. Today is the day you have the member for Casuarina quitting parliament. We are supposed to be adjourning parliament at 5 pm to speak in acknowledgement of his performance and service over the last 13 years, but instead of holding normal parliamentary debate and acknowledging his hard work, she has put that in jeopardy.

Everyone who was going to come in at 5 pm to listen to adjournment speeches at that time, where we all pay respect as a House - it has now been thrown out the door, and we know the Leader of the Opposition ...

**Ms Fyles:** Is that all you can say in response?

**Mr DEPUTY SPEAKER:** Member for Nightcliff, I will not have one more interjection. Everyone on the other side was quiet while the Opposition Leader spoke, and I expect the same from that side. Thank you.

**Mr GILES:** We have a Leader of the Opposition on life support. The member for Casuarina, who should quite rightfully be thanked for his performance in this Chamber - we know he is unhappy with the Leader of the Opposition. We know the eight members on the other side are divided at four all. We now have someone walking out in disgust with the Leader of the Opposition's performance and then, in a last gasp opportunity for vitriol and trying to drive in the knife into the member for Casuarina by the Leader of the Opposition, she decides to delay his acknowledgements at 5 pm tonight.

There is now a chance for us to decide if we should try to rush through things so we can acknowledge the member for Casuarina on time, to support him, or should we play the political game of the dirty and grubby Leader of the Opposition, who spoke lies throughout the whole component of her speech?

I will tell you the first one - jump up, member for Nightcliff, and say you cannot use the word lie. Standing orders have been suspended; you must learn that one, surely.

The first lie: I listened intently – there have been price rises on small residential households, up by \$2000 for electricity. What a complete lie! You know when Delia is lying because her lips are moving. It is disgraceful to see that.

**Ms WALKER:** A point of order, Mr Deputy Speaker! Surely we would continue to refer to members by their electorates?

**Mr DEPUTY SPEAKER:** Could the Chief Minister please refer to members by their electorate, thank you.

**Mr GILES:** Yes, sorry, that was a slip of the tongue, Mr Deputy Speaker; I should have said Leader of the Opposition.

You know that whenever she stands up to speak it will be a lie. I have to think if I should try to debate as a response to this pathetic censure motion or should I say what a waste of time in parliament? We will sit down and listen to everyone say good things about the member for Casuarina - hopefully sometime later today we will be able to call him Kon, rather than the member for Casuarina - but we would like to say nice things about him at that point in time.

Let us talk about a couple of other lies, one in particular being the \$30m of funding for the Chief Minister's department. What is it? We have moved the Office of Asian Engagement and Trade from Business into the Chief Minister's department. We have created the Office of Northern Australia, and these things do cost money. We now have the Indigenous economic development role in the Chief Minister's department, plus we also have \$10m in additional regional roads infrastructure funding sitting in there. There is \$30m, but it is going towards roads, building businesses, creating economic opportunities, working with Asia and developing trade. It is ridiculous. You have to develop a better argument.

You then talked about the cost of living; you do not talk about what we have done to reduce the impact of the cost of living. You do not talk about our 10% increase in subsidies for childcare or our sports vouchers which came in within a two-year period of this government - \$75, now increased to \$200 with two \$100-a-year instalments at the start and the middle of the year - or us doubling the Back to School Voucher, or the \$132m in releasing land in this year's budget - 6500 new blocks of land to get a better balance in the supply and demand equation for land.

No, she does not talk about any of those issues. She also does not talk about things such as when Labor first came to government, I recall the former member for Millner, Mr Matthew Bonson, put out a flyer in those days in which he was talking about cost of living when he was standing for the seat of Millner. I will have a look at some of the things he was saying on it. He has a little sentence here that says 'Labor's petrol petition - why do we pay so much? Petrol price petition - sign here'. That was Matty Bonson's response on how to address petrol prices - sign a petition. Well, how successful was Matty Bonson? Sign a petition to reduce the price of petrol! He also has on this, 'Darwin, the dearest for meat, fruit, vegies and petrol' - again. 'Labor takes action'.

What action did Labor take? When we came to government on 25 August 2012, what action had Matty Bonson taken? What action had the former Treasurer under the Labor government taken? Absolutely nothing!

**Mr Westra van Holthe:** Nothing. They drove up cost of living, that is what they did.

**Mr GILES:** They drove up the cost of living. It is something we inherited. It is something we are actioning across a wide range of areas, reducing the cost to families, particularly through the work we are doing directly with Sports Vouchers, Back to School Vouchers, childcare subsidy and land release.

Then we saw the carbon tax - removing the carbon tax. Labor paraded the carbon tax. It has now been removed by Liberals, by Coalition, saving \$245 per annum on a large household as an average. That is a good thing. Labor fought hard all the way to stop that from happening, to stop the removal of the carbon tax.

I hear snide little jibes and remarks by the Leader of the Opposition about portfolio changes or ministerial changes. These things happen in governments all the time. It is not about us, it is about the Territory and Territorians. To keep referring to that means you have lost control of what the game is actually about. Those of us involved in politics are in a bubble, we see it every day. You have to look outside the bubble, Leader of the Opposition, and start recognising it is about the Territory and Territorians.

That is why Territorians are so happy we reduced crime to the lowest level since the 1990s, wiped \$1.3bn of Labor debt off our books, and our economy is the second strongest in the nation - jobs and growth. It is about our future making sure our kids and our grandkids have a future in the Northern Territory.

Look at the ministries - and I have just referred to the member for Casuarina. The Leader of the Opposition came in the other day talking about change of ministries. Did you know the member for Casuarina has been a minister on 28 different occasions? In his 13 years of parliament - and I will talk about this later tonight, Kon - he has been a minister 28 times. Congratulations for being a minister but, if you want to come in here and say, 'You have changed your ministry', you should have a look in your own backyard - 28 ministries. You could say it was really only 25, because three of them were twice. But, 28 ministries ...

**Mr McCarthy :** Are you talking about 13 years or two years?

**Mr GILES:** Well, the Deputy Leader of the Opposition is chiming in. You must pat yourself on the back, Deputy Leader of the Opposition. That is the only time you will ever be Deputy Leader of the Opposition.

Then, we had the hide of the Leader of the Opposition to talk about our northern Australia policy. For her to come in here and criticise it - and I know she criticises it everywhere she goes. She cannot stand the northern Australia policy. She hates the fact we have a plan for the future. I know the member for Casuarina supports it, he is a firm believer. He believes in cattle, in mining, in development and jobs, and engagement with Asia. The Leader of the Opposition hates it. Now the member for Casuarina is going, who knows if we are going to keep the Leader of the Opposition

or not. We will see what type of numbers come in. We know she lost her factional fight in pre-selection in Casuarina, but we will see if we get someone with the smarts to get rid of both the Leader and Deputy Leader of the Opposition.

Let us have a look at northern Australia. We have the Leader of the Opposition who does not support northern Australia, the Deputy Leader of the Opposition who does not support the northern Australia agenda ...

**Ms Walker:** You took Nhulunbuy off the map!

**Mr GILES:** The member for Nhulunbuy hates everything under the sun, including the north Australia policy. The member for Nightcliff absolutely hates northern Australia. The member, Ken Vowles – well, he is still learning to read about it, but I am sure he will take a similar line to the Leader of the Opposition because he ...

**Ms FYLES:** A point of order, Mr Deputy Speaker! Standing Order 61. That comment about the member for Johnston was offensive.

**Mr DEPUTY SPEAKER:** What was the comment, I missed it.

**Mr GILES:** I said he is still reading about the north Australia policy.

**Ms FYLES:** No, you said he is still learning to read.

**Mr GILES:** He is still learning to read about the north Australia development policy.

**Mr DEPUTY SPEAKER:** I did not find that offensive. Continue, Chief Minister.

**Mr GILES:** I will send you some information on it.

**Mr VOWLES:** A point of order, Mr Deputy Speaker! I ask for a ruling under Standing Order 62. I found that offensive. Also Standing Order 65 – refer to me by my electorate.

**Mr GILES:** I withdraw.

**Mr DEPUTY SPEAKER:** It has been withdrawn. Continue, Chief Minister.

**Mr GILES:** They do not support the north Australia policy agenda and the member for Johnston just showed his ignorance in regard to the north Australia development policy. I will tell you who supports north Australia development initiatives, everyone on this side of the Chamber supports the development of northern Australia – all those stakeholders participating in northern Australia development support it. The kids and the grandkids who want jobs tomorrow support

north Australia development. The mums and dads who want to ensure we have a strong economy in the Northern Territory support it. The Coalition supports it, but who else supports it?

If we look at the agenda for the Australian Labor Party's Alice Springs branch meeting held at 5.30 pm on Tuesday 26 June 2014 in Warren Snowdon's office, under the guise of President Adam Finlay, Secretary Chancy Pash, also a councillor on Alice Springs Town Council, and Treasurer Judy Buckley, under the firm guidance of those representatives of the Australian Labor Party, Alice Springs branch meeting, on the agenda under general business at Item 9.3, discussion about northern Australia development initiatives.

While the Leader of the Opposition, the Deputy Leader of the Opposition, the member for Nhulunbuy, the members for Nightcliff and Johnston – I am unsure about the member for Fannie Bay, he seems to have some more intelligence around these policy initiatives, but while they do not support it, even the Labor Party in Alice Springs is supporting it, even calling for people to have a chat about northern Australia policy initiatives. Their own branch in Alice Springs is supporting it but the Leader of the Opposition is not. No wonder the Leader of the Opposition does not have support from the ALP in Alice Springs.

If we go back to some of those lies the Leader of the Opposition likes to peddle, she is running a line now saying 340 businesses are closing across the Territory. That is a complete lie. Three hundred and forty businesses have changed names, have changed ownership, have changed some statutory responsibility within their business structure, and they get picked up in a report when these things happen. The Leader of the Opposition, who was a former Treasurer and a former Minister for Business, quite unashamedly seems to believe these businesses are closing – they are not. She does not talk about the businesses that are opening and the businesses that are thriving and flourishing in the Northern Territory.

In her debate, in this last gasp effort of her dying and dwindling leadership of the ALP in the Northern Territory, she made what many would take as offensive. I did not take it as offensive, but she made reference to me not being born in the Northern Territory as if it is a bad thing. Leader of the Opposition, how many people living in the Northern Territory were not born in the Northern Territory, and is there anything wrong with that? Is it wrong to be an Australian and move to the Northern Territory? What a derogatory thing to say, and what a sure sign she is struggling under the mounting pressure of being

the Leader of the Opposition, being incompetent in her role, and also not holding the support of four of the people she is supposed to represent out of eight. I can see the cracks are showing. She is under extreme pressure. It is time for her to go.

Member for Fannie Bay, when will you get the numbers again? Perhaps wait until after the Casuarina by-election and you might get the numbers then. You might be able to convince someone. Surely, the Deputy Leader of the Opposition knows it is time to get rid of her. He might swing his vote to you. Surely, member for Fannie Bay, you have to put some intelligence on the other side of the debate.

As I said yesterday in Question Time in this House, Territorians expect us to have good governance, good policy, good debate and good direction. If we were not performing as a government, I would take on the commentary. But, when crime and alcohol consumption are at the lowest level since the 1990s, we have the biggest land release program in the Territory's history when we have the second strongest economy.

I am leading the push to get more gas coming onshore and more supply bases. I am the only one who can deliver it in this Chamber. When these things are happening, surely you must say that there are good things occurring. You must be questioning the reason why you do not have any policies on your side of the Chamber apart from the policy you announced during the week - that you support award wages for prisoners who mow lawns for people in the community. Award wages for prisoners, that is the Labor Party's policy. It was not on the minutes or agenda of the of the Labor Party meeting in Alice Springs, but the Leader of the Opposition is now trying to roll-out this new gold policy of having award wages for prisoners.

It is unheard of, but I am not surprised because she did not back the prison officers the other day when they were under threat and had to use tear gas to help save themselves. When you had prisoners rioting, they had to use tear gas. No one likes to see tear gas used on kids, but you have to protect the employees. The first thing you would expect of any political leader is back the staff and make sure they are safe. She does not back the staff, but decides to back the prisoners and calls for award wages. It is outrageous, but I am not surprised with the union basis they operate here in the Northern Territory.

That brings me to what we have been doing in two years. We are a government that likes to be open and transparent. We hold account, we do not mislead. We call it as we see it. The question about who will be the next Deputy leader - there

are 13 people sitting on this side, I am not nominating, but I hope all 12 will nominate. We want competition. We will not get out there and give some misleading lie. I will stand up and talk about some of our successes. Of our successes, what has Labor fought?

Let us run through education - 4.4% increase in the education budget, a total expenditure reaching \$870m, with an additional \$84m for education infrastructure. We have established a behavioural task force to tackle serious issues, like bullying and antisocial behaviour. We have established a commission on Indigenous education, the first of its kind in more than a decade, to improve Indigenous education outcomes. We have made secondary school performance information available to parents where Labor hid that in the past. We have a trial coming up on School of the Air, with five trial sites being identified to try to deliver better educational outcomes to some of our remote constituents in the Territory.

In regards to Health, we will build the Palmerston Hospital. We are not putting up a fence and a sign, and leaving it there forever. We will build it and have started building it - a bigger and better site, including a 24 hour emergency department. It will have a two-year construction time line, starting in 2016. Our Patient Assisted Travel Scheme has been reviewed with an outcome of increasing subsidies for Territory families travelling interstate for medical reasons.

Our cardiac surgery patients in Darwin and Alice Springs no longer have to travel interstate for CT coronary angiograms. We have put in \$4.46m for additional 400 elective surgery operations. And Royal Darwin Hospital has received \$22.5m in upgrades, so too has Alice Springs with a \$24.9m new emergency department. Our mandatory alcohol treatment program has had 400 people go through it, helping people beat the challenges of alcohol abuse and misuse. Three months off the grog, restoring cognitive ability in the brain so that these people have opportunities to make decisions about whether they want to go back on the grog or whether they want to change their life. Many will go back on the grog and we will put them back in for three months and help them restore their cognitive ability again.

In terms of community safety - it is important to reflect on this because crime is the lowest since the 1990s. We have abolished the Banned Drinker Register and introduced Alcohol Protection Orders, which are showing amazing results. Since we started in Tennant Creek, violent alcohol-based assaults are down 47%. If you were in New South Wales and you were the New South Wales Premier Mike Baird, and you said you had a 1% drop in alcohol-based violent assaults or crime, you would be singing from the



rooftops and receiving many platitudes and praise for doing it. We have had a 47% drop in Tennant Creek, and what does the member for Tennant Creek, the member for Barkly, have to say about that? Nothing! A 47% drop is amazing.

The Sentenced to a Job program for low-security prisoners - they are now getting out and working in real jobs, providing a contribution to the community they offended against, which saw them go to gaol.

We are strengthening and prioritising the role of school-based police officers, making sure those youth engagement officers know their role is so important and that their interaction with students to teach them the rights and wrongs in our society today to keep them out of the gaols is so important.

We have tougher sentencing for violent crimes, including the one punch legislation. I think we were the first in the nation to introduce one punch legislation, and now we see other jurisdictions coming on board. We do not hide our crime statistics. Labor used to hide them, and would not release them to the public in case there was bad news. Not only are we driving down crime, we are telling everybody about it. It is open to the public on a website, with monthly data released so people can see what is happening.

We have increased our breath-testing programs so that we can catch more drunks on the road, as we know drink-driving is the biggest killer on the road, along with not wearing a seat belt.

We have installed CCTV cameras in many other additional locations across the Territory, and we now have 182 cameras operating. I look forward to announcing an increased rollout into the future, but it is not only about the performance; we are also providing greater levels of resources to the security area.

Police now all receive iPads, so they can have greater opportunity to be out of the office and still access the computer system while on the beat, whether that is riding horses, being on motorbikes, in cars, walking, or even on our new Segways. It is so they have greater access to information to keep them out of the office and on the beat, which police enjoy.

Let us look at a couple of things we have done in the bush, because Labor likes to say nothing is done in the bush. The bush is receiving all of our attention all of the time, but I will just name a few things. The Homelands Extra Allowance program: I am the person who wrote this policy in opposition. I looked at how we support people living on homelands and outstations. I do not have the figures right now, so they will be rough,

but off the top of my head there were three categories of how homelands and outstations were funded. It was based on homes being one-, two-, or three-bedroom. A one-bedroom shanty or home was funded around \$685 per annum. I cannot remember the price of the two-bedroom home, but the three-bedroom home was around \$1200 per annum. That funding was to support repairs and maintenance and capital upgrades.

Many would say outstations and homelands are on Aboriginal land, so they should have nothing to do with government and look after them themselves. I understand why people say that; I do not support that philosophical approach, but many people say that. Roughly speaking there are around 5000 homeland outstation dwellings in the Northern Territory, and if we do not support those dwellings in terms of repairs and maintenance from an asset management point of view, and they deteriorate to the point where they are no longer habitable, then all of a sudden you have families from 5000 homes needing to come into the public housing system, if they cannot get into the private or community housing model.

That presents an economic challenge for government in how you fund that, so it is better for us to look at funding those outstations and homelands houses properly so they remain habitable. We can provide a more supportive environment for their families, people can choose to live on-country and not come into an urban location, should they wish not to, and it also helps us in the longer run with the need for greater level of investment to cover those 5000 homes. We sought to identify funding for that. I ran an economic analysis over repairs and maintenance funding across the Northern Territory, picked Tennant Creek, which had an average spend of, I think, around \$5200 – this was spent per annum on an average home there - and we applied that formula across the Northern Territory.

It does not matter if you have a one-, two-, or three-bedroom home, you are now supported through a \$5200 one off grant each year that can be rolled over each year to support capital management through upgrades, whether it is kitchens and bathrooms or replacements.

We have provided that \$5200 so that people have that more supportive environment. That is unheard of, going from \$685 a year to \$5200 - a massive increase in a supportive environment for those homelands and outstation. It is an enormous capital investment, but we know the importance of people wanting to live on their homelands, remain on country, and live on their outstations rather than in a dilapidated dwelling that is unhealthy, has inadequate environmental health infrastructure, and is not a safe environment for kids. We provided that supportive

environment. That is just one example of what we have done in the bush.

We have also made structural changes to the *Pastoral Act* so pastoralists now can invest in non-pastoral activities such as horticulture, growing fruit and vegies, for example, and sandalwood ...

**Mr Westra van Holthe:** The greatest change in the pastoral sector in decades.

**Mr GILES:** The greatest change to the pastoral industry for a long time. We have now said you can have that lease on the non-pastoral activity for 30 years, with a 30-year option which means you now not only have a new alternate business investment model, you have a tradeable commodity should you wish to sell it, based on your infrastructure investment - a fantastic outcome.

Let us look at what we have done on cost of living, families, and the Territory lifestyle. I have spoken about a couple of these things already, so excuse me if I go over them.

Every submission that comes to Cabinet has a cost-of-living measurement indicator. We consider if we are increasing cost of living or doing what we are trying to do, which is decreasing pressures of costs of living. When the Cabinet submission came in regarding introducing the doubling of the Back to School Vouchers, it reduced the cost of living from \$75 to \$150 - a fantastic investment. In putting in place the sports program, the Sports Voucher of \$75 is now increased to \$200, putting downward pressure on cost of living for parents and families across the Territory. There was the 10% increase on childcare subsidies and also opening that up and broadening the scope of who it is supplied to.

Moving outside of the support we provide to families, our start-up of Festivals NT, an exciting new concept for events across the Northern Territory, included extra funding for the Darwin Festival, but also trying to link that in to Asia to get a greater level of Asian content because, after all, Asia is our closest neighbour.

We have introduced a speed limit trial north of Alice Springs, have opened Motor Vehicle Registries on Saturdays, and introduced online registration and a greater level of online transaction opportunities for those going to the MVR or seeking to use MVR services, to provide an opportunity for people to get that access on weekends, not just during the week.

We brought national and international sporting events to the Northern Territory, not so we can just watch it, but so we can participate in it so those sporting codes can invest in the Territory

and, potentially, provide a pathway for Territorians to compete at our national elite level.

We have opened up the recreation fishing in Chambers and Finke Bays with buy-back of commercial licences, something unpopular but which completely supported the lifestyle opportunities of Territory anglers.

We established an independent NT Environmental Protection Authority that runs the ruler over developments in the Northern Territory to ensure we are not doing development willy-nilly, but have a firm framework around environmental aspects of how to protect the Northern Territory into the future.

They are just a few of the commitments and new initiatives on behalf of the Giles's Country Liberals government in the Northern Territory. It is fantastic to be part of such a team. I look and think about the potential opposite. I shudder to think what would happen if Labor was in government. Let us think about it. Crime would be up through the roof, it would not be safe to walk the streets in Alice Springs again, it would not be safe in Tennant Creek or Katherine. Debt would be spiralling out of control, and investment in infrastructure would be stalling because we have to be repaying so much money in interest on our debt. We would have more issues such as Territory government assets being handed over for free to union mates such as the Stella Maris deal. They would remember the Stella Maris deal, because that was where a \$3m government asset was given to union mates with the flick of a pen by the Deputy Opposition Leader when he was the minister for Lands and Planning in government, on the eve of an election in 2012 - a most despicable act.

Yet, Labor members like to criticise upstanding citizens, whether it is the new appointee to the DCA who went through a rigorous application process where there was seven applicants, and came highly recommended as the best applicant and was successful for the position in that regard, or the recommendation received through the Attorney-General framework to Cabinet on the appointment of Peter Maley. We get those recommendations, supported by the Attorney-General and, instead of being congratulated on the hard work and effort they have done in the past and will do in the future, they are attacked for their political thoughts not because of their performance or their ability.

Then we have the Leader of the Opposition on some sort of life support vessel trying to cling to her job in a last gasp effort with some rambling all over the place statement to parliament that made no sense at all, with a clear mind to her having eyes quite conceivably in the back of her head

checking over her shoulder to see whether or not the member for Fannie Bay will turn up with a knife and try to take her position. Member for Fannie Bay, you should do it. You should do it and this censure motion will not be supported. In fact, if I had my time again I would probably amend it to censure the Leader of the Opposition for her failure as an Opposition Leader in the Northern Territory.

---

**Statement by Speaker  
Use of Standing Orders**

**Mr DEPUTY SPEAKER:** Member for Fannie Bay, before we proceed I want to point out to members – I thought the Speaker clarified this in the March sittings – when there is a censure motion like this the standing orders are not suspended. The standing orders are suspended to allow the moving of the motion. Once the motion has been moved the standing orders prevail. I would like to point out to everyone that the standing orders are still there.

---

**Mr GUNNER (Fannie Bay):** Mr Deputy Speaker, we are censuring this Chief Minister and this government for their lies, culture of cover-up and failure to govern with the integrity and honesty Territorians require.

This is a matter of trust. Territorians no longer trust this government to govern. They do not trust this government to keep their promises. They do not trust this government to make decisions in the interests of all Territorians. They do not trust this government to do the right thing, and they do not trust this government to tell the truth.

We have heard from the Leader of the Opposition the litany of failures of this government and the reasons this Assembly must censure the Chief Minister. I intend to focus on just one aspect, which is a case study on the poor judgment this government has exhibited over two years – two years this week since they were elected. I am, of course, talking about the Maley affair, but what is the Maley affair?

The following facts are not in dispute. Peter Maley is a former CLP member of parliament and a personal friend of the member for Port Darwin. Peter Maley was a director of Foundation 51 which has links to the CLP. Peter Maley made a personal financial donation to the member for Port Darwin. The member for Port Darwin submitted Peter Maley's name to Cabinet for appointment as a magistrate. Peter Maley was appointed a magistrate by the Cabinet. The NT Bar Association asked for an independent inquiry into Magistrate Maley's conduct. The Attorney-General and Chief Minister said no to an

independent inquiry. The *NT News* put 13 questions to Magistrate Maley on a serious allegation. Magistrate Maley has resigned. The Attorney-General said he was aware of the serious allegations.

It is best if we take this through in chronological order. As we know, Peter Maley was a member of this House and a member of the CLP; we have no problem with that. In 2012 Peter Maley made a \$5000 donation to the member for Port Darwin's campaign and it was duly declared. The opposition has no problem with that. We have both the declaration from Peter Maley and the declaration from the member for Port Darwin. The Attorney-General has confessed in this House that Peter Maley is a friend and a mate. We have no problem with that. The Territory is a small place. We know Peter Maley supervised the member for Port Darwin in his law firm while the future Attorney-General worked his way through his Graduate Diploma in Legal Practice. No problem.

In September last year Peter Maley was appointed a magistrate. Who sponsored the Cabinet submission and brought it to Cabinet? It was the Attorney-General and he admitted this in estimates this year. I quote from the estimates transcript:

*Mr Gunner: Peter Maley was appointed as a magistrate by Cabinet. I understand that you still decide from those Cabinet deliberations and were not part of that decision. Under whose name did the Cabinet submission go in under?*

*Mr Elferink: Oh God, I cannot recall. It probably came under mine as the submission.*

*Mr Gunner: So for the same reason that it was appropriate for you to step aside from the Cabinet deliberations do you agree that it would have been appropriate for the Cabinet submission to have not gone up under your name?*

*Mr Elferink: It is a vehicle by which it comes into Cabinet and I went through a process where I absented myself from it in terms of selection.*

But the Cabinet submission went in under the member for Port Darwin's name.

The member for Port Darwin excused himself from the vote, but he would never be rolled by Cabinet. The mere sponsoring of the Cabinet submission was tantamount to a vote. The Cabinet submission went into Cabinet. The member for Port Darwin's Cabinet colleagues received a note from the member for Port Darwin, the Attorney-

General - the first law officer - and he absented himself from that room, but his note remains in that room. Those Cabinet ministers have a relationship with the Attorney-General, as they should, they are Cabinet ministers. They had, in front of them, a note from the member for Port Darwin as Attorney-General and first law officer, and based on that note Mr Maley became Magistrate Maley.

The member for Port Darwin wrote the note that saw his mate become a magistrate in the NT.

**Mr Elferink:** Actually, I did not. You are fabricating. I did not write it.

**Mr GUNNER:** Mr Maley had helped the member for Port Darwin get elected; he had helped them get his diploma. The fact that the Cabinet submission went in to Cabinet under the member for Port Darwin's name made it a done deal.

In September last year, solicitor Peter Maley accepts his commission and becomes a judicial officer, but it is soon apparent that he is not aware of how he should be conducting himself as a judicial officer. Every judicial officer in the land knows of this document, or should know of this document, the *Guide to Judicial Conduct (Second Edition)*. It is published on behalf of the Council of Chief Justices of Australia, including our NT Chief Justice. It is the bible on how judicial officers should act and it is unequivocal.

Judges should bear in mind that the principle of judicial independence extends well beyond the separation of powers ...

**Mr ELFERINK:** A point of order, Mr Deputy Speaker! I do not have a copy of that, I was wondering if you could table that one for me.

**Mr GUNNER:** I am happy to table this. It is available on line, to my understanding. I have in my office the proper formal copy, stapled, published etcetera.

**Mr Elferink:** I just want to read it. I am not trying to be smart, I need something to refer to while I am talking.

**Mr GUNNER:** The document says:

*The judges should bear in mind that the principle of judicial independence extends well beyond the traditional separation of powers and requires that a judge be, and be seen to be, independent of all sources of power or influence in society, including the media and commercial interests.*

It obviously contains more than that.

## 2.2 Judicial independence:

*Much has been written about judicial independence both in its institutional and individual aspects. Judicial independence is sometimes mistakenly perceived as a privilege enjoyed by judges, whereas it is in fact a cornerstone of our system of government in a democratic society and a safeguard of the freedom and rights of the citizen under the rule of law. There are two aspects of this concept that are important for present purposes: Constitutional independence and independence in discharge of judicial duties.*

### 2.2.1 Constitutional independence:

*The principle of the separation of powers requires that the judiciary, whether viewed as an entity or in its individual membership, must be, and be seen to be, independent of the legislative and executive branches of government.*

### 2.3 Conduct generally and integrity:

*Judges are entitled to exercise the rights and freedoms available to all citizens. It is in the public interest that judges participate in the life and affairs of the community, so that they remain in touch with the community. On the other hand, appointment to judicial office brings with it some limitations on private and public conduct. By accepting an appointment, a judge agrees to accept those limitations.*

In light of the principle I have just outlined, what did Peter Maley do? He remained a member of the CLP. How do we know this? He handed out how to vote cards for the CLP at the Blain by-election and was silly enough to allow himself to be photographed while doing so. I think everyone has seen this photo already. He was required to be seen to be independent, but went to the Blain by-election and handed out how to vote cards for the CLP.

Two months before the Blain by-election, Peter Maley crossed a more serious line. In January this year, he became a director of Foundation 51. It is here in black and white. ASIC confirms that magistrate Maley is a director of the CLP's slush fund, so why should we be concerned, as an opposition and as Territorians, about the Attorney-General's lack of judgment, the Chief Minister's lack of judgement and that magistrate Maley donated to and was a member of the CLP and campaigned and fundraised for them?

It is because it breaks every principle of independence judicial officers are supposed to

uphold. It is a breach of the guide to judicial conduct. It is a breach of the judicial code of ethics. It is a breach of the doctrine of the separation of powers and it jeopardises the independence of the NT judiciary.

Do not take this from me as an ordinary member of parliament. Let us look at the concerns of the profession, the custodians of the integrity of the system. They raised seven issues.

*Dear Attorney*

*Paragraph 2.8 of the constitution of the NT Bar Association provides that one of the objects and purposes of the association is to promote and protect the independence of the judiciary. I refer to the recent press coverage in relation to the apparent involvement of Mr Peter Maley SM in the Country Liberal Party after his appointment as a magistrate in September 2013 and, in particular, I note ...*

These are their seven concerns, in their first letter to the member for Port Darwin as Attorney-General.

- 1. It was reported in the press that the magistrate resigned from the Country Liberal Party on Friday 9 May 2014. That would suggest that he had been a member for the whole of the period following his appointment, until 9 May 2014.*
- 2. ASIC records reveal the magistrate's appointment as a director of Foundation 51 Pty Ltd ...*

I held those documents up before.

*... on 2 January 2014. A search of ASIC records on 27 May 2014 suggests that his appointment is still current.*

- 3. The precise business being conducted by Foundation 51 is not clear, however, it has been described by a former CLP senior adviser as a mental and monetary creature of the Country Liberal Party. The press has referred to the company as a CLP-aligned research company that contributed significantly to the Blain by-election.*

*Mr Graeme Lewis, one of its directors, has described it as a supporter of the CLP in political terms. Foundation 51 also shares the same postal address as the Darwin branch of the CLP.*

- 4. A member of the Legislative Assembly Larisa Lee stated in parliament on 15 May 2014 that: 'Chief Minister, you are the Chair of the Cabinet which appointed Peter Maley as a magistrate. You are aware that on Saturday 23 February 2014 he called me and offered me an inducement. He stated that I would have my own cheque book. Further there was also an implied threat that if I left the CLP I would no longer be protected. Shortly after that I was called by the Attorney-General, who also tried to stop me leaving the CLP and he repeated that I would no longer be protected if I left.'*
- 5. In a subsequent media report, whilst he was reported as denying Ms Lee's characterisation of the conversation as an attempt to bribe her, the magistrate was reported to having admitted that he had telephoned her and that it appears, by dispensing only the characterisation of the conversation, that he was doing so on behalf of or in order to promote the interests of the Country Liberal Party.*
- 6. It has also been reported that the magistrate was handing out 'how to vote cards' for the Country Liberal Party at the Blain by-election on 12 April 2014. A photograph has been published which appears to support this suggestion.*
- 7. Questions have been raised in parliament about the circumstances which apparently saw the current government grant two water licences on a property in the Douglas/Daly region which is owned by a company in which the magistrate is a shareholder.*

*The Northern Territory Bar Council is extremely concerned about the implications of these matters, of both the fact and appearance of the independence of the magistrate as a Territory Magistrate and the Territory magistracy generally.*

In their letter, they outline some of the case law, from *Ebner v Official Trustee in Bankruptcy (2000) 205 CLR 337*. The Attorney-General obviously has this letter:

*Fundamental to the common law system of adversarial trial is that it is conducted by an independent and impartial tribunal. Perhaps the deepest historical roots of this principle can be traced to Magna Carta, with its declaration that right and justice*

*shall not be sold, and the Act of Settlement 1700 UK, which provisions for the better security in England of judicial independence.*

*It is a principle which could be seen to be behind the confrontation in 1607 between Coke CJ v King James about the supremacy of law. It could be seen to be applied when Bacon was stripped of office and punished for taking bribes from litigants. Many other examples could be drawn from history. It is unnecessary, however, to explore the historical origins of the principle. It is fundamental to the Australian judicial system.*

*The principle applies to Territory magistrates. In North Australian Aboriginal Legal Aid Service Incorporated v Bradley, their honour said, 'That the boundary of legislative power and the present case then of the Territory is crossed when the vesting of those functional or duties might lead ordinary, reasonable members of the public to conclude that the Territory court, as an institution, was not free of government influence in administering the judicial functions invested in the court'. These principles necessarily require a magistrate, upon appointment, to cease all involvement in political life.*

*Justice Thomas, in the third edition of Judicial Ethics in Australia that apolitical conduct is now expected of any person holding judicial office. He said at paragraph 11.15:*

*After appointment, a judge should not be an active member of any political party, should not fraternise with those echelons of political power, should not actively support causes which produce partisan reaction in the community. It would be improper for a judge to participate in a political party convention as the divorce from political partisanship needs to be complete. A judge should resign from membership of any party. Continued silent membership could be seen as a clandestine support. Political cronyism is a more serious problem than it looks on both sides of politics. As a counsel of prudence, judges should immediately, on appointment, take steps strictly to limit any political connections they may have.*

*This is not just an abstract disassociation. Quite bluntly, if a judge is friendly of people who are active in politics, steps should be taken to minimise future contacts with them. It may be tempting to some judges*

*to keep up friendships of this kind actively with at least the subconscious thought that these may improve their own career prospects. Whatever the motive, these connections are extremely dangerous. There is nothing more damaging to the standing of courts and the suspicion that judges may be actively cultivating political connections and, thereby, compromising not only their appearance but also their very independence. These things do not go unnoticed by other judges or by the many judge watchers in the community.*

These were the concerns of the NT Bar Association - serious concerns in and of their own right that were begging of an independent inquiry the Attorney-General and the Chief Minister said no to. They are serious concerns. Of course, we know after eight months in office, the penny dropped and Peter Maley suddenly knew something was wrong. His own resignation letter from both the CLP and Foundation 51 said as much - acknowledged eight months later by resigning. I will quote from Magistrate Maley's statement:

*I resign from the Country Liberals. I have informed Graeme Lewis that I will no longer have any involvement with Foundation 51. After careful consideration, I now recognise it is not appropriate for judicial officers to be a continuing part of the political process.*

Yet, despite the magistrate acknowledging that and resigning, we still have the Attorney-General and the Chief Minister defending Magistrate Maley's actions and saying he should be welcomed to be a member of a political party and should be allowed to campaign.

Which brings us to the past two weeks. After months of withstanding pressure, of hanging on to his judicial office by his fingernails, suddenly Peter Maley resigned. In the dead of night, the Attorney-General received a phone call from Peter Maley tendering his resignation. Why would he do that? After just 11 months, why would he suddenly pull the pin? He cleared the decks. He was no longer a member of the CLP. We know that from the party president, Ross Connolly, and Magistrate Maley's resignation. He was no longer a Director of Foundation 51 - we know that from his statement.

According to both the Chief Minister and the Attorney-General, he was a great magistrate doing a fine job - but, he quit. Why? It is not in his nature. What is the truth? He said it is because he wants to return to private practice, but there is a road block there. If you look at the guide to judicial conduct, the one that was obviously ignored, it is a no-no between one and

five years. The Chief Minister and the Attorney-General know the real reason. The Attorney-General admitted it in this House and in media yesterday. It is not believable that Peter Maley resigned on the phone and did not tell the Attorney-General why.

The *NT News* is skewering you; it is a death by 1000 cuts. However, we have always preferred a Shakespearian death to a Hollywood one. Today, we learnt that on 26 May this year, Peter Maley was e-mailing a client. Why does a magistrate have a client? He wrote to the client that government would take on board what business people like you and I say. What have you taken on board, Chief Minister? What meetings have taken place? What lobbying has been done on behalf of his clients? How many ministers have met with him? What are you hiding?

On this side of the parliament, we have a hunch. We know you are trying to save your skins over there, but the truth will come out. What did this government know? When did this government know it? What do they know about the serious allegations which have been put to the magistrate by the *NT News*? How complicit are they in those allegations? We know the truth on this will come out. We know the *NT News* put 13 questions to Magistrate Maley. We know the *NT News* is aware of the allegations. Magistrate Maley is, obviously, aware of the allegations - he has now resigned. The Attorney-General said in this House and in the media yesterday that he was aware of these allegations. Yet, despite being aware of those allegations and the NT Bar Association's concerns, he said no to an independent inquiry. We know the truth on this will come out; it always does. We, on this side, cannot wait to hear it.

**Mr DEPUTY SPEAKER:** It is almost 12 o'clock, so we will break for lunch. I point out that if anyone wishes to make an accusation that the Speaker or Deputy Speaker are influenced by anything the Chief Minister says, I ask them to repeat that when they are called upon, rather than under their breath.

Debate suspended.

#### MOTION

#### Proposed Censure of Chief Minister and CLP Government

Continued from earlier this day.

**Mr WOOD (Nelson):** Madam Speaker, I do not normally vote on censure motions, but this gives me an opportunity to say a few words.

There was a famous comedy group around in the early 1930s, probably the 1920s as well, called Laurel and Hardy. I will quote from one of their movies, and I had to pick this one on purpose, called, *Chickens come Home* from 1931. Oliver says, 'Well', and Stan Laurel says, 'Here is another nice mess I got you into'. That is the state of affairs in this House at the moment. I think the government has lost the plot.

I will talk about the Peter Maley issue from my point of view and tell you why I think the government has lost the plot. In the last election Peter Maley, who I have known for many years, stood at the Kormilda College election booth with his CLP mates, the member for Fong Lim and our federal member Senator Scullion. Surprise to me - I thought they were good people - they pulled out my how to vote card as people crossed the line and said, 'If you vote for that man there, Gerry Wood, you vote for Labor,' which was a straight out lie. That method was used at other polling booths and I was quite disgusted.

My wife is not a political person but she sat at the polling booth at Kormilda and was quite upset because she had known Peter Maley for a long time. In fact my sister, who comes up from south every time there is an election, stood up to those three people and told them they were lying and she was trembling after she said that. That was my first knowledge of Peter Maley being involved in CLP politics.

Then, of course, we know - it is on record - Mr Maley gave a donation to the Attorney-General as part of the same election campaign and that has been declared by the Attorney-General. Peter Maley was then appointed as a magistrate by the newly elected government in September last year. A question that still hangs over that appointment is what committee elected him. We have not heard the names of the people on the committee who made the appointment.

Peter Maley was, whilst a magistrate, involved in party politics - I cannot believe that - in the Blain by-election. In this sittings of parliament the Legislative Assembly passed a motion to inquire into political donations and a few days later Peter Maley resigns. No reasons were stated for his resignation except the Attorney-General, as quoted in the *NT News*, said he wanted to go back to private practice.

The *NT News* also sent detailed questions to Mr Maley related to events before he was appointed to the bench and, according to the *NT News*, Mr Maley responded with a threat to sue for aggravated damages if the story was printed.

I must admit, I have seen the end of letters which have said, 'If you say any more, we will sue you'.

Those types of things, to me, mean two things; one, there is an issue you do not want aired in the public, or two, we are trying to frighten you off. I do not know.

The government, regardless of whether you believe everything is above board in relation to this matter, to the average punter who seen and heard all this, it looks like a farce brought on by what has become part of this government's trademark - employing people who are members of the CLP in many influential arms of the government and now it has come back to bite you.

I do not know why Mr Maley resigned, but I believe if you want to clear the air, some further statements have to be made, otherwise this will continue.

Perceptions out there mean a whole lot more than what we say in here. The perception is that the government has gotten itself into another fine mess, and only has itself to blame.

**Mr ELFERINK (Attorney-General and Justice):** Madam Speaker, I will keep this short, because I am aware of the timelines for the member for Casuarina.

The approach by the Leader of the Opposition in relation to this motion is somewhat superficial in the sense that she started well and then petered out for a conversation around the room. Is there real passion in this censure motion? I suspect not. It is all part of political manoeuvring.

I listen to many complaints and manoeuvring in relation to the soon to be former magistrate, Mr Peter Maley, and I will simply make these observations. The process in which he was selected was unusual in the sense that the decision of the committee was not a process in which I was involved other than to establish the committee. The magistrate who took on the role very quickly built a reputation for himself as a good, fair magistrate – that was the feedback I was getting. Did he make mistakes of judgement about his roles in the CLP? Perhaps he did, but that is now largely academic by virtue of the fact he has chosen to resign.

The arguments put forward by members of the Bar Association were about his continued role in the Country Liberals, in spite of the fact he resigned his membership. It was an exercise in overreach simply because, by the time it was over, Mr Lawrence had declared - and this was acknowledged in a question by the Leader of the Opposition - that democracy was dead in the Northern Territory and the rule of law no longer existed, or words to that affect.

I could not help but think of the irony, when you think about it, that in Question Time a person suggests that democracy is dead; I think you have missed the point.

I will not revisit any more of that, enough has been said and people will have formed their own opinions. That is that.

I want to make some more general observations about the comments by the members opposite in the separation of powers. There were quotes - I did not have a chance to read it over lunch because I have been tied up on other things - from the *Guide to Judicial Conduct* in relation to what is said about how judicial officers should conduct themselves, and it is indeed a document that sets a very high bar. However, I would like you to think about that in the context of the community in which we live as well, in one important way.

A city of 150 000 is a village when you compare it to some of the larger jurisdictions down south. The level of separation encouraged in that document qualifies it in terms of judgement. The doctrine of the separation of powers, at its most fundamental expression, is simply this: that a judge or somebody who is a member of the judiciary cannot be employed in the executive, nor can they hold a seat in a parliament. A person who is a member of the executive, namely a paid public servant, cannot be a judicial officer, nor can that person sit in the parliament.

As a member of parliament I cannot take the king's shilling, which means that if I were to work on behalf of the Crown - let us say I became a part-time reserve officer in the Army reserves - I could not be paid because of the position I hold in the parliament.

The doctrine of the separation of powers was something that grew from the English system of conventions over many hundreds of years and was adopted by a French philosopher, Montesquieu, who looked at it very closely and then sought to describe it as being separate in a different way. That is the way it is expressed in the United States, where the head of state is elected, whereas our head of state is ultimately the Crown through the Governor-General and the Administrator. Being an elected head of state they can then choose their own ministry or Cabinet who are not ministers, as you and I would recognise them. They are essentially CEOs of departments; they sit in the executive and are completely separate from the judiciary.

The President of the United States does not walk into Congress but by way of special invitation. Members of Congress cannot be part of the executive in the United States and be on the judiciary; it is a very clear set of delineations. In the Westminster system, by virtue of the fact it has grown up over years and through a series of conventions, it is not as clearly articulated, and by virtue of the fact you have members of the executive council occupying seats in this House, it is a different system that has developed as a result of the establishment of conventions.



Many people are surprised to learn England does not have a written constitution. It has a series of doctrines and conventions. One of those doctrines is the doctrine of responsible government, which means members of the executive - in a sense, they are ministers of the Crown who provide advice to the Crown - are held accountable to the people by also having to be members of parliament.

People would be surprised to discover that in the Australian Constitution you can be a minister of the Crown without being a member of parliament for as much as, I think, three months, so there are ways conventions are observed. Over time, this has been extrapolated to create even greater distances between the branches, but you cannot get to the point in our system where the distance between the branches is so extreme they simply stop talking to each other.

If you were to use that yard stick - and it is the yard stick suggested by the member for Fannie Bay - if I was invited to a CLANT Conference and the Chief Justice of the Northern Territory sat there and argued against mandatory sentencing in an effort to influence the Attorney-General of the Northern Territory, you could argue it was an attempt to breach the separation of powers, trying to bring pressure to bear on the Attorney-General. That would be errant nonsense; of course I would expect jurists to speak to me about matters of social policy, as they do all the time.

Am I allowed to socially engage with members of the judiciary? I heard the member for Fannie Bay suggest I should not be able to, and they should not be able to engage with me. What does it mean when I have dinner with a number of magistrates at their invitation? What it means is I have dinner and a social engagement but, during that process of sitting down and having dinner with me, issues of social public policy come up, and they make suggestions and give me ideas. I do not think that is a breach of the separation of powers, but is it strictly within the bounds of the Guide to Judicial Conduct as interpreted by the member for Fannie Bay? Not at all.

What you have is an interpretation by the member for Fannie Bay and others about how the separation of powers works. He created such a rarefied example of it that, in a community of 150 000 people in a Territory of 250 000 people, it is almost impossible to meet the expectations of the member for Fannie Bay. Should he ever become a minister of the Crown, I suspect whenever a jurist comes within 200 yards of him, he will place a bucket on his head and pretend not to see them.

Having made those observations, I will move on to other comments by the Leader of the Opposition.

I am very irritated at the attack on what we are doing in the Corrections system in the Northern Territory. I fully endorse the irritation of the Chief Minister who answered a question - indeed, the first question in Question Time - on that topic, which the Leader of the Opposition has called slave labour. When they were in government, they used prisoners who were paid between \$22 and \$44 per week to go around and clean gutters, clean up parks, and do work in people's gardens. It is a good program; in fact, we extended it. That, to them of course, is not slave labour, that is part of when you are in government saying to a person 'You are accountable for your actions and you will do penance and pay back to the society you have wronged'.

Acknowledging that, and expanding that program, was something this government chose to do. Of course, the now well-established Sentenced to a Job program which is seeing many people go to work for full-time wages every day, is a program that is continuing to enjoy success. I acknowledge and thank the members opposite, historically, for their support for the program. However, that seems to be waning.

You then get to the position where the members opposite said that any person who is working must automatically be paid award wages when they are in the prison system. That is a long bow to draw. We provide, as a prison system, a commodity into the commercial space, which is labour, something there continues to be a shortage of, particularly in a number of industries in the Northern Territory. We know that because many of those jobs are not filled by Territorians, they are filled by backpackers and by 457 Visa workers. So, of all the money that is earned by these people, some of it is spent in the Northern Territory, the rest is saved, and there are no jobs, and Aboriginal people continue to languish, unemployed, in gaols and in their communities.

From time to time, sadly, people come through the gaol system. We have two choices. We can stick them in a cell and do nothing with them - feed them, clothe them, then lead them to the front door at the expiration of their sentence, open the front door in front of them, let them step through, the door hits them on the backside, and they are just as unemployable as the day they walked in there. How is that a good outcome?

The former minister for Corrections acknowledged this and, to his credit, started some work release programs. He could have done a lot more, but to his credit he started some work release programs. When I became minister for Corrections, I thought not only do we make this part of the prison system but we start to make work the core of the prison system.

I am often asked how many Aboriginal people are in custody and the answer is 80% to 85% depending on the time of the week I suppose. In truth, the better question to ask is how many people were unemployed and welfare-dependent at the time of their offending? The former question smacks of eugenics, the latter question smacks of humanity. Unemployed people who are welfare-dependent have an over-representation which is more pronounced, in my opinion, than mere Aboriginality in the Corrections system. I think we should attend to the strongest correlation when comparing the two.

Aboriginality does not factor into Sentence to a Job. If you are Aboriginal, female, male, Muslim, Buddhist or a Christian you will not be measured by that. The way you will be measured is whether or not you are doing what is necessary to get a full-time fully-paying job in the community.

When I took over the Corrections system the number of people in it called open-rated prisoners - those established as being capable of leaving custody and trusted to do so - was about 50. Prison behaviour has changed since the opportunity for real training and real jobs in real workplaces has come up. We have not allowed the standard of measure of an open-rated prisoner to change. In fact, from day one I said the classification system is at the heart of this whole thing and integral to its continued success.

The continued success of the program is also reflected in an important way that without changing the classification system we have gone from about 50 open-rated prisoners to 350 open-rated prisoners because these people suddenly realise whilst they are in gaol they have an opportunity to get full-time work. Some of these people also have an opportunity to be trained.

We told Sunbuild we wanted to do some training, wanted to build some cattle yards and won a contract worth about \$250 000 for the AACo abattoirs in the Livingstone area. The only tenderer for that contract was a Chinese company. The work could have gone to China and the steel and equipment would have been purchased in China or, alternatively, the work could have gone to the Northern Territory as a training package. For that reason we have substantially increased the recruitment of people who are trade-skilled to become teachers of people in the Corrections system.

If labour is the product we are offering to the community then in the business model we use value-adding that labour product with training makes sense. The other thing is once a person is trained in how to use a welder or the business of constructing cattle yards, or whatever other product is required, in partnership with local

companies in competition with companies out of jurisdiction that has to be so much the better. All of a sudden we get \$250 000 worth of training enthusiastically paid for by a company that wants to obtain its social licence and also the head contractor, AACo wants to support its social licence by helping out people in the Corrections system in the Northern Territory of Australia.

Is it more complex than putting a person in gaol? My word it is. Is it difficult to organise and time-consuming? Yes, it is, but initial figures on the Sentenced to a Job program clearly demonstrate that the numbers of active recidivists who have come through the Sentenced to a Job program is substantially lower, so much so that I hope we can coax a doctoral student in the not so distant future to do their doctoral thesis on what we are doing in the Sentenced to a Job domain.

I remain positive about what we do and what this government is doing. It is, in my opinion, churlish for the Leader of the Opposition to dismiss it merely as slave labour, when it is helping people to get training, skills and full-time paid work - which the Leader of the Opposition says that she believes in - and I am proud of what we have achieved. I am proud of what we are doing and as far as I am concerned, this censure motion is errant nonsense.

**Madam SPEAKER:** The question now is that the motion as presented by the Leader of the Opposition be agreed to.

The Assembly divided:

Ayes 6	Noes 13
Ms Fyles	Mr Barrett
Mr Gunner	Mr Chandler
Ms Lawrie	Mr Conlan
Mr McCarthy	Mr Elferink
Mr Vatskalis	Mrs Finocchiario
Mr Vowles	Mr Giles
Ms Walker	Mr Higgins
	Mrs Lambley
	Mrs Price
	Ms Purick
	Mr Styles
	Mr Tollner
	Mr Westra van Holthe

Motion negated.

## MOTION

### Establishment of the Government Owned Corporations Scrutiny Committee

**Mr ELFERINK (Leader of Government Business):** Madam Speaker, I move that this

Assembly establish the Government Owned Corporations Scrutiny Committee pursuant to terms circulated. I understand the Labor Party seeks to support this - what more can I say? This is the fulfilment of a promise made that when structural separation occurred the appropriate review processes would be adhered to, therefore, I have nothing more to say and I will leave it to the opposition.

**Mr GUNNER (Fannie Bay):** Madam Speaker, the member for Wanguri, as the shadow minister and a member of the Public Accounts Committee, has taken most interest in this and when the Government Owned Corporations Scrutiny Committee was to occur. We welcome the establishment of the committee and look forward to examining the activities, performance, practices and financial management of the Power and Water Corporation, Jacana Energy and Territory Generation.

There are many unanswered questions about the government's management of the three GOCs. While not an exhaustive list, issues that impact directly on Territory families and businesses include tariff increases for electricity, water and sewerage; the implications of the CLP's privatisation agenda; higher prices and reduced liability; the implementation of the Utility Commission's recommendations arising from the disastrous System Black in March; the full cost of splitting the Power and Water Corporation's implications for consumers; the impact of network charges and how they will be managed under the new administrative arrangements of the three GOCs; the impact of the Power and Water Corporation's split on Indigenous Essential Services and remote customers; and the government's agenda for the Territory to enter the National Energy Market.

Now the disgraced former Treasurer is languishing on the backbench, can the minister inform the House who will be the shareholding minister until the member for Fong Lim returns to his old job? I think that is decided on Monday. We thank the minister for establishing Government Owned Corporations Scrutiny Committee and we support the motion.

**Mr ELFERINK (Leader of Government Business):** Madam Speaker, to answer the question from the member opposite, the Chief Minister will make that determination once the Country Liberals determine who will be deputy leader. Once the portfolios have been divvied up, the appropriate minister will be described by the Chief Minister.

Motion agreed to.

## MOTION

### **Amendment to the Select Committee on Action to Prevent Foetal Alcohol Spectrum Disorder**

**Mr ELFERINK (Leader of Government Business):** Madam Speaker, I think this will be the shortest motion in the history of this parliament. I move that the Assembly amends its resolution of 26 March 2014 establishing the Select Committee on Action to Prevent Foetal Alcohol Spectrum Disorder by deleting 'October' in paragraph six and inserting instead the word 'November'. I proceed without explanation.

**Mr GUNNER (Fannie Bay):** I have spoken to our members of the committee about this request. We support the motion and we can move a quicker motion one day.

Motion agreed to.

## **FIREARMS AMENDMENT BILL (Serial 94)**

Bill presented and read a first time.

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

The bill amends the paintball provisions in the *Firearms Act*. In 2007 the *Firearms Act* established paintball licensing in the Northern Territory. Paintball is now offered as a recreational sporting activity by three operators in the Northern Territory. A review of the paintball legislation was conducted in 2012 and updated in 2013.

This included interviews with local paintball operators, who all supported a reduced age limit. Both reviews have recommended the age of paintball participation be reduced to the age of 14 years with parental consent.

The purpose of the bill is to reduce the age of participation in paintball to 14 and older, with parental consent required between the ages of 14 and 18 years. The amendment brings the Northern Territory into comparative alignment with other jurisdictions, where the age of participation in most states and territories is under the age of 18. Western Australia and South Australia allow 12-year olds to participate in this sport, but the NT police review recommended we change the age to 14.

The industry is already heavily regulated for safety, and operators will be required to ensure that the personal protective equipment they provide is age appropriate.

This bill supports the expansion of paintball businesses in the Northern Territory. It also supports the Northern Territory government's commitment, as part of Framing the Future blueprint, to improving business productivity and competitiveness and supporting an active lifestyle in the Territory.

The government believes the changes will expand the range of recreational activities for young Territorians, at the same time as making the Territory's three paintball businesses more sustainable. Paintball is an increasingly popular outdoor activity for young people, and improving the business opportunities for paintball operators adds diversity to the recreational options in the Territory.

Local operators have expressed strong support for the change, telling the government they frequently have to turn young people away under the current arrangements. They have told the government that broadening the demographic of those able to participate will make their business more viable. This change is a win for young people and for business.

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

Debate adjourned.

**STATUTE LAW REVISION BILL**  
(Serial 95)

Bill presented and read a first time.

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

The main purpose of this bill is to make consequential amendments to various Northern Territory laws including updating superseded references, correcting typographical and grammatical errors, and omissions. None of the amendments contained in the bill constitute changes in government policies or programs.

The bill follows the general pattern of statute law revision bills in revising and correcting the laws of the Northern Territory in minor respects. The bill provides for a comprehensive statute law revision of acts and regulations including:

- *Administration and Probate Act*, the *Adult Guardianship Act*
- *Advanced Personal Planning Act* and Regulations
- *Associations Act* and Regulations

- the Building Regulations and Building (RBI and Fidelity Fund Schemes) Regulations
- *Bushfires Act* and its Regulations
- *Carers Recognition Act*
- *Commercial and Private Agency Licensing Act*
- *Commercial Passengers (Road) Transport Act*
- *Construction Contracts (Security of Payments) Act*
- *Crimes at Sea Act*
- *Cross-Border Justice Act*
- *Darwin Port Corporation Act*
- *Director of Public Prosecutions Act*
- *Disability Services Act*
- Education (College and School Councils) Regulations
- the *Evidence Act*
- Firearms Regulations
- Fisheries Regulations
- *Gaming Machine Act*
- *Gene Technology (Northern Territory) Act*
- *Health and Community Services Complaints Act*
- *Health Practitioners Act*
- *Housing Act*
- *Interpretation Act, Law of Property Act*
- *Legal Profession Act* and Regulations
- Local Government (Accounting) Regulations
- *Marine Safety (Domestic Commercial Vessel) (Natural Uniform Legislation) Act*
- *Mental Health and Related Services Act*
- *Mineral Royalty Act, Misuse of Drugs Act, National Gas (Northern Territory) Act*
- *Northern Territory Environment Protection Authority Act, Pastoral Land Act*

- Pearl Oyster Culture Industry Management Plan, *Plumbers and Drainers Licensing Act*
- *Police Administration Act, Private Hospitals Act*
- *Public and Environmental Health Act*
- *Public Trustee Act*
- *Racing and Betting Act*
- *Rail Safety (National Uniform Legislation) Act*
- Serious Crime Control Regulations
- *Serious Sex Offenders Act*
- *Stamp Duty Act*
- *Status of Children Act*
- *Surveillance Devices Act*
- *Taxation Administration Act*
- *Territory Parks and Wildlife Conservation Act*
- *Terrorism (Emergency) Powers Act*
- Traffic Regulations
- *Transplantation and Anatomy Act*
- Uncollected Goods Regulations
- *Unlawful Betting Act*
- *Volatile Substance Abuse Prevention Act*
- *Waste Management and Pollution Control Act*
- Waste Management and Pollution Control (Administration) Regulations
- *Worker's Rehabilitation and Compensation Act.*

Most of the amendments in the bill are generally self-explanatory. However, I draw your attention to some of the amendments.

- regulation 39C(3) of the Building Regulations
- regulation 14(1)(d)(i) of the Education (College and School Councils) Regulations
- section 146(1) of the *Gaming Machine Act*
- regulation 5(2)(b) of the Local Government (Accounting) Regulations, and

- regulation 3 of the Advance Personal Planning Regulations

are all amended to include the Institute of Public Accountants in their definitions of 'accountant'. The Institute of Public Accountants is already included in the *Associations Act*, the Unit Titles (Management Modules) Regulations, and the Unit Titles Scheme (Management Modules) Regulations. These changes were made by the *Statute Law (Miscellaneous Provisions) Act 2011* and it was suggested there should be consistency across the statute book.

As a professional body of accountants in Australia, membership of the Institute of Public Accountants is equivalent to that of other bodies referred to in the legislation, such as the Institute of Chartered Accountants in Australia and the CPA Australia.

The *Bushfires Act* and Bushfires Regulations are amended to replace any reference to the Director with Chief Executive Officer. This reflects changes in administrative arrangements as the Director of the Parks and Wildlife Commission is no longer the appropriate office to have these powers. As such, the powers will be vested in the Chief Executive Officer of the agency administering the act.

Amendments to the *Crimes at Sea Act* are based on amendments made to the corresponding Commonwealth and New South Wales crimes at sea legislation, including the repeal of *Petroleum (Submerged Lands) Act 1967* Commonwealth.

The *National Gas (Northern Territory) Act* and the *Workers Rehabilitation and Compensation Act* are amended to reflect the renaming of the *Commonwealth Petroleum Act* and the *Petroleum and Greenhouse Gas Storage Act* Commonwealth.

Further, the bill repeals the following laws which are redundant because the laws either relate to legislation which has been repealed or contain amending provisions that have been spent:

- various amendment of Alice Springs (Control of Public Places) By-Laws
- Care and Protection of Children (Children's Services) Regulations 2009 and amending regulations
- *New Tax System Price Exploitation Code (Northern Territory) Act 1999*
- *Petroleum Products Subsidy Ordinance 1965* and amending legislation, and

- *Sentencing of Juveniles (Miscellaneous Provisions) Act.*

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

Debate adjourned.

### **PAROLE AMENDMENT BILL (Serial 96)**

Bill presented and read a first time.

**Mr ELFERINK (Correctional Services):** Madam Speaker, I move that the bill be now read a second time.

The purpose of this bill is to provide the Chairperson of the Northern Territory Parole Board with greater discretion regarding the attendance of members of the Parole Board meetings. The bill will assist the Parole Board to fulfil their responsibilities to prisoners, victims, and the community. The bill enables the Chairperson to authorise a psychologist or medical practitioner who has already been appointed as a member of the Parole Board under section 3B(1)(d) to attend general meetings.

As it stands, the appointed psychologist or medical practitioner can only attend meetings which are scheduled to consider matters about a prisoner who is serving a sentence of life imprisonment for the crime of murder. This will now allow the Chairperson to utilise the expertise of those members appointed to the Parole Board in other serious matters where prisoners have received lengthy sentences of imprisonment for offences such as manslaughter and serious sexual offences.

With the introduction of self-government, the *Parole Prisoners Act* commenced on 3 September 1979, replacing the Parole of Prisoners Ordinance of 1971. Since commencement of this legislation there have been many changes to the operation of the Parole Board. The biggest changes of an operational nature are the increasing number of matters before the Parole Board for their consideration.

The pressure of increasing numbers was addressed by changes passed in October 2013 to increase the number of members of the Parole Board from 10 to 18. This increase in membership provides the Chairperson with the flexibility to schedule two meetings a month. The two meeting model has been in operation now for five months.

With this legislation we seek to address the other major issue for the Parole Board: the increasing complexity of assessing the risk of recidivism and

formulating appropriate conditions of parole for prisoners who have served lengthy sentences of imprisonment.

There is now much greater recognition of the cognitive disabilities experienced by many prisoners who have committed serious offences. There are numerous factors which contribute to these disabilities, including foetal alcohol syndrome, exposure to domestic violence at a young age, substance misuse and the failure to thrive. Many prisoners who suffer from cognitive disabilities also suffer from a range of personality disorders. Consequently, making an accurate assessment of the criminogenic needs and risks of these prisoners and formulating appropriate conditions of parole may be a very complex matter and members of the Parole Board who are either a psychologist or medical practitioner are ideally qualified to assist the Parole Board in making such decisions.

Joint case management has also become a major issue. The prisoner may be engaged with other statutory systems such as child protection or mental health. Joint case management aims to ensure there is a balance between the requirements of each agency, the needs of the parolee and the safety of the community.

Once again, members of the Parole Board who are either psychologists or medical practitioners are able to assist in formulating conditions of parole and management and supervision plans that ensure there are consistent messages and that there is not a negative interaction between the case plans of the various agencies.

The use of psychologists and psychiatrists reports as part of sentencing and prisoner management is becoming more common. As a result, the Parole Board has increased access to specialist information about prisoners who are being considered for parole. This information can be complex and if the proposed amendments are made, the Parole Board will have the assistance of the specialist input to ensure accurate interpretation.

Decisions made by the Parole Board have an impact on the community as a whole. These changes to the *Parole of Prisoners Act* will ensure that members of the Parole Board have access to the appropriate specialist assistance in matters involving serious criminal offences, and that the interests of the community are protected. They will assist in ensuring that the Northern Territory does not experience problems that have occurred interstate as a result of the release of prisoners who should not have been released on parole and the inadequate management of prisoners who have been released on parole.

The Parole Board is a critical element of the criminal justice system. I believe it is essential that they are supported in this important role. I have taken advice from the Hon Justice Stephen Southwood, Chairperson of the Parole Board. The Chairperson identifies that there are increasing numbers of matters before the Parole Board each month, which involve complexities that I have referred to where the Parole Board would be assisted by those members of the board who have specialised training and experience in dealing with these complexities. I have taken the time to speak to Justice Southwood personally about this issue.

Consistent with the recent amendments on the *Parole of Prisoners Act*, it will be ensured that there are no delays in considering matters before the Parole Board while clarification is sought about the content of expert reports and the assessment contained in them. It will also enable the Parole Board to expeditiously determine that there are appropriate conditions of parole and how best to ensure the safety of the community and the best outcome of prisoners.

It is necessary to pass these amendments as soon as possible to prevent any hardship being caused to the board. This hardship is manifest in a number of ways. For prisoners, it appears as delays in their applications. For victims, it is the waiting on tenterhooks with the delay an outcome. For the Parole Board, it adds to an already increasing number of matters at each meeting.

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

Debate adjourned.

**TABLED PAPER**  
**2014-15 Statements of Corporate**  
**Intent - Power Retail Corporation, Power**  
**Generation Corporation and Power and Water**  
**Corporation**

**Mr GILES (Chief Minister):** Madam Speaker, I rise to table the interim 2014-15 Statements of Corporate Intent, or SCI, of the Power Retail Corporation, Power Generation Corporation and the Power and Water Corporation. The SCI is the annual performance agreement between a government-owned corporation and the shareholding minister on behalf of all Territorians as owners of the corporations.

Information of a commercially sensitive nature has been removed from the SCI table today on the basis that it would be unreasonable to disadvantage the corporations by disclosing commercially sensitive information that no private sector business would be expected to release.

In early 2013, the Northern Territory government announced a package of reforms for the Territory electricity industry to improve the efficiency of the industry as well as facilitate greater levels of private sector investment. To achieve this, the Northern Territory government announced in September 2013 it was separating the contestable generation and retail business units from the regulated network and water and sewerage functions of the Power and Water Corporation, to create three stand-alone government-owned corporations.

Following the passage of the structural separation legislation in the Northern Territory parliament on 6 May 2014, the Power Retail Corporation and the Power Generation Corporation commenced operations on 1 July 2014, under the trading names Jacana Energy and Territory Generation - or the shortened trading name T-Gen.

Jacana Energy has taken up the functions previously performed by the Power and Water Corporation retail business unit, while T-Gen now undertakes the functions of the generation business unit. The residual Power and Water Corporation will continue to operate the electricity networks as well as provide water and sewerage services and the delivery of the Indigenous Essential Services Program.

Under Section 39(2)(c) of the *Government Owned Corporations Act*, the board of a government-owned corporation is required to provide an SCI to the shareholding minister one month before the financial year it relates to, or at the date agreed by the board and the shareholding minister. Given a large body of work, prior and post the commencement of the financial year, to facilitate structural separation it was agreed with the boards of the three government-owned corporations to delay the delivery and tabling of the SCIs until the boards have established starting financial positions. A post-structural separation due diligence exercise is currently being performed by the corporation's respective boards to ensure the new corporations are in the best possible position to provide efficient electricity.

As such, the SCIs I table today are interim in nature and do not yet fully reflect their status as stand-alone corporations. The financial positions underpinning the SCIs are to be updated once the respective boards have completed their post-structural separation due diligence processes. These interim SCIs demonstrate the boards of Jacana Energy, T-Gen and the Power and Water Corporation are focused on delivering their core business activities.

Under the old vertically integrated monopoly model such focus would not have been possible,

due to the complexity of governing a multifaceted entity comprised of different business lines, each possessing its own unique challenges. This specialised focus will mean the boards can better drive efficiencies within their respective businesses. As Jacana Energy, T-Gen and the Power and Water Corporation become more efficient, so too will the electricity they supply, produce and transport. The aim of these reforms is to improve the financial transparency and accountability of the Territory's owned utilities, which should ultimately deliver benefits for consumers.

In accordance with section 39(7)(a) of the *Government Owned Corporations Act*, as Shareholding minister for the corporations I table the Power Retail Corporation, Power Generation Corporation and Power and Water Corporation interim 2014-15 statements of corporate intent.

#### **TABLED PAPER**

#### **Environment Protection (Beverage Containers and Plastic Bags) Act Report**

**Mr CHANDLER (Lands, Planning and the Environment):** Madam Speaker, I seek leave to table the two-year report into the *Environment Protection (Beverage Containers and Plastic Bags) Act*.

This report is somewhat damning of the plastic bag legislation, in terms of it not achieving its intention of reducing landfill. It is rather sad, because this is one of those areas where, again, the previous government, much like the cash for cans legislation, was very well intended, but I have read this report time and time again - the surveys undertaken certainly indicate people are quite accustomed to paying the extra 15c or 20c for a bag today and, in fact, some of the comments were that bags are of a better quality for shopping, etcetera, but I can recall the minister at the time saying one of the intended outcomes was to improve the environment through less plastic going to landfill.

There has been an increase of over seven million reusable bags which, according to this report, need to be used a massive 10 times before they benefit the environment. This report also indicates less than half of the bags are being used to the point where they are benefiting the community. In real terms there is more plastic in circulation, not less. That is worse for the environment, not better, and that is not good enough. This is a result of decisions made with good intentions, without any regard for what those intentions are supposed to achieve.

As legislators we have the responsibility to ensure changes we make to the law are for the benefit of Territorians, not to push a political barrow chasing

green credentials. We saw the same thing with the Container Deposit Scheme, something built on the back of a green agenda designed to benefit Labor at the ballot box, not the environment. It looks like the plastic bag scheme is another green basket case where we will be left to clean up the mess, just like cash for cans.

I have said it before, and I will say it again, that this government does not chase green credentials. We get on with looking after the environment. There is a big difference between looking like you care for the environment and actually doing the job. I am glad to say the government is committed to delivering the latter, unlike those opposite, who only look to appease interest groups at the expense of the environment. This government will now work with the Northern Territory EPA, another environmental initiative of this government that is delivering results, to see how we can fix the mess. We have already done it with the container deposit scheme and will do it again with the plastic bag ban.

Before anyone jumps to conclusions, this does not mean we are, all of a sudden, going to throw this legislation out. What it really means is we need to look at the legislation and, as with cash for cans, do what we have to do to see if it can meet the intended outcomes. As I said, I have read this report - an independent report. The EPA has had this report. I have read repeatedly and, every time I read it, I keep thinking of the minister's statement in regard to this legislation - minister Hampton at the time - that it was well-intended legislation. I understand it, but I recall being the shadow Environment minister at the time, asking minister Hampton, 'Have you considered other methods around the world? Have you considered other methods of reducing plastic bags to landfill?' Just like the cash for cans legislation, it appeared the decision had been made and they were going to go ahead with it, whether it was going to work or not. I clearly remember minister Hampton saying at the time, 'This will lead to less plastic going to landfill'.

Not only was there not a very effective way of even measuring the amount of plastic going to landfill at the time, questions I asked were: 'How much plastic is going to the landfill now and what is going to be the outcome? How much plastic is not going to go to the landfill after this has been introduced?' These are some of the answer I wanted when the review was being undertaken.

How successful has this campaign been to reduce plastic to the landfill? The reality is, it has not. In fact, the only thing this legislation has done has led to Territorians paying more today every time they do their shopping for bags, and the shops making a little money out of it. They love the scheme. Not that they are going to tell you, but



you have a look at the retail sales. Some of the figures we have been able to get hold of indicate that sale of plastic bags, like bin liners for instance, have grown significantly since this legislation was introduced. The fact is these bags are costing between 3¢ and 5¢ to produce and the companies are selling them for 15¢. They are making a profit on each bag that is sold. The reality is many of these bags are being used once, perhaps twice. As I said earlier, they need to be used a massive 10 times – these heavy-duty plastic bags need to be used at least 10 times each before they provide a return to the environment. I do not know how many times people use these plastic bags, but I doubt very much the majority of the population - in fact, I can guarantee, given the figures, the majority of the population does not use them anywhere near 10 times, which is how many times you would have to use one of these plastic bags before they improve the environment.

One of the schemes I asked the then minister Hampton to look at was a scheme that was operating in Ireland, where there was a fee put on bags, but that fee did not go back to the shopping centres or the retailers, it went into the environment. The scheme they set up in Ireland was the fee that was attached to every plastic bag sold went into a fund that directly supported environmental initiatives. It has been a remarkable turnaround in Ireland, where they have seen the reduction of plastic bag use - a phenomenal difference where once, every fence in the windy area of Ireland was covered with those throwaway, one-time use plastic bags. Today it is a different environment and far fewer plastic goes to the landfill because of the initiative. The environment directly benefits through the fund that is created, rather than just going back to the retailers or the people.

A retailer, whether they are the big ones like Coles and Woolies, do not care how many bags are used today. They promote the use of as many bags as possible by people. Why? Because they make money out of it, which does not directly help the environment. I say again, this does not mean this government is going to turn around and say that legislation is no good and we are going to throw it out. We will see what we can do about it. In the first instance, I will prepare a report for Cabinet and put it to Cabinet that we need to find a way to reduce plastic bags into our landfill. If we can amend this legislation to do that it should be our aim.

However, the community also needs to be involved in this because at the moment I would argue the results of this report indicate most people are used to it. They are used to it, and that is not hard to do when it has been in place for two years. People become accustomed to things after

a period of time. Even cash for cans, whether you like it or not, people are now used to it. We have worked hard to fix the legislation to ensure its continued success and it is the same with the plastic bag component of this legislation. It is not reaching the intended outcomes first put up. It is well intended legislation, but the mechanisms have not lead to an improvement in our environment.

What do we need to do as a government and a community to ensure the intent of this legislation, the intent of the previous government, the intent of the previous minister, who I commend for trying to reduce plastic into landfill - if the mechanism we have put in place, the legislation we have enacted in this House is not reaching the intention what should we do? Should we accept people are used to it now so let us just keep it going and to hell with the environment? I do not think that is good enough. If there is a way to strengthen or amend this legislation where we have less plastic going to our landfill today we should be doing it. If we really have the interest of the environment at heart that is what we should be doing.

Madam Speaker, I want to table the review provided by RawTech for everyone to read. I hope people, when they have read this, will understand what I am trying to achieve. I am not trying to take away the intent of the original legislation put up by the previous government, but if the method is not working let us find one that will reduce plastic into landfill.

### **MOTION** **Note Paper - Stella Maris Inquiry**

Continued from 19 June 2014.

**Mr GILES (Chief Minister):** Madam Speaker, on 19 June this year I made a statement and laid on the table in this House the Stella Maris Inquiry report. At that time I moved the paper be printed and sought leave to continue my remarks at a later time. Today I stand before this House to continue my remarks.

The Stella Maris inquiry has revealed Labor's true colours giving their union mates a rent free lease for a \$3m CBD property. It was a grubby, underhanded deal that amounts to an outrageous betrayal of trust. On 5 September 2013 the Legislative Assembly of the Northern Territory passed a resolution to establish the inquiry into Stella Maris under the *Inquires Act*. On 18 December 2013 Her Honour the Administrator, Sally Thomas AC, appointed Mr John Lawler to conduct the inquiry into Stella Maris.

Mr Lawler is eminently qualified to lead the inquiry after 34 years in law enforcement and the past five years as Chief Executive Officer of the

Australian Crime Commission. This is a man Labor's attending counsel smears as bias.

Commissioner Lawler commenced work on the inquiry into Stella Maris on 13 January 2014 and delivered the inquiry report to the Administrator on 26 May 2014. The inquiry included a search warrant being executed at the offices of Unions NT, where documentation relevant to the inquiry was accessed. There was a call for public submissions to the inquiry and public hearings were held across nine days in February 2014, five days in March 2014 and one day in April 2014. A number of summonses were also served on NT government agencies for relevant documentation.

Witnesses who appeared before the inquiry included former members of the Legislative Assembly of the Northern Territory, former ministerial advisers, current and former NT public servants, and representatives from local government, community organisations and interest groups.

One former government minister, and the current Deputy Opposition Leader, Gerry McCarthy MLA, was recalled for misleading the inquiry. Commissioner Lawler undertook a comprehensive and broad inquiry into the decision by the former minister for Lands and Planning, Gerry McCarthy, to grant a lease over the Stella Maris site to Unions NT the day before the caretaker period of the 2012 election.

The report, titled *Inquiry into Stella Maris 2014*, was tabled in the Legislative Assembly on 19 June 2014. Commissioner Lawler's findings total 20 in number and his recommendations total 21. I encourage those of you who have not read the report to read it online on the inquiry website. It is damning of the actions of those opposite in this Chamber.

The online version allows the reader to also become a listener. Through the use of enabling technology you can listen to a full evidence given by each witness to the inquiry, or by clicking on a footnote you can listen to audio of short extracts of evidence that relates to specific sections of the report.

Firstly, let me draw the House's attention to the main findings of the inquiry. The Commissioner found that the decision to conduct the inquiry in the first place could have been avoided if the then Minister for Lands and Planning, and his office, followed transparent, due and proper process when offering the community land grant for the site to Unions NT. This is a reference to Gerry McCarthy. The Commissioner found that the Cabinet decision was a *fait accompli*.

That means the decision had been made even before it got there. The Commissioner found that Cabinet was not fully aware at the time of making Cabinet Decision 4856 and it should have been of the real intentions of Unions NT, or the likely financial benefit to be achieved by Unions NT, through the offering of the Crown lease over the site.

The best estimate of the value to the Northern Territory government on the initial ten-year term would have been \$600 000. That means simply that the Labor Cabinet was not presented with all the facts, as it should have been in any process of good governance. They gave their union mates a \$600 000 present.

Another finding was that minister Gerry McCarthy's offer of a community land grant to Unions NT on 3 August 2012, for a Crown lease on the site, was arguably unreasonable in the administrative law sense, and would be susceptible to challenge before the Supreme Court on that basis.

Further, having considered all the factors in relation to the decision, Gerry McCarthy's conduct was not accountable, responsible or in the public interests. It also found that the way minister Delia Lawrie involved herself in the process was not proper and was unfair to the public and other community groups.

In reference to ministerial adviser Wolf Loenneker's conduct, the Commissioner found that his behaviour fell well short of the high standards expected by a senior ministerial adviser and his decision-making was conflicted. The Unions NT executive had a resistibility to ensure that the applications submitted on its behalf to the ministers was of a high standard and reflected Unions NT's true intentions, but it did not.

The Commissioner found that there was a distinct lack of publically available information about the decision, and this information void reflects poorly on the government and is not an example of an open and transparent decision-making process.

Far from clearing the former government, as Labor claims, these findings put Gerry McCarthy and Delia Lawrie at the centre of this deal. It was a deal cooked up between Labor and their union mates prior to the 2012 election that the Stella Maris Inquiry has found was not accountable, responsible, or in the public interest. Not once have Delia Lawrie or Gerry McCarthy apologised or taken responsibility to Territorians for their actions. Unions NT have refused at every turn to relinquish their questionable lease.

This government has carefully considered all the recommendations made by Commissioner Lawler.

I will take you through every one of the recommendations and our response to each one of those. The relevant ministers will then update the House on the current status of each recommendation.

The commissioner made the following recommendations:

Recommendation one:

*I recommend that the Northern Territory - the government - as a result of this report, immediately request Unions NT to relinquish any interest it may claim in the proposed Crown Lease of Lot 5260, Town of Darwin, 1 McMinn Street, commonly known as the Stella Maris site - the site - and invite Unions NT to join a future expressions of interest process.*

We wholeheartedly accept this recommendation and we have asked Unions NT to relinquish its interest, but it stubbornly refused to return the keys of the Stella Maris site to Territorians, despite the weight of findings in the Stella Maris Inquiry report.

Recommendation two:

*Whether or not Unions NT chooses to relinquish any interest it may claim in this site, and noting that no Crown lease is registered to Unions NT for the site at the Land Titles Office, I recommend the site be reopened as soon as practicable to a formal expressions of interest process under the provisions of Section 12(2) of the Crown Lands Act for low scale community or commercial use for a Crown lease term of at least 35 years. The community access imperatives should be specified in the Department of Lands, Planning and Environment - the department - design objectives.*

We support this recommendation in principle on the basis that the discretion of the relevant minister under section 12(2) of the *Crown Lands Act* cannot be lawfully directed or constrained by this recommendation.

Recommendation three:

*I recommend that consideration be given to a partnership agreement with the City of Darwin, with a view to including in the formal expressions of interest process, as per recommendation two, part of Lot 6597, approximately 317m<sup>2</sup>, which would enhance community access and overall utility of the site.*

This recommendation is supported in principle on the same grounds as our response to the previous recommendation.

Recommendation four:

*I recommend that Travellers' Walk, part of Lot 6597, be retained as a separate and important part of Darwin's history.*

This is supported in principle on the same basis as the previous recommendations. The Minister for Lands, Planning and the Environment will update the House on the status of this recommendation later in the debate.

Recommendation five:

*I recommend the department's Chief Executive Officer – CEO - establish a broad based panel, including community representatives, to assess the expressions of interest as outlined in recommendation two. I recommend that the CEO forward the panel's recommendation on the preferred lessee to the Minister for Lands, Planning and the Environment. The panel's recommendation and reasons for the minister's decision on a successful lessee should be advised through a public announcement at the time the decision is made.*

This recommendation is supported in principle and on the same basis as the previous recommendations. The Minister for Lands, Planning and the Environment will update the House on the status of this recommendation.

Recommendation six:

*I recommend that the Legislative Assembly consider whether there has been an alleged breach of the Northern Territory of Australia Legislative Assembly (Members' Code of Conduct and Ethical Standards) Act 2008 by Miss Delia Lawrie and Mr Gerald McCarthy, and whether under the provisions of section 5(1) it wishes to refer any alleged breach of the code to the Privileges Committee.*

Privileges issues are a matter for the Assembly to consider, pursuant to the *Legislative Assembly (Members' Code of Conduct and Ethical Standards) Act 2008*. Section 5(1) of the act states:

*The Assembly may refer an alleged breach of the code to the Privileges Committee to inquire into and report on the alleged breach.*

Given the recommendation is that the matter be considered by the Assembly, privileges issues are a matter for the Assembly to determine. If so required the Assembly, through the Speaker, the Privileges Committee or the Clerk, should seek legal advice from the Solicitor-General.

Recommendation seven:

*I recommend that the government considers legislative change that sets out the criteria to support a reasonableness test in guiding ministerial decision-making. Such a test would aid accountability and be used as a mechanism for judging decisions made.*

This recommendation is not accepted. While the commissioner's recommendation is based upon aiding accountability, seeking to impose a one size fits all test of reasonableness to every ministerial decision-making process would be completely unworkable. It would almost certainly lead to a series of challenges on the grounds of failing to take into account relevant considerations. It would be inconsistent with the notion of ministerial responsibility and representative government.

Recommendation eight:

*I recommend that the community land and the direct sale of Crown land business processes be included under the Crown Lands Regulations NT.*

Recommendation 16:

*I recommend the Cabinet Office conduct an internal review on the caretaker conventions in light of fixed-term elections. The focus of the review should be the transparency of Cabinet decisions that are to be implemented during the caretaker period.*

This recommendation is accepted. The Cabinet Office in my department will undertake the review.

Recommendation 17:

*I recommend that the Northern Territory Commissioner for Public Employment regularly promulgate clear advice to agency CEOs on how to manage the interface between ministerial advisors and departmental officers.*

This recommendation is accepted. The Minister for Public Employment will update the House on this recommendation during the debate.

I also update the House on a decision my office has undertaken as the employer of all ministerial staff. Recommendation 14 referred to an updated Ministerial Code of Conduct. We have taken this recommendation seriously, and took the opportunity to also review the code of conduct that applies to ministerial staff. The existing code of conduct has been replaced with a statement of service standards for ministerial staff. The statement of service articulates 21 standards ministerial employees are expected to uphold, including three that relate specifically to engaging with the public service.

Ministerial staff employed under the *Northern Territory Contracts Act* and consultants must not knowingly or intentionally encourage or induce a public official by their decisions, directions, or conduct to breach the law or parliamentary obligations, or fail to comply with an applicable code of ethical conduct.

The new service standards acknowledge that ministerial staff do not have power to direct the NTPS employees in their own right, and that NTPS employees are not subject to their direction. It recognises that executive decisions are the preserve of ministers and public servants, and not ministerial staff acting in their own right.

Recommendation 18:

*I recommend the Northern Territory Commissioner for Public Interest Disclosures, with additional support, be appointed the Northern Territory Integrity Commissioner to provide advice to ministers, the Legislative Assembly and the Northern Territory Public Sector similar to the role of the Integrity Commissioners in other jurisdictions.*

This recommendation has not been accepted. It would be inappropriate to have an elected functionary directing either ministers or the Legislative Assembly as to the manner in which decisions are made. It would be in derogation of notions of ministerial responsibility and representative government to have a public servant directing or even advising a minister what was in the public interest.

Recommendation 19:

*I recommend the Integrity Commissioner (appointed as per Recommendation 18) provide advice to government on any further legislative or other changes that would further strengthen the Northern Territory's integrity frameworks.*

It would be in derogation of notions of ministerial responsibility and representative government to

have a public servant directing or even advising a minister on what is in the public interests. For the same reasons described for the preceding recommendation, we do not accept this recommendation.

Recommendation 20:

*I recommend the department fully implement the necessary business improvements as set out in Appendix D.*

This recommendation is accepted. The Minister for Lands, Planning and the Environment will speak about the improvements being undertaken in his department later in this debate.

Recommendation 21:

*I recommend that, with extra support, the Auditor-General conducts a performance-management system audit, in consultation with the Inquiry Commissioner, on the effectiveness of and progress made in implementing the recommendations of this Inquiry that are accepted by government. I recommend that the Auditor-General presents a report to the Speaker for tabling in the Legislative Assembly by 26 October 2015.*

This recommendation is accepted.

The Stella Maris inquiry has revealed the sort of grubby politics we can expect from the Labor Party. It is a sad chapter in the Northern Territory's history but, thanks to the hard work of Commissioner John Lawler, we now have a clear picture of what took place in those days prior to the 2012 election and the lengths the Labor Party is willing to go to in order to look after its union mates. It is a sad indictment of a political party that claims to be our future. Instead, Labor represents no policies and a complete lack of morality.

We are still waiting for the Labor Party and Unions NT to hand the keys of Stella Maris back to Territorians. It is simply unacceptable that they have not heeded the advice of the independent commissioner. This is a matter of trust. Our community puts enormous trust in institutions. We trust that our courts will operate without fear or favour, we trust our police are being firm but fair, we trust that our politicians will make decisions in the interests of the whole community not just one section of it, and not just Unions NT by Labor. This report has opened the door of Labor's Cabinet room and found the community was completely misguided and misrepresented. It describes the decision-making by Labor politicians on Stella Maris as not proper and unfair to the public, that the code of conduct of members of the

Labor Cabinet was not accountable, not responsible and not in the public interests. It shows how a meeting of only four of eight members of the Cabinet can manipulate our system of government to their own ends and deliver a \$600 000 gift to their union buddies.

This report gives us a glimpse into the inner machinations of the Labor Party and what lengths they will go to in dirty, dodgy deals to support their union mates. It shows how the Labor Cabinet operated. It shows the Labor Party abused the trust of the Territory and Territorians. This report provides a rare insight into the normally secretive working of Cabinet. The highest decision-making body of executive government is Cabinet. The very room in which Cabinet sits is off-limits to all but a few. Its inner workings are known to an even smaller number, and what we have here is proof that trust was abused by Delia Lawrie and Gerry McCarthy. How many times did this happen? We will probably never know.

I would like to thank John Lawler for this inquiry and the Assembly for its support in asking for this inquiry to be undertaken. We know, as a result of this report, that Labor can simply not be trusted. The Labor Party has failed the most basic test with Stella Maris and that is honesty. You cannot be trusted.

Madam Speaker, I move that the report be noted.

**Ms LAWRIE (Opposition Leader):** Madam Speaker, I have taken senior counsel's advice on how this matter should be handled by parliament. It is entirely inappropriate for this Chamber to debate anything in relation to the Stella Maris report.

There is Supreme Court action under way which goes to the very heart of the validity of the report. It would be inappropriate for the parliament to consider the matters related to the inquiry at the same time as the Supreme Court.

It would be inappropriate for the parliament, or a committee of the parliament, to consider the matters related to the inquiry at the same time as the Supreme Court.

I have taken the action in the Supreme Court on a matter of procedural fairness. I quote from the writ:

*A declaration that, in reporting adversity to the plaintiff in his report entitled Inquiry into Stella Maris 2014, 'the report', purported pursuant to section 4A(3) of the Inquiries Act, the defendant failed to observe the requirements of procedural fairness.*

1. *An order in the nature of certiorari to quash the report.*
2. *An order that the defendant pays the plaintiff costs of these proceedings.*
3. *Such further or other orders as the court deems fit.*

I intend to say nothing more on this matter until there has been a decision of the court.

**Mr CHANDLER (Lands, Planning and the Environment):** Madam Speaker, as the Minister for Lands, Planning and the Environment, I first became aware of the lease proposed to Unions NT when a development application came across my desk. From that first moment, I knew something was not right. One of those things, you either grow up having it or not having it – you have a gut feeling that something is not right.

I did some research and I was shocked at what I found. The letter of offer, signed by the then Minister for Lands, Planning and the Environment, now the Deputy Leader of the Opposition, was dated, signed, accepted and paid for in the last days before the Territory election was called.

Everyone knows the ways in which these things usually work. Briefs are signed, returned to the department and distributed in an orderly and accountable fashion. Some of these things can take weeks and bigger things can take months because of what is involved. For an offer like this to be made, accepted and signed in that short period of time means that the former minister, the member for Barkly, had to rush around town, see his union mates in Woods Street, then hand deliver it to the Department of Lands, Planning and the Environment – very unorthodox. I guess, he was only following orders from the then Deputy Chief Minister as she secured favours from her union mates.

The Country Liberals are undoing this deal. As recommended by the Commissioner, I am pleased to advise that in accordance with section 12(2) of the *Crown Lands Act*, I have approved that Lot 2560 be released by an expressions of interest process. It is clear that the outcome of this inquiry is that land released for significant sites, such as this one, is an open, transparent and accountable process.

Importantly, Unions NT has not responded to repeated letters sent from the Department of Lands, Planning and the Environment, seeking them to relinquish its interest - whether perceived or real - in this site. Notwithstanding the lack of response, the Stella Maris Inquiry report recommends this site be released by a formal

expression of interest process; I am doing that and following the recommendation.

I have approved that the site be released for community and commercial development. The process opened last week and will close on 17 October 2014. This will allow time for community groups and others to put forward an expression of interest for the use and development of the site. In accordance with the report's recommendations the expression of interest process provides for proponents to approach council in relation to the inclusion of the adjoining Lot 6597, commonly referred to as Travellers' Walk, so as to enhance community access and the overall utility of the site.

The significance of Travellers' Walk will not be compromised, and I thank the Darwin City Council for its assistance in this regard. The department will establish a broad based panel, including community representatives, to assess the expressions of interest as outlined in the report recommendations. This department will establish the panel and have those representations to ensure it is an open and accountable process. This site is proximate to the vibrant Waterfront locality and the central business district. It is a unique site and one that will allow for enhanced community use and access.

The Territory's vision for the development is a low scale community and commercial development. Development will promote access to and preserve the heritage value of the site, as well as enhance and integrate community access to Travellers Walk.

I look forward to hearing the outcomes of this process and the interest in the site. To further expand on the process the EOI processes are designed to identify suitable development of Lot 5260, taking into account its location and constraints as well as the opportunities presented by engaging with the Darwin City Council in relation to Lot 6597.

Following assessment of the proposals a preferred proponent may, at the absolute discretion of the Territory, be selected to proceed to negotiations with the Territory. The Territory may seek additional information or presentations from all or any of the proponents at its absolute discretion.

Much has been achieved by the department prior to and on conclusion of the inquiry's report. The department has restructured its organisational structure to create a secretariat and policy unit and developed a department policy group, led by executives, that is responsible for reviewing and recommending policies to government for approval.

This group will also oversee policy development and coordinate legislative changes where required. It will undertake work in identifying the many policies that provide the framework for land and regulatory dealings, and has developed a database to record and monitor the currency of policies. This includes a review of delegations, which is in progress. The department has provided regular reporting on applications and land releases through its APEX database system. The department is now turning its mind to better utilising systems and integration, with the Integrated Land Information System (ILIS) the system for an advanced level of reporting.

The department has reviewed and implemented the internal checklist and business processes for direct sales and community land grants. Importantly it includes hold points for signing by managers and the director to ensure good governance in the process of land allocation.

The department has reviewed the induction program, which includes provision for staff to be inducted into legislation and policy relating to land release and the application and community land grant process. The department trialled an online land application system for implementation; the aforementioned system compliments the work I have outlined as it relates to transparency and good governance.

This online system supports the recommendations of the inquiry report, in that only the applicant will be able to access and lodge the necessary application online. The department will be holding formal training for staff in October, and internal workshops will be held across the agency on good policy development and implementation, as well as record keeping.

The department has also reviewed its land grant policy and business processes, and will be providing recommendations to me for consideration on the conclusion of the work. It is intended the business process be included in regulation. Updates to brochures and public information will be provided once approved. The department is well advanced in implementing the recommendations and actions listed in the report that impact on it. This work, importantly, continues as a priority.

The most important lesson from the whole matter has been the necessity for government to operate in a manner that is open and transparent. This is critical for ensuring public confidence in decisions of the government, whether in the context of dealing with community groups or, of course, the business sector. It is vital that governments act according to basic principles of fairness, and be seen to be doing so.

We all live in a world based on perceptions and on what is reported, whether it be truth or not. Government of all persuasions work under difficult circumstances at times, with discussions around the barbecue fertilised by oppositions and people who are not of your persuasion or working towards your interests. However, wherever possible, government should ensure their processes are accountable and they can be openly scrutinised by the general public. Governments of all persuasions, not only in the Northern Territory but also across this country and the world, face different times today than they did 20, 30, 40, or 50 years ago.

With modern technology, the use of iPhones and cameras is everywhere. Microphones are on wherever you seem to go. There were shonky deals done in the past that just cannot, and should not, be done today.

All in this House stand for goodness, for Territorians, and they expect a government that is going to do the right thing. I cannot stand here and honestly say every single person who has worked in this House before, or any other government across Australia, has always worked to the best interest of their jurisdiction. Perhaps they have been corrupted, biased in their thoughts, or even manipulated in some way, and maybe finances have been involved. However, in life, once you have reached that particular level, there is no going back. I expect everyone in this House should try to play with a straight bat. Our laws, our regulations and, in fact, our communities demand it. Regarding accountability and openness, in today's society, with what can be obtained through FOI legislation and, as I said, what is available through phones, microphones and modern technology, it would be very vain of people to think they are going to get away with things, particularly in the long term, as things will always come back to haunt you, no matter what you say, do, or hear.

Madam Speaker, as I said to you before, this was a file that came across my desk very soon after I took over the portfolio of Lands, Planning and the Environment. It did not seem right. The inquiry has vindicated those initial thoughts that something was not right. We expect a lot from our elected members, we expect a lot from our government, and I do not think it is too much for the community to expect this Country Liberal government take the recommendations of this inquiry and do what we can to improve whatever process - whether it is in Lands and Planning or any other department - and be seen to do the right thing. Thank you, Madam Speaker.

**Mr WOOD (Nelson):** Madam Speaker, I have listened to the debate, read this document a number of times, listened the Leader of the

Opposition and do not know anything about the legal ramifications she was talking about. Obviously there are matters for the Leader of the Opposition, so my comments will be in relation to what I have read in documents leading up to this inquiry. I hope the government will put as much effort into the inquiry into political donations as it has this one. If the government wants to be balanced it needs to make the same effort.

I support the inquiry and its recommendations. I am concerned, listening to the Chief Minister, that recommendations 18 and 19 will not be accepted. That disappoints me. The minister for Lands and Planning might remember one night when I raised a few issues in relation to a proposal to subdivide some land that I said - I hope the minister takes this the right way - I believe Recommendation 18 - having an Integrity Commissioner - would have been an ideal person to see if the minister had a conflict of interest.

I received this document on the night we were debating it and that is one of the first recommendations I read. All I have heard from the Chief Minister as to why he will not accept that recommendation is a few words and that is it. We need to look at this a little more deeply to see whether the reasons for rejecting it are valid. If we had an Integrity Commissioner there would be the opportunity for a minister to ask for an independent assessment of a decision they were to make.

I understand ministers have to take ministerial responsibility. Sometimes it might be worth - before you go down that path - to check if what you are doing is the correct path and there is no conflict of interest. I am a little disappointed there.

The minister for Lands spoke about perceptions. That is something I raised in the censure motion. Perceptions are what people see, and in this case I feel the Labor government at that time rushed something through. The recommendations in this document clearly state there was not sufficient transparency. Finding 4:

*I find that neither Minister G McCarthy nor any member of the Cabinet involved in Cabinet decision 4856 received any financial benefit or personal advantage as a result of the decision to offer a community land grant exclusively to Unions NT.*

I read that before I go on further because in the early debate in parliament people were saying Gerry Obeid and Delia Obeid. This is not that type of debate. The Obeid scandal was people making millions and millions of dollars profiteering from particular decisions. This is not the same and that is reflected clearly in Finding 4.

Finding 9:

*I find that having considered all the factors in relation to the decision to offer a Crown Lease to Unions NT for the site, Minister G McCarthy's conduct was not accountable, responsible or in the public interest.*

That is repeated for minister Lawrie at that stage and you need to put some of these in context, but what came out of this was saying that if the government of the day had done this in a particular manner, this issue would probably not have come here in the first place - and I am looking for that specific recommendation.

It is basically saying that if it had gone out in a much more open and transparent way, which could have included Unions NT as having intentions to ask for this land, it might have been sorted out. Here it is in finding two:

*I find the public disquiet as highlighted by the media along with the decision to conduct this inquiry could have been avoided if the then Cabinet followed the recommended option in the Future of Stella Maris Site Cabinet Submission and if the then minister for Lands and Planning and his office followed transparent, due and proper process when offering the community land grant for the site to Unions NT.*

I am not sure that the argument is necessarily against Unions NT having the land. They are as entitled to ask for land as anyone else. I presume they put their case based on not only that they are, I presume, regarded as a non-profit organisation - even though they make money - but they had a connection with that land. That is fine, but there were other people interested in that land and there are people concerned about that land being developed.

I do take note that the minister mentioned when this goes out for expressions of interest, he used the words 'and the development of the land'. I am interested to know whether the minister for Lands and Planning, when he said 'development of the land' - is he saying that a multistorey block of flats go up on top of that site? Is this site protected from development? That was not clear, and was one of the concerns of people like Margaret Clinch at PPlan, that it was not developed and was not sold off to some private developer; it was retained as community purpose land.

I interjected, minister, when you were talking about Travellers Way - I think it is called. Margaret Clinch fought for years to try to retain that walkway, and you must remember that many people fought the CLP government on the



development of the escarpment, which originally was meant to be a green belt around the edge of the Esplanade. If you look up there now there is a bit of a green belt, but there are a lot of high-rise units which rose up in the days of the CLP. That should never have happened in the first place.

I am only trying to bring this back down into what the general population wants to hear. There were a lot of figures bandied around - \$3m - all these figures are what I call the exaggerated figure. You can say someone has a lease of land for 50 years at \$60 000, which means it is worth umpteen million dollars. You quote the big figure, but you do not quote the \$60 000 a year figure. It is done to overemphasise an argument about someone.

I do not think that was at all fair. I think it was part of a political process, because this had a political reason - as well as a proper governance reason - for the inquiry to occur. We have to split the political reason for pushing this, which can be seen - in the language used - as against trying to fix up some issues the commissioner said exist in the system. That is the area I would be more concerned about. I believe the commissioner has tried to bring in changes which will mean this cannot happen again.

I emphasise again, there were things said - you have to read the document, and you need to read it carefully because people were accused of things. I think it was unfair, because the document the government brought forward does not say that.

For instance, the commissioner said:

*A finding of corrupt conduct can have grave consequences for the person concerned and should only be made where the circumstances plainly justify it. They do not in this instance.*

I hear whispers about corruption. In finding one he states that we do not have a statutory definition of corrupt conduct, but you need to read the entire page to understand where that is coming from. The minister for Lands and Planning at the time, as well as the Opposition Leader, did not make any personal gain. One could argue whether they had a conflict of interest when they decided on this because the unions are closely affiliated with the Labor Party; that may be the case and that is why this was not done in a proper, transparent way.

We need to balance things a bit to make sure the government, when it is criticising the previous government for the decision - the inquiry has shown there were issues that were not dealt with as well as should be. I could mention some parcels of land that I know were given out in days

gone by the CLP government in days gone by, and I would ask questions like, 'How come?' but no one held an inquiry into those.

I think the commissioner mentioned that others had talked about other parcels of land that were not in the terms of reference given to him, although I did look at the last terms of reference and thought that - for instance it talks about:

*Any other suggestions or recommendations the commissioner considers relevant to the above matters.*

He could have looked at any other cases worth considering.

There is nothing wrong with this inquiry in the sense that it clears the air. If there are recommendations from this inquiry that improve governance, the way we do things and that make sure any government, when it is making decisions, is at arm's length - that was the criticism I had of the minister for Lands and Planning. He had a block of land in the rural area - we have a DCA which twice made a decision not to allow the development of that particular block, and the minister decided to use a section of the act where he became the Development Consent Authority. I objected to that because I thought at that time, and I still do, the minister has a conflict of interest, but you have the Development Consent Authority to keep the minister away from making decisions that could be perceived as political or for someone's gain. That is why it is important to have these processes correct.

I will reiterate that it is disappointing the government spent this money on these recommendations; when it comes to what I thought was a very important recommendation - I am open to a different view on it, but one of the key recommendations was about appointing an integrity commissioner. It seems that when we get down to some of the things that would help make sure government operates properly and in a much more open and transparent way, which is what much of this debate today is about, the minister has decided they will not accept that recommendation. I find that disappointing.

We are two years on from the previous government being in power. People will gain mileage out of this, whichever way they think. I will repeat that I believe the government at the time did not do this through what I call an open and transparent process which was fair to everybody. It would not have mattered to me; I did not know even this was happening. I would have expected any government offering up a sale or the use of a parcel of land would publish advertisements and give people the opportunity to

put their two bob's worth as to why they would like that block of land.

I should make it clear that in here – I will find out the section - the minister was within his rights. The minister had the power to do what he did. The issue is not whether he has broken the law, the issue comes back to perception. That is the problem we have with the present government in some of the things which are being debated today. The best way to overcome perception is by having systems which are public and transparent. That way, you can make sure your decisions are being scrutinised, not only by this House, but by the media and the public in general. That means we have a healthy democracy and, hopefully, we get proper and fair decisions through that process.

I thank the minister for bringing forth this statement today. I should have asked one other question. We have gone to all the trouble of doing this, the minister has come here and said this is now a draft. I was not sure, I thought this was it. I heard the word 'draft' at the beginning. That did not make sense to me.

I also pick up on that the minister was quoting an appendix in Recommendation 20. He said Appendix D, and it is Appendix H, if Hansard is looking for that.

The other issue was in relation to - which I should have touched on - what the government is doing about this so-called Recommendation 6, members' code of conduct and ethical standards. I read the members code of conduct and ethical standards. I am not a lawyer, but I wonder how the government is trying to put this matter into that. I could not see it in there. Obviously, the minister cannot because he sent it off to the Solicitor-General. It will be interesting to know a little more detail about that section. There was a lot of media hype about it at the time - going off to the Privileges Committee - yet all I heard today was their advice will be based on what the Solicitor-General will recommend.

We have had this document for quite a while. I would have thought we would have had some feedback on that recommendation. After all, the minister for Lands has been giving us his update on these recommendations. I just do not know where that is at.

Madam Speaker, I hope this document brings improvements into the way we govern. I also hope we move on. I do not think the people involved should be dragged on month after month. We need to go through this document, pick up the recommendations, and work towards better governance.

**Mr WESTRA van HOLTHE (Mines and Energy):** Madam Speaker, I support the comments made by the Chief Minister today about the Leader of the Opposition's and Deputy Leader of the Opposition's dodgy deal to hand over a \$3m asset to their union mates, making the point that, at the time, the member for Karama, who is the Opposition Leader now, was the Deputy Chief Minister then, and the member for Barkly was the minister responsible for this debacle. Shameful, Madam Speaker!

As members of parliament, we carry a level of trust from the constituency we represent. In government, we carry the trust of all Territorians. When the Labor Party was in government, it broke that trust, and it took the change of government to uncover how deceitful it was being to the people of the Northern Territory.

Our community puts enormous trust in its institutions. We trust our police are acting in the public interest to keep our society safe, our teachers will provide good education to our children, our doctors and nurses will provide care for the sick, and our politicians will make fair decisions in the interest of the whole Territory - not just a section of it or their union mates.

Trust implies a sense of hope that this is the way our society works and, at the same time, acknowledges the community does not oversee every decision, ruling, or arrest. This report exposes that the trust the community had in the member for Karama's former Labor government, was broken. To put it simply, that trust was abused. The people were wronged by the members for Karama and Barkly in that position of trust.

Now is the time the members for Karama and Barkly are answerable. Now is the time we, as a society, should say no to the type of behaviour of the Labor government exposed through this debacle.

The report describes the decision-making by Labor politicians on Stella Maris as I quote 'not proper' and goes as far as to say the decision-making was unfair to the public. Again, that shows the trust the people of the Northern Territory placed in the Labor government, and particularly those two members, was broken. Further, it says the conduct of members of the Labor government was not accountable, responsible or in the public interest.

We know Labor will say they committed no crime; they did nothing wrong. In their eyes giving their main supporter a \$3m asset is fine. The fact it did not go to public tender is fine, the fact this was covered up is fine in their eyes. However, members for Barkly and Karama, no, this is not

fine. All this does is prove how you failed to appreciate the trust people placed in your government.

Stella Maris exposes Labor's desire to advance their political interest over the wider interest and is telling of how the former government operated. I cannot stress how deceitful this deal was. I repeat, a \$3m public asset was gifted to Unions NT in a 10-year rent free deal without a public expression of interest process.

An independent inquiry lead by Commissioner John Lawler found Labor's actions in stitching up the deal were not accountable, responsible or in the public interest. Despite the report and its recommendations, Unions NT have chosen to ignore numerous calls to relinquish their interest in the site.

I commend my parliamentary colleague, the Minister for Lands, Planning and the Environment, for re-advertising the site and calling for an expression of interest. I quote from the minister's press release:

*This action I am taking today is the right action and exactly what Delia Lawrie and Gerry McCarthy should have done two years ago instead of cooking up an under-the-table deal in the dying days of the Labor government.*

The member for Brennan, the minister, is right. An asset of historical importance was stolen and this was done in the dying days of the government - one last ditch effort to support their pals before the public closed the book on their government.

It was pleasing to see the EOI process begin last Friday, and I look forward to hearing who the successful tenderer is.

Our government will not be gifting Stella Maris to any group under the table. There is a public process under way and we are proud of this. It is a symbol of the trust we have reinstated with the Territory public. I hope to see community groups and organisations putting forward their proposal for this iconic site. It is important it is used to benefit the wider community.

In saying all that, there is something else I need to say and it is a repeat of the call the Chief Minister has now made. The least the member for Karama could do, the least that the member for Barkly could do is apologise for this action. I join the Chief Minister in calling for that public apology. It is the least the member for Karama could do. Here is some advice member for Karama and member for Barkly, a simple, 'I am sorry' to the people of the Northern Territory would go a long way to rebuilding the trust you lost. In fact, not

lost, you took away; you stole from the people of the Northern Territory.

Being unaccountable and not acting in the public interest, coupled with the failure to acknowledge this and failure to apologise, are not becoming of the Northern Territory parliament. Frankly, those members involved in this shame themselves and the party they represent.

As a government, we will see the keys of Stella Maris put in the hands of the community.

To sum up, I want finish with the words Commissioner Lawler wrote to the Administrator upon presentation of this report. He said:

*I thank you for the opportunity and I sincerely hope the report assists in promoting integrity, accountability, responsibility, and transparency within the government into the future.*

I hope the members for Barkly and Karama have learnt their lesson from this, that the Labor Party has learnt its lesson from this. It is not okay to do these dodgy deals under the table without any element of transparency or scrutiny. It was the wrong thing to do. They should be ashamed of themselves, and there are times when the actions of parliamentarians make me feel ashamed. The actions of those two politicians have made me ashamed of parliamentarians in the Northern Territory.

**Ms WALKER (Nhulunbuy):** Madam Speaker, I wish to speak in response to the Chief Minister's statement.

It is appalling that the government is even considering sending this matter to privileges while it is before the courts. How will the government look if the court quashes the Stella Maris report, effectively rendering it null and void, but then move against two members of parliament based on the report?

The appropriate course of action is for this Assembly to wait. The court will hear the matter in due course and the Assembly will have time, if it so desires and the Stella Maris report is found to be valid, to consider these matters then.

It is worth putting on the record that none of the cases of contempt or privilege referred to in the House of Representatives Practice concerns the exercise of executive power. So, this Assembly would be setting a precedent that the national parliament has never considered, and those opposite need to consider that.

Precedence for the Privileges Committee, historically, has always been in connection with

something affecting the House, or members in their capacity as such. The Stella Maris decision of the previous Cabinet does not satisfy this test. Like my colleagues on this side, I am saddened by the route this government is taking is considering Privileges Committee. Half a million dollars was squandered on the Stella Maris Inquiry, money which could have been spent on school teachers or hospital beds. Instead, it was spent on finding that a decision of the previous government was entirely lawful. It was a political stunt from the outset and the statement and report from the Chief Minister today clearly shows the government has learnt nothing from the fizzer that was the Stella Maris Inquiry.

Madam Speaker, this House should resoundingly reject the statement and the report from the Chief Minister this afternoon.

**Mr STYLES (Transport):** Madam Speaker, after hearing what the Chief Minister said today about the Stella Maris deal, I feel somewhat embarrassed to stand in this House and in the same room as some of those opposite.

As a former police officer, during my time I served as a Fraud Squad detective. I look back at why I joined the police force and I felt I had a great sense of justice and fairness, which are the reasons I joined and which drove me for 27 years as a member of the Northern Territory Police Force.

I looked at a range of issues when I was a Fraud Squad detective, and when I look at the Stella Maris report I think, 'Gee, that smells a lot'. We have heard speakers from both sides; the opposition has said what a waste of time and money it was. I beg to differ, and I hope the members saying that go back and read the report to see what it says.

It beggars belief that a Treasurer and minister for Lands and Planning could circumvent the executive decision-making process of government in the way they did, and give their union mates a \$600 000 handout. The member for Nhulunbuy said '\$500 000 is a waste of money'; imagine what could have been done with that. You could have done a few things; what could the union do if it gave the \$600 000 handout - if it had done the deal properly that is what it was worth. What could the government have done with \$600 000? One looks at the amount of debt the government left the Northern Territory in. They could have reduced it by \$600 000 by making a fair deal, but that was not the case.

It beggars belief that senior elected representatives of the Northern Territory community could put their integrity in the bottom drawer in this way. As an elected member of the

Northern Territory Legislative Assembly it gives me a great deal of pride to serve the people of the Northern Territory and my electorate, and I consider it an honour to do so. In doing that there is an expectation I will be fair and just, and those are qualities that have guided me through my life. They are the qualities I gained from my parents and family, all the way through my childhood. These were the things drummed into me. When I became a police officer in Western Australia, again, ideas of justice and fairness were drummed into me. I have heard other people say the opposition will say, 'Oh, but we did no wrong, we did not commit a crime and we did not do this and that'.

It is a dirty, dodgy deal that has been exposed, and when I look at - in my former life I looked at the various behavioural patterns of people who do these sorts of things and, quite often, it is not the first and sometimes not the last time they will make these deals. This was done on the day before they went into caretaker mode. Here we are making a deal, signing things off and circumventing so much of the process and checks and balances of government. One has to ask why you would do that on the day before, except to look after your mates and make a backroom deal, in the expectation it would not come into the public arena.

In my former life as a police officer, I found that many people did things because they believed no one would find out. Things go great until it all turns pear-shaped; in this instance it has turned pear-shaped and that can be a bit sad for some people because when they believe they will not be caught you suddenly have to stump up and be responsible for your actions. Inquiries like this are the things which hold these people to account for their actions.

When I look at the timing of the actions of the former Treasurer and current Leader of the Opposition, as well as the former government minister and now Deputy Opposition Leader, it is apparent to me that they decided the approaching election was not theirs to win, and they had to get the grubby deal signed off as a matter of urgency before the government went into caretaker mode.

I ask those listening and reading this to take note of those particular words, because this action was an enormous, sad betrayal of public trust. To give your mates a deal like that in those circumstances smells. I say again that it is an enormous betrayal of public trust. If I had done that I could not sleep at night. I would not be sitting over there, holding my head up high and saying, 'I have done nothing wrong'. It is a shonky deal and, again, with what I have been taught through my family, as an individual, a community member and through my former life as a school-based police officer

teaching 40 000 kids in 19 years - I taught them those things and I hope other people in this room would teach the same thing if they had access to young people and their minds. I look at people who might be teaching them. They teach them one set of rules, then they go off and do something else. I know there are people on the other side who have teaching backgrounds. I hope they were teaching young people about fairness, justice, and a sense of right and wrong. Yet, when it comes to this, it just goes out the window. Perhaps they do not take their own advice. That does not surprise me, with some of the things I hear coming from those opposite. This clearly demonstrates they feel no remorse for their actions.

I heard the member for Nhulunbuy saying this is nothing and the government should be ashamed. I find that appalling - that the government should be ashamed for the rotten, stinky deal the opposition did. Why should we feel ashamed about that? No doubt, they are over there. I do not blame them. I said the other day in this House that I am a compassionate guy. I understand, if you have been caught and sprung, people will be embarrassed over that side, and will probably do all sorts of things to try to take the attention away from them. That is human nature. However, when you have been caught - as the old saying out in the real world says - with your hand in the cookie jar, sometimes you have to 'fess up. So many people say, 'It was not my hand in the cookie jar'. When you say, 'There is a photograph of you with your hand in the cookie jar', they still say, 'It is not a photo of me'. One expects that but, at some stage, people are going to have a really good look in the mirror and see if they have a conscience. It will be interesting to see what answer they would give us.

It is considered the Lawler inquiry has clearly identified culpability of the former Treasurer and minister for Lands. The fact that they sit opposite in denial is even greater reason for concern from Territorians. How can you ever trust them in government? I sit here day after day listening to the opposition criticise the government. They say all sorts of things they would like the public to understand. The member for Port Darwin this morning clearly indicated that what happens over there is what they want the public to believe. They say people are talking about this. The only people talking about it is across the road. They are the only people who are saying it is a great deal to give unions a \$3m property and rip the taxpayer off for \$600 000 - that is okay, that is fair, and the government should be ashamed because they did that. I find that appalling.

Their lack of remorse and denial of the truth is a good reason for asking the question: are they the representatives we want as members of our

parliament? Those opposite need to get up every morning and look in the mirror and ask, 'Am I the person everybody wants in parliament?' I leave that question for them to answer.

If I was to take a straw poll of anyone who has been made aware of the unfair, unethical, and grubby nature of the deal done for their union mates, the answer I am sure would be a resounding no, these are not the type of people we want to represent us in the Northern Territory parliament. If they had any decency, they would resign, but perhaps not. The very least they can do, as the member for Katherine indicated, is apologise.

I hear them all the time calling on people on this side. Because the member for Port Darwin is a friend of a person who has done nothing wrong in the legal system, but is the recipient of a political witch hunt, they call on him to resign. How dare he be friends with a magistrate - now a former magistrate? How dare he do this? What has he done wrong legally? Nothing! It is a political witch hunt. That is someone they are attacking for political reasons.

Here we have a clear indication that a dirty, dodgy deal has been done, yet they apply double standards in this House. Why do they not call on themselves? Look in the mirror and say, 'Gee, I should resign'. I find it, again, appalling that they call on people over here who have done nothing wrong to resign and say they should be sacked. What is the Leader of the Opposition doing? Is her team saying, 'This is a bit strange and we are copping a bit of flack over this, perhaps you should resign'. Is she calling for her own resignation? Does she look in the mirror and say, 'I should resign today because I was part of a rotten, dirty, dodgy deal'. I do not think so, because the behaviour of those opposite is they have done nothing wrong.

I ask people who are listening to this or who read this in *Hansard* to ask the question and figure out the answer. It is the people who will decide what is and what is not a dirty rotten dodgy deal. I do not know if I would want to do any polling on that because they may not like the answer.

The Chief Minister advised this House Unions NT has refused to relinquish its interests in the Stella Maris property. That action brings into question the integrity of the management of that organisation. They have a report, and you do not have to be a rocket scientist to figure out there is something wrong with this deal yet they have not handed the keys in. They might like to look in the mirror and make some judgments about themselves first thing in the morning before they go to work and ask, 'Am I doing the right thing by myself, am I doing the right thing by my work

colleagues, am I doing the right thing by the people in the community, am I doing the right thing by the Northern Territory?’

If they come up with, ‘Yes, I am’ I am disappointed. It is a bit tragic if people think like that. I call upon Unions NT to relinquish its interests in that. In continuing to refuse to take the honourable course of action - that organisation seems to have sunk to the same grubby level as the architects of this underhand, unfair and totally outside the public interest violation of public trust.

Sadly, I feel ashamed for members in this House who performed those actions. If they have a conscience they need to have a good look at how they conduct themselves not only in this Chamber, but in the greater community. Thank you.

**Ms FYLES (Nightcliff):** Mr Deputy Speaker, I do not support the motion today. I am not constrained in the same way as the Leader of the Opposition. Certain things need to be put on the record and to put this matter into perspective. The Stella Maris inquiry was set up as a political stunt to try to damage the former government. Let us consider what the commissioner found. There was no corrupt conduct, no one had a conflict of interest, no one gained financially from the decision and the decision was entirely lawful. The inquiry set up to damage the previous government was a fizzer. This government spent \$500 000 in an elaborate stunt to damage the former government and they did not get value for money.

When the commissioner did not give them the result they needed they had to find a way to save face. The Stella Maris inquiry was an own goal. The government spent \$500 000 to be told the former Cabinet acted entirely lawfully. The last recourse they have is the Privileges Committee, but even then there is doubt over the constitutionality of whether this should be heard by Privileges.

The Stella Maris decision was taken by the executive government of the day, not the parliament. The Privileges Committee has no right to second guess what takes place in Cabinet. It also points to whether the member’s code of conduct act of 2008 applies to the executive government. It is the Opposition’s advice it is a constitutional impossibility for the member’s code of conduct to apply to ministers. This has never been tested. Nonetheless, it is our view on this side of the Chamber that in any event the code of conduct was not breached by any member of the previous Cabinet.

This government is clutching at straws at this and I strongly urge the Assembly to end this political stunt and reject this report. Thank you, Mr Deputy Speaker.

**Mr ELFERINK (Leader of Government Business):** Mr Deputy Speaker, the brevity of submission to this House was a measure of culpability and, inversely and directly proportional to it, these people demonstrate a level of culpability in relation to their defence today. Having listened to the members opposite, some very tightly read statements drafted, I suspect, by some lawyer somewhere in relation to this, the defence is hardly what you would call strident. Frankly, talk about double standards because what you have is a report into the Stella Maris inquiry. I congratulate Commissioner Lawler on his work. I am intrigued, however, about some of the elements of this report and the relationship between the Woods Street address and the Stella Maris site.

The Woods Street address, which was occupied prior to the unions wanting to move into the Stella Maris site, was subject to a number of titles. A number of titles rested with the union movement, however, one of the titles on the site rests with an organisation called Harold Nelson Holdings Pty Ltd. Harold Nelson Holdings Pty Ltd has another mention in another motion through this House in relation to some political donations.

Harold Nelson Holdings is the financial arm of the Northern Territory Labor Party. It is curious how they want to talk about whatever our relationship is with Foundation 51; I think they will be disappointed in the proximity they seem to think exists there. Harold Nelson Holdings and the Labor Party, as I understand it, had a close relationship and it would be a tragedy to see this group of people from the union movement move out of the Woods Street address and conveniently find themselves in a place where they had digs for a number of years - 10 years at peppercorn rent, which means they get a CBD address. Then the units on the Woods Street site become available for redevelopment.

I listened to the member for Nelson saying there was no personal gain, but there was gain for the Australian Labor Party and for the Union movement, because it would have enabled them to redevelop the site. It is funny how the champions of the worker would, for all intense and purposes, appear to quickly become the champions of capital development. It is funny how they can change their spots from time to time.

The Stella Maris site is a side-step process, which is what this inquiry is about because it shows an opposition who is more than prepared and more than happy, when in government, to side-step processes completely.

The lectures of transparency that we get from the members opposite become utterly opaque when you consider the brevity of their submissions to

this inquiry. I imagine there will be observers of this inquiry who will be taking a very close look of what is being said in this House, and those observers will doubtlessly be keeping a close eye on what is being said by government members more than the members opposite.

It is clear that the Stella Marris report has returned a series of findings which demonstrate that the government of the day was happy to side-step processes they argue for.

The Stella Marris Inquiry reveals that this Labor party, an alternative government of the Northern Territory, will side-step processes if there is something in it for them, or alternatively for their union mates.

I am disappointed they have gone through this process. More importantly, they have gone through a process which has truncated many of the normal ways of approaching these sorts of things. If I remember the evidence of the Stella Marris Inquiry correctly, the Cabinet meeting was barely constituted in any realistic sense and, as the report states, the person who ultimately made the determination was not Cabinet, but the now Deputy Leader of the Opposition, Mr McCarthy.

One thing I asked during the debates last time round - I am curious to see if the member for Barkly would care to fill us in during the debate in the House today about the story which came to my ears - I do not know if it is true - about the then Planning minister personally walking the leases to Unions NT. I have never heard a denial of that, and he could well satisfy us if we were to hear one. I would be very pleased one way or the other, because the absence of a denial raises the question - having made those observations I turn to my attention to recommendation seventeen, as referred to by the Chief Minister.

Recommendation seventeen says:

*I recommend that the Northern Territory Commissioner for Public Employment regularly promulgate clear advice to agency CEOs on how to manage the interface between ministerial advisors and departmental officers.*

This recommendation is accepted by the Minister for Public Employment, and I will update the House on this recommendation during this debate. I also take this opportunity to update the House on a decision my office has taken as the employer of all ministerial staff.

Recommendation fourteen referred to an updated ministerial code of conduct. We have taken this recommendation seriously and also take the opportunity to review the code of conduct which

applies to ministerial staff. The existing code of conduct has been replaced with a statement of service standards for ministerial staff. The statement of service standards articulate 21 standards ministerial employees are expected to uphold, including three which relate specifically to engaging with the public service. I quote:

*The ministerial staff employed under the Northern Territory Contracts Act, and consultants, must:*

- 10) not knowingly and intentionally encourage or induce public officials by their decisions, directions or conduct to breach the law or parliamentary obligations or fail to comply with applicable codes of ethical conduct*
- 11) acknowledge that ministerial staff do not have the power to direct the Northern Territory Public Service employees in their own right and that Northern Territory Public Service employees are not subject to their direction*
- 12. recognise that executive decisions are the preserve of ministers and public servants, and not ministerial staff acting in their own right*
- 13) facilitate and direct effective communication between their minister's department and their minister*

These clearly become references to Mr Loenneker and Mr Paton who were, in many respects, the meat in the sandwich. Mr Loenneker was found - I point out the references in the executive summary that it was:

*Mr Loenneker's responsibility as an advisor to both minister Lawrie and minister McCarthy to ensure that Unions NT's application was provided to the department when it was received by minister Lawrie in 2009. Mr Loenneker did not provide the application to the department until 17 July 2012, seven days after the Cabinet decision, by which time it was three years out of date and largely irrelevant.*

*As a result the department was deprived of the ability to follow its long-standing community land grant process, particularly seeking detailed application, seeking payment of an application fee, making a thorough assessment of the application, making a formal request for a public advertisement and providing a 14-day comment period.*

*Mr Loenneker, as a former department employee, had intimate knowledge of the community land grant processes and policies. He would have known and should of informed ministers that due and proper process was not being followed with regard to Unions NT's application. Mr Loenneker should have ensured that Unions NT followed due and proper processes in submitting its application to the department. He should also have been more transparent and documented more fully for the department the outcomes for the ministers and what the ministers and Unions NT wanted. Although Mr Loenneker's conduct was not covered by any statute or code of conduct at this time his behaviour fell well short of the high standards expected of a ministerial advisor.*

I would be sad to see if any ministerial adviser in my staff were to be criticised post-government - whenever that should occur - in the same way in such a public document.

Furthermore, it says more about Mr Paton:

*Mr Paton had a conflict of interest due to his role as a ministerial advisor and a member of Unions NT's NT Workers Club Sub-committee, which was responsible for advancing the Union NT's interest in the Stella Maris site.*

*Mr Paton briefed Minister G McCarthy about Unions NT's application 2011 while still employed as a ministerial advisor and with an ongoing interest in the site as either a former or current member of the NT Workers Club Sub-committee. This was a clear conflict of interest. Given the lack of clarity around when Minister G McCarthy was briefed and the ongoing role of the NT Workers Club Sub-committee, the Inquiry was unable to establish if Mr Paton was an active member of the sub-committee when he briefed Mr G McCarthy in 2011.*

*Mr Paton discussed Cabinet timelines relating to the site at a meeting of the NT Workers Club Sub-committee in 2010 and provided direction to Mr Loenneker that clearly favoured Unions NT's position. This was inappropriate.*

*Mr Paton advanced the Unions NT application between 17 to 20 July 2012 as the incoming Unions NT Secretary, while still employed as a ministerial advisor. This was clearly inappropriate and should not have occurred.*

*Although Mr Paton's conduct was not covered by any statute or code of conduct at the time, he was conflicted and his behaviour fell well short of the high standard expected by a senior ministerial advisor.*

Full and frank does not only apply to the public service, it also applies to ministerial staff. I am glad to say -and sometimes tediously so - that full and frank is what I get, and I am grateful to my staff for it.

It is for that reason we have introduced the rules we described earlier. A minister must, sooner or later, become responsible for what happens on the deck of their ship. Clearly, this was not the case in relation to the way the ministers opposite dealt with this. In opposition, I was often curious to see the breadth and depth ministerial staff had in their influence and their capacity to get involved in decision-making processes. They are there to assist ministers, to advise ministers, and give advice - and fearless and frank advice - to ministers, but they do not or should not have a decision-making role.

The exposure of these staff demonstrates they may well have been trapped between a minister who was not entirely across his portfolio and the desire, perhaps, to keep their own jobs. I cannot know what their motivation was. In any instance, what is clear is ministerial staff were being asked to make or involve themselves in ways that were inappropriate. Indeed, if the minister had knowledge, particularly of Mr Paton's role on the NT Workers Club Subcommittee, then that should have been an issue of grave concern to the minister.

One of the things I noticed when I was in opposition, particularly when I was able to see ministers in the Alice Springs sittings, was the desire for ministers to surround themselves with their own ministerial staff and seek fraternity from their staff. My office runs on a fairly strict hierarchy. Whilst it is a warm and amicable office, it also enjoys a number of formalities. There is a clear structure in place so the familiarity I have seen occurring in Labor offices does not lead to the contempt it may well have done in Labor offices because familiarity, as all members know, leads to contempt. I do not believe, necessarily, in a particularly familiar office. We have a lot of work to do and we work very hard to make sure our offices work well.

Clearly, there is no doubt what occurred in the circumstances surrounding the Stella Maris inquiry. It was a means to get the Stella Maris block available for the unions so it would free up the Woods Street block so, I presume, development could occur. It is that obvious. It is



clear for all to see and, quite frankly, I was disappointed to hear the former government went to such lengths to try to secure it. I call on the former Treasurer and Planning minister, Delia Lawrie, the now Leader of the Opposition to apologise because Territorians deserve an apology for the way this whole thing was handled. It was a mates' deal nobbled together trying to be done under the radar immediately before the beginning of the caretaker process. I think the bets were on that they would win government and they could sail out the other end without anybody noticing what had happened.

I am sure the former Chief Minister, Mr Henderson, was quite surprised when he lost government. This whole arrangement then became immediately apparent to anybody who would look at it, and it caused the government to move to have this inquiry. The former government is not covered in glory in relation to this matter. The former government really needs to revisit and reconsider the way it has conducted itself and I think an apology from the Leader of the Opposition would be an awfully good step to take.

**Mr CONLAN (Central Australia):** Madam Speaker, I think we will adjourn after this so we might go out with a bang. Nothing like it - give Kon something to remember perhaps.

I contribute to the Chief Minister's statement on the inquiry that revealed Labor's dodgy deal to their union mates of a rent free lease for a \$3m CBD property, the Stella Maris building. The Stella Maris inquiry shows once and for all the Northern Territory Labor Party, be they in government or in opposition, simply cannot be trusted. They are devious and underhanded. They are power hungry and will do anything to get their way.

The member for Karama is the worst of the lot. She has been exposed as 'not proper' and unfair to the public. Is there a worse assessment of an elected member of parliament than being described as unfair to the public? She has been exposed as the puppet master. She has been exposed as the chief architect behind Labor's ugly and dodgy, deceitful *Underbelly*. She cannot be trusted, she cannot be believed. She must not be trusted and she must not be believed.

The Stella Maris report found that Delia Lawrie's involvement was critical to closing down the recommended open expressions of interest process on the heritage building saying, 'It is unlikely that the submissions would have gone to that Cabinet meeting or that the letter of offer would have been made on 3 August 2012 without Minister Lawrie's intervention'. I repeat, 'without Minister Lawrie's intervention'.

The commissioner goes on to state that the then Deputy Chief Minister had involved herself in a process that was 'not proper and was unfair to the public and other community groups'. I repeat, the commissioner found the member for Karama's behaviour to be not proper and unfair to the public.

The commissioner also found the member for Barkly's role in the deal was not accountable, responsible or in the public interest. The report found Mr McCarthy's decision to grant the lease was 'unreasonable because he did not have the necessary information to justify selectively choosing Unions NT over any other group'.

The Stella Maris deal, as highlighted today, and highlighted when this report was handed down a couple of months ago, is really just the icing on the cake of 11 years of Labor. It was their swansong. You do not have to trawl back through history too far to see more incompetence, more dodgy deals by the previous Labor government. For 11 years the Labor government and the member for Karama engaged in a culture of cover-up to hide the truth from Territorians. We all remember Red Rooster-gate. Who can forget? In 2009, when the then Deputy Chief Minister directed her department's - that is the member for Karama - CEO to withdraw the prosecution against the owner of the Tennant Creek Red Rooster for not having a building certificate. This is how it was reported on the ABC News, online on 20 February 2009:

*The Northern Territory Planning Minister denies that she ignored the separation of powers when she discussed a court case with her department. The Department of Planning and Infrastructure dropped a case against a Tennant Creek Red Rooster restaurant this month after Delia Lawrie discussed the issue with Chief Executive, Richard Hancock.*

In a leaked e-mail, Mr Hancock says Delia Lawrie verbally instructed him to stop the action. The member for Karama was then busted misleading the Assembly when she denied that she had issued such a direction to Mr Hancock. It is interesting that the member for Karama raised the issue today about the separation of powers, she raised that this morning; she seems to have a pretty short memory.

Who can forget the Bonson telephone call? Another episode involving the member for Karama, yet again, she used and abused proper process. Who could forget the damning revelations in 2009 that showed that she bypassed applications for the Anti-Discrimination Commissioner's job in favour of her own handpicked candidate?

Once again, we find that when the doors of the Labor Cabinet are flung open the skeletons fall out of the closet. It is a familiar figure lurking in the background, time and time again, the member for Karama - she is there. It is a familiar figure at the helm of this toxic ship that is the Labor party - the member for Karama.

What else did they hide from Territorians for 11 years? The list goes on. What else did the member for Karama hide from Territorians? The Power and Water debacle on Channel Island springs to mind. As Treasurer and shareholding Minister for Power and Water at the time, the member for Karama once again had her hands all over the cover-up.

In 2009, the then Labor government spent \$53m of Territory taxpayers' money in one year, purchasing diesel fuel power to Channel Island because of the delay in gas from Blacktip Gas Field. It was a complete and utter disaster and, as always is the Labor way, Territorians were kept in the dark, literally. Territorians were going about their everyday business, watching television, cooking dinner, having a shower - whatever they do - with no clue that the member for Karama was spending millions, in fact, \$53m of their money to desperately keep the lights on because of her monumental stuff up.

Eventually, she was forced to fess up. Speaking of Power and Water, let us all sit back and now reflect on the Casuarina sub-station debacle. Remember the explosion. Another Power and Water debacle with Delia Lawrie, as the member for Karama's, hands all over it. In 2008 the Treasurer's failure to properly fund Power and Water left its maintenance budget in tatters resulting in a catastrophic failure at the Casuarina sub-station - 15 000 households were left without power for days, Labor's solution to the crisis was telling those Territorians affected to go and buy a generator; unbelievable.

As Attorney-General, the member for Karama was known to be completely and utterly incompetent. Let us remember the begging blunder, who can forget that? What a master stroke of legislation by the member for Karama. In 2009, it was a good year for the member for Karama, but a bad year for Territorians. The then Attorney-General amended the *Summary Offences Act* that saw begging attract fines of \$6500. The member for Karama was forced to rectify the embarrassing mistake, and guess who she blamed? The hard-working public service.

That brings me to the BDR - the Banned Drinker Register, or maybe the banned buyer register. As alcohol policy, the member for Karama saw and presided over the BDR. It was another demonstration of her commitment to mislead

Territorians to cover up her failings, it has been the hallmark of the member for Karama and will continue to be so. She claimed that the BDR would turn problem drinkers off tap and we all know this to be completely untrue. The BDR did not stop problem drinkers from drinking; it stopped drinkers from buying, but it did not stop anyone from drinking.

Case in point: Mr 117. During what I will call the BDR's operation, one banned drinker was picked up for drunkenness 117 times. That drinker was sent to the now defunct alcohol tribunal 114 times, but never once attended. The top 60 banned drinkers on the register were apprehended more than 2000 times. Territory-wide assaults and domestic violence rates continued to rise. The year before the \$18m BDR - or BBR, the banned buyers register - was put into place, 20 354 drunks were taken into protective custody. The year it opened 19 998 drunks were taken into protective custody. There was a reduction of a whopping 336, one less per day at a cost of \$50 000 per drunk.

Who can forget the debt? We certainly cannot because we are left with it. There was a \$5.5bn projected debt when we came to government in 2012 - spend, spend, spend, nothing like it. Is it any wonder Territorians were heading towards a ballooning debt of interest payments - \$1.1m per day by 2015-16, money that could be spent on doctors, more police, better health services and more teachers.

Some of the other highlights of the member for Karama's reign as Treasurer: we have the Taj Mahal prison, which leaves a \$1.8bn debt or \$60m per year for 30 years, and we have not even made the first payment yet. It equates to about \$1.1m every week or first division Lotto for the next 30 years. The asset management system: this had a \$70m budget and still did not work. There was a \$3bn Power and Water debt, which is \$7 000 for every single man, woman and child in the Northern Territory.

Under the former Treasurer, infrastructure went backwards and building approvals and small business confidence was down. When Labor came to office in 2001, small business confidence was at 51%, but by 2010 this had dropped to just 27%. Retail sales and jobs were down.

There was one thing that went up under Labor - crime. Crime skyrocketed, and under Labor, law and order got so bad that business operators in both Alice Springs and Darwin were forced to sleep in their workplace to try to deal with criminals breaking into their premises. Can you believe that is how bad it became? It is hard to believe, but that is how bad it became. People were forced to sleep in their own workplace to

stop the crooks breaking in. Under Labor and the former Attorney-General and Deputy Chief Minister a massive spike in violent crime occurred across the Territory, culminating in an unprecedented week of violence in Palmerston in November 2008 which saw gangs assault nine innocent people. Under Labor crime rates in the Northern Territory were twice as high as the national average.

Under Labor violent crime continued to rise. The rate of violent assault increased by 80% during Labor's decade of denial. Alice Springs felt the brunt of Labor's soft approach on crime. For example from 2004-05 to 2009-10, robbery went up 450%; assault rose by 87%; sexual assault went up by 97%; house break-ins were up 64%; commercial break-ins went up 185%; motor vehicle theft went up 97%; and property damage rose by 71%.

Halfway through the Country Liberals Giles government's first term the statistics show property crime has plummeted and alcohol-related violence is trending down. Property crime under the Giles' Country Liberals government, in two years, is at its lowest level in 14 years, nearly a decade and a half. The latest crime figures confirm that Territory-wide the total number of offences dropped by 1886 in the year to June, compared to the previous 12 months. The graphs speak for themselves; the figures confirm we are already meeting our targets on property crime, and violent crime is trending down under our new policies, but there is still much work to be done.

Household break-ins are down 26%. Our full suite of alcohol measures, including Alcohol Mandatory Treatment, Alcohol Protection Orders, intensive temporary beat locations, and Darwin Safe has only been in effect since Christmas and, since that time, we have seen dramatic reductions in personal crime.

The June crime statistics show that assaults are down 14% Territory-wide, and alcohol-related assaults are down 18% across the Northern Territory in the past six months, compared to the same time last year. Alcohol-related assaults are down 3%. Police PROMIS data also shows that during the time Alcohol Protection Orders and Darwin Safe have been operating, Mitchell Street has seen assaults drop by 24% compared to the same time last year.

Labor had 11 years under their watch to do something about crime across the Northern Territory, but crime went up - crime skyrocketed. In two years, we have started to arrest and dramatically reverse Labor's upward trend.

Labor's handling of child protection is also another sad and sorry affair. If there was ever an example

of Labor neglected Territorians, it was with child protection. During their 11 years in government, there was case after case of child neglect. Of course, who can forget the *Little Children are Sacred Report* which was the trigger for the intervention, or the emergency response by the federal government.

Under Labor, in housing, rents and house prices skyrocketed, and waiting lists ballooned. The list goes on and on – a litany of failures under the previous government.

I return to Stella Maris because I have a few minutes to go. I have page after page of more and more highlights of 11 years – it is quite a decade. You have quite a book of failures you have racked up over 11 years, but we do not have the time to go all the way through.

I return to the dodgy Stella Maris inquiry I quote:

*Substantial evidence before the Inquiry indicates that Minister Lawrie was determined for a decision on the Cabinet Submission to be made at that meeting, prior to the election caretaker period coming into effect. This is corroborated by an email Minister G McCarthy's senior advisor ... sent to his minister on 9 July 2012, clearly outlining Minister Lawrie's intentions:*

Gerry

The Cabinet submission on Stella Maris is on the business list for tomorrow. I discussed this with Delia on Friday ... and she asked that it go to Cabinet tomorrow so that Cabinet can approve the grant of the site to Unions NT.

It is pretty clear:

The recommendation in the submission is that Cabinet approve option 2 and release the site through an expressions of interest process for low scale community use or commercial development.

However, to allow the site to be granted ... to Unions NT (Delia's preference), Cabinet needs to approve option 3 in the submission and approve the grant of a Crown lease for a term of ten years to Unions NT. I have advised Delia of this and hopefully it will all go through as planned.

Regards Wolf

Again, the fact remains that minister Lawrie acted with bias and favour of Unions NT over other community groups. The report said:

*Without Minister Lawrie's direct support and intervention, I am confident that Unions NT would not have been offered the exclusive Crown lease over the site on 3 August 2012.*

It reeks of bias and direct intervention. 'Without minister Lawrie'. Can you see there is a theme forming here? Delia Lawrie, the member for Karma, front and centre in a proposal that was unfair to the public and other community groups - an extraordinary claim against the member for Karama. It was unfair to the public and other community groups. Can there be a greater slur tabled against any elected member than being unfair to the public? A great deal of stuff gets passed around in this place, but unfair to the public would have to be about it.

Labor wants to brush this sorry, dark, sordid history under the carpet. Once again they are misleading Territorians. If they are to be believed, the 11 years of Labor are 11 years where nothing went wrong. Territorians lived in some sort of utopia. There was no chaos, crises, reshuffles, disasters or failed policies, no abusing the separation of powers, etcetera; everything was just fine. But as we know, that is just not the case. The Stella Maris deal is the icing on the cake of 11 long years of Labor's grubby politics. On the eve of the caretaker mode ahead of the 2012 election they thought they would get away with it. Well guess what! They have not.

The least you can do is apologise to the people of the Northern Territory, but, alas, I do not think that is forthcoming. You continue to do what you do best on that side of the House, rack up debt, and do your dodgy deals with the unions and leave the running of the Northern Territory in the hands of those who do it best: the Country Liberal government.

Motion agreed to; report noted.

#### ADJOURNMENT

**Mr ELFERINK (Leader of government Business):** Madam Speaker, I move that the House do now adjourn.

**Mr VATSKALIS (Casuarina):** Madam Speaker, I rise tonight to speak for the last time in this House, to say goodbye to all this after 13 years in the Legislative Assembly of the Northern Territory and Territory politics, and to thank the many people who, in one way or another, helped me to be a member of the Legislative Assembly, a good

local member for the people of Casuarina and a minister in successive Labor governments.

The truth is in my wildest dreams I never thought I would be in Australia and be a member of an Australian parliament. Not that I was never interested in politics, I was very interested, especially since I grew up in the midst of the political turmoil of the military dictatorship in Greece from 1967 to 1974, and the restoration of democracy in the country where democracy was born, not to mention the fiery student politics I was involved in when I was in college in Athens.

During these years I formed my strong beliefs in the democratic process and the rights of people to live, work and be educated freely. In 1983, as a young 26-year-old man, I migrated to Australia with my late wife Linda, and soon afterwards I commenced my studies at the Western Australian Institute of Technology, now Curtin University. I obtained a job in the local government, continued my studies and lived a comfortable life in Fremantle.

Linda and her family were very strong Labor supporters, and of course with my past it was natural for me to join the Labor Party in Australia. I am eternally thankful to them because, as early as 1983, I was on the way to politics in Australia.

I first joined the Melville branch of the Labor Party in Perth in 1983. I took part in debates, branch meetings and election campaigns, and became a founding member of the Greek branch of the Labor party in Perth and stood as a candidate for the Labor Party in the seat of Clontarf in 1986. That was my first exposure to the hustle and bustle of the political process in Australia, and what a training ground it was.

After a three-year stint in Port Hedland working for the Town of Port Hedland in the 1990s, Darwin and a job in the Northern Territory health department beckoned, and we arrived in Darwin January 1993. I moved to the Territory in 1993 with my young family. The original plan was to be here for two years before we returned to Perth, but of course, like so many other people, we fell in love with the Territory and the two years became four, and so on.

We came here with a young son, Alexander, five-years-old. Then we had Michael, so we grew roots in the Territory. We became part of this community and part of the close-knit Greek community and we enjoyed every minute of it.

Soon afterwards, I joined Labor. It was at that time I met many of my friends, including my very good friend, Paul Henderson. I became a founding member of the Millner branch and soon afterwards I work with Paul in his campaign for

Nightcliff and, later, for Wanguri. Not long afterwards, I found myself meeting Clare Martin here and I attempted to win Casuarina. As many would remember, in 2000 things in the Territory were not particularly good. The then CLP government was floundering, and with the 2001 elections looming I decided to stand for the Labor Party, picking up the seat of Nightcliff. After my nomination, I got a call from Clare who suggested I stand for Casuarina, not Nightcliff.

I was very hesitant at first, since Casuarina had been in the CLP hands for 27 years and the seat was occupied by the then Minister for Education. But, after I had a look at the electoral roll and I found out that 10% were Greek descent people, 8% Filipinos and 5% Chinese, I thought Casuarina was winnable.

It took me hours of doorknocking and three pairs of shoes, and Casuarina changed hands in 2001. Labor was elected for the first time on 20 August 2001, after 27 years in the wilderness, and that was where the fun began. A number of my colleagues and I were elected for the first time in the Legislative Assembly. We knew nothing about parliament and its processes and, to make things worse, some of us found ourselves becoming ministers. No experience, no manual and nobody to advise us since none of our team had been a minister or even a ministerial adviser before.

We were given a bundle of books and were told go home read it and come back on Monday and run your portfolios. We did it.

The first thing that I did at the time as a minister was attend a ministerial Council of the Environment in Canberra. I still remember my then CEO John Pinney coming to my office, minutes after I was sworn in as a minister, telling me that I had to say goodbye to my family and fly with him to Canberra. We did, but I had a small problem - as many Territorians have - I did not have a suit. The first thing we did when we got off the plane was go down to the main street, buy a suit and a tie, so I could wear it the first ministerial council I had to attend.

It got better. I arrived at the ministerial council and, because of the excitement of the previous days and the cold weather, I discovered that I lost my voice - I could not say a thing. The CEO of the department of the Environment, Bill Freeland, got an allergic reaction because there was something in Parliament House, he turned red and he had to leave the building very quickly. That was a good start as a minister.

I served as a minister for 11 years in several portfolios, I believe 21. Some of them easy, some of them not so easy. Some of them I loved, some of them - let us say - I did not like as much.

Some of them gave me no trouble at all, some kept me awake at night.

I got my first lessons in the first month of being a minister when I was dropped in the midst of some unpleasant situations. The department of Lands decided to acquire some land for service for ConocoPhillips, an acquisition that became a major issue, because they drafted the plans, but nobody took the time to drive and find out what was on those pieces of land they were to acquire. Guess what, there were some houses. I had to go on radio and justify the whole process, but I made sure from then on there was a process in place that if there was an acquisition, somebody had to drive out there and put their signature on the paper to say they had gone out there and done the inspection.

It was at that time the department found out that the minister could swear fluently in Greek and English. Another one was the plane ban - the flying over Katherine, which was on the advice of the then CEO of the department, Bill Freeland, and was supported by legal opinion. I learnt from these two incidents; I learnt a lot and I learnt to trust my political instinct. I also went to the ABC Shop and bought the whole series of *Yes Minister* and watched it. I believe this is the real manual for any aspiring politician or any aspiring minister. There were times that I stood in my office and I said, 'Hold on, I have seen that episode', because that was happening.

During the 11 years, all of us worked very hard. We did not get everything right all the time, but we did most of the time. When I did not get something right, I was the first to admit it and tried to fix it so it would not happen again.

Some of the examples: as the minister for Sport, we had the first ever scholarship under the Northern Territory Institute of Sport for Tahnee Afuhaamango, and there was the fact the Australian Paralympics selected the Arafura Games as a qualifying event, with paralympians taking part from around the world.

As the minister for Fisheries I think I will be remembered for the boat ramps I constructed, as well as the mud crab restrictions. I got so much trouble in the beginning, even from my colleague, Chris Burns, but a few years later the industry came back, and they said it was the best decision ever made.

As the minister for Mines, I started the China-Japan investment attraction strategy, something that was good and I am very pleased to see the current government has recognised its value and decided to continue it.

As the Child Protection minister we established the sole Child Protection department. As the Health Minister, I was very pleased to see the opening of the oncology unit, and especially the Alice Springs emergency department construction, the upgrades to the Royal Darwin Hospital, the Palmerston health clinic and the medical school at CDU.

There were some high moments and some funny moments. A high moment was the visit to Darwin by the then Vice President of China and current president Xi Jinping, proof that our China investment attraction strategy was working and putting the Territory on the world map, something later confirmed by Fraser Institute surveys.

A funny moment was when I was asked by protocol to attend the airport to welcome the prime minister of a foreign country. They said it was only for 20 minutes, but they forgot to tell me it was actually for four hours, as well as the fact it was the Prime Minister of Turkey arriving in Australia at his first stop, Darwin. He was also surprised to be welcomed to Australia by a minister of Greek descent. Funnily enough, the Greek newspapers down south found out about it, and I remember very well the headline: 'Turkish Prime Minister welcomed to Australia by Greek minister', with a big photograph.

The fact I was elected for four terms to represent Casuarina, and was a minister for 11 years, did not happen because of me alone. Many people helped and supported me along the way, and I wish to thank them all.

First and foremost, I thank my late wife Linda and her family for supporting me here in Australia when I first arrived and took my first tentative steps into politics. I also wish to thank Margaret and our sons, Alexander and Michael, who not only supported me when I put my hand up for pre-selection, but also had to put up with me not being at home for long periods of time. I missed you boys growing up, not being able to do things with you at the time, but I am proud that you were great and never did anything that would have put me on the front page of the *NT News*. Perhaps this is because I told you that if you did something wrong you would get a seven-month holiday to Greece and you would discover after six months that you were conscripted.

I would also like to thank my wife, Aihong, and our son, Kevin. What a wonderful coincidence meeting Aihong just a month after she arrived in Australia at a function in this very building. We were also married here on 1 December 2012. Thank you, Aihong, for coming into my life at a difficult time. You made everything bright and happy again.

### Member spoke in Chinese

I will provide a translation for *Hansard* later.

I would also like to thank Clare Martin and Paul Henderson for trusting me. I especially thank my dear friend, Paul, for giving me the Health and Child Protection portfolios. The *NT News* at the time said if you have friends like that - for me it was a show of trust and belief in my abilities. Thank you, Paul, for your trust and friendship.

Thank you to my parliamentary colleagues, all of them, from 2001 to date. There is the old guard, Syd Sterling, Jane Aagaard, Marion Scrymgour - I believe she is up here- as well as Chris Burns and Delia Lawrie to name a few, and I also thank the new ones sitting beside me today: Lynne Walker, Ken Vowles, Gerry McCarthy, Natasha Fyles and Michael Gunner. Good luck to Nicole Manison. Sorry if I forgot anybody, I hope you understand. Thank you guys for your love, support and trust.

To the people on the other side, the reality is that we are as good as you are. If you give us a hard time, you see how good we are, and on many occasions, I have enjoyed having a bit of a ruffle with the members for Greatorex and Araluen. I enjoyed our battles and I also enjoyed having to attend some of the programs of the member for Greatorex when he had a radio show in Alice Springs. He was trying to take something out of me and I never rose to it, so I enjoyed that one.

Thank you to the various CEOs who I worked for; you work for your CEOs, they do not work for you, trust me. I thank John Pini, Barry Chambers, Andrew Macrides, Richard Galton, Clare Gardiner-Barnes, Geoff Moffatt and many others who I cannot recall at the time. To my chief of staff - Melinda Maddock was the very first one to walk into my office on my first day as a minister. She had just travelled back to Australia from England. She was an experienced political animal and within two hours I had a fully functional ministerial office. She moved to Tasmania, and I believe she is now married and has a couple of kids.

I thank Alf Leonardy. I will never forget Alf, (inaudible), me, Greg Desanto who had a sign on the wall *Wogs at Work*, and it was really good. Sean Kennedy, Michael Gunner, Fred McCue, Mark Haaf, Emily Bursford-Cane, Eleanor Zarides, and all my advisers - so many I cannot recall how many there were. In 21 portfolios, there are too many.

Also, to the people who made it all happen, the ones who worked tirelessly to help me be elected and re-elected, starting with Andrew Fyles in 2001 and, later, Natasha Fyles. I thank the people who

supported me in my campaigns, all the tireless workers.

To my electoral officers, starting with Kylie (inaudible), Margaret Sadler, Victoria Polifone and, of course, the one I believe is the longest-serving electorate officer in the Territory, my dear Debbie Rowland. She has been electorate officer for nearly 12 years, and what a wonderful person she is.

Finally, my constituents. Thank you for your support in the past 13 years. I love being the local member, love getting out and about in the electorate. Going to the school assemblies was fun. I hope I was the member you expected to have, and was able to help you out with any issues you had.

My advice, as one of the elders of this parliament - and some people keep reminding me - is politics is politics. We are here with our own ideas and beliefs, but the ultimate purpose for us is to serve the people of the Northern Territory and make this place a better place for all.

Look to the future and make sure the Territory takes its right place in the Commonwealth of Australia, because it is a young, dynamic and can-do Territory. This is what we aspired to in our time in government.

Remember we still have endless opportunities and, of course, the Northern Territory is location, location, location. Look north, colleagues, we are closer to Asia than to the southern capital cities, and Asia is where the future is. Yes, developing the north should be our focus, but make sure it is developed without cutting corners, endangering our environment, or destroying our unique way of life.

In your endeavour to develop the Territory, to develop the north, do not forget the people of the Northern Territory, especially the Indigenous Territorians. They should share the wealth of this place. It was their own country, since they were the first inhabitants of this place.

Also, do not forget the people who came from somewhere else - another state, another continent, or another country - to make the Territory their home. Take the people with you to guarantee you succeed in your plans.

Of course, do not forget you have a family. Family is the most important thing in your life. After everything ends, the family will be still with you.

Tonight, I am going to say goodbye to politics, but I am saying hello to a new life. We are going to be in Darwin. Kevin is enrolled in Darwin High for Year 10 and AiHong and I will still live in our

home, but with one small addition, since we are expecting our first child.

**Members:** Hear, hear!

---

### Distinguished Visitor

**Madam SPEAKER:** Honourable members, I draw your attention to the presence in the Speaker's Gallery of a past Deputy Chief Minister and member for this parliament, Marion Scrymgour. Welcome

**Members:** Hear, hear!

---

### Tabled Paper Report on Visit of Delegation to Niue

**Madam SPEAKER:** Honourable members, I also seek your indulgence to table a report not required, but is very important. It is a report on a visit by a delegation from the Northern Territory to Niue in June 2014, with assistance from the Commonwealth Parliamentary Association.

---

**Mr GILES (Braitling):** Madam Speaker, it is great to see Marion in the Chamber tonight. It is a pity you did not come earlier, we could have had the numbers to roll Delia. You would have made five, it would have been right.

This afternoon I thank the member for Casuarina for his 13 years of service to this parliament. I am assuming, Kon, this is your last sitting day, as we are still waiting for a formal resignation. I do not want to have to make this speech twice.

While we may sit on opposite sides of the Assembly, I have always considered Kon Vatskalis to be one of the good guys in politics. Kon has made friends on both sides of politics because of his willingness to work with whoever it takes to get a result, and his understanding that we work in the parliament because we want to work here and we want to make a difference. Everyone has something to offer.

Kon first became involved in politics in Greece during the 1970s, attending Greek democracy rallies that eventually led to the removal of the monarchy.

He immigrated to Australia from Greece in 1983 and worked as a surveyor in Western Australia. He moved to Darwin in 1993 and took up the position of manager of the Territory Health Services Urban Environmental Health Unit. He was elected to parliament in 2001 and has held 25 ministerial portfolios during his time - it is actually 28 as I said earlier today because he held three of

them twice – 25 portfolios in 11 years of government, 25 portfolios in 13 years as a member. That is more than two portfolios a year.

Let me run through some of Kon's portfolios:  
Minister for Alcohol Policy

- Minister for Asian Relations
- Minister for Business and Economic Development
- Minister for Business and Employment
- Minister for Child Protection
- Minister for Children and Families
- Minister for Defence Support
- Minister for Essential Services
- Minister for Ethnic Affairs
- Minister for Health
- Minister for Housing
- Minister for Lands and Planning
- Minister for Lands, Planning and the Environment
- Minister for Local government
- Minister for Mines and Energy
- Minister for Multicultural Affairs
- Minister for Parks and Wildlife
- Minister for Primary Industries and Fisheries
- Minister for Primary Industries
- Fisheries and Resources
- Minister for Racing, Gaming and Licensing
- Minister for Regional Development
- Minister for Sport, Minister for the Environment
- Minister for Tourism
- Minister for Transport and Infrastructure.

After 13 years and 11-and-a-half years in government, no wonder you feel you have done your duty, Kon. You must have wondered whether you were coming or going by going through all those portfolios in such a short time frame, having two portfolios a year on average. In

fact, between you and the member for Karama you have held a combined total of 39 ministerial appointments since 2001. That has to be some sort of ministerial reshuffling record.

The member for Casuarina lists one of the highlights of his time in politics to be securing a visit by the vice president of China to Darwin to open business discussions. It was indeed an achievement in its time and one that Kon is right to feel proud of. It is quite a significant achievement. We have come a long way since then and this government's Asian engagement strategy has seen Territory exports grow to Asia to \$6.4bn or more than 90% of our total exports.

Asia has become the driving force behind the development of northern Australia, a plan that is creating jobs, jobs and more jobs, along with a wealth and prosperity for all Territorians in the future. Unfortunately, while Kon was organising historic visits, the former Treasurer, now Opposition Leader, was sending the Territory bankrupt so we have got a lot of hard work to do to recover from that mess and we want to make sure that Kon's hard work in the build-up for Asia was not in vain. In fact during his term in office the member for Casuarina has worked under three Labor leaders and at the same time became a big fan of the British sitcom *Yes Minister*.

Not long after coming to government Kon bought himself an entire series and to this day still believes *Yes Minister* is an accurate reflection of politics. As I understand it, he would go home some nights and plug in the next episode only to realise he had already seen it at work earlier that day. With leaders like the current Opposition Leader I am not surprised.

To quote from *Yes Minister*:

*A career in politics is not preparation for government.*

and after 13 years in parliament Kon can see that the time to move on has arrived. It is unfortunate that his leader cannot. Maybe Kon could have been the leader. I suspect that has a lot more to do with Kon's retirement than anyone on that side of the House cares to admit.

When the member for Casuarina was asked about the current Labor leadership recently he politely, but very tellingly, said that leaders come and go, but when they do not perform they have to go. It is good to see the former Deputy Chief Minister in the Chamber, Marion Scrymgour; she could have added some value tonight.

The member for Casuarina's 13 years working for this parliament means he has missed a large part of watching his two children grow up, and he does



not want to keep repeating that mistake. The government is building a better future for our children, and after so many years of service it is only fitting that the member for Casuarina takes time to enjoy his own family.

Kon's departure from politics will obviously leave Labor with a gaping hole, bereft of talent. The quality of debate in this House will significantly lessen with his departure, which is very sad for democracy in the Territory. The member for Casuarina has earned time with his family. There is no doubt that Kon has plenty of time left in him yet, and he wants to do something else with his life before he retires. As he says, the world is his oyster, he has had enough and that is fair enough.

Kon, I wish you well in your endeavours and, in the spirit of your willingness to work with both sides of politics, I happily extend to you the same courtesy. Thank you for your service, I hope your life after politics is as professional as your days in parliament have been. You have provided a solid contribution, it is a large part of your life, 13 years, and I hope you enjoy your retirement.

On a final note I note that we also have Jane Aagaard and Dr Chris Burns in here joining Marion, we can really do the numbers on Delia tonight. You could all line up, Kon, you can probably stay for a couple more days with another vote. I think the Minister for Education is coming up here with a membership form for the CLP, should you be sick and tired of your current leadership over there, we look forward to bringing you on board with us, Kon.

Mate, I hope you have a great time reuniting with your family, you spend a fair amount time on leisure activities. Reflect on your time in the Chamber, and in the Territory in a political career, with much pride and spend a lot of time sitting back at night thinking about the good times, the bad times and the indifferent times. I hope you drop by like Chris does from time to time to say g'day.

All the best, you have done a good job.

**Members:** Hear, hear!

---

### Visitors

**Madam SPEAKER:** Honourable members, I draw your attention to the gallery, to past members of this Chamber, past Speaker, Jane Aagaard, welcome. Also, Dr Chris Burns, past Leader of Government Business and member, welcome.

**Members:** Hear, hear!

---

**Ms LAWRIE (Karama):** Madam Speaker, it is with great privilege but also sadness that I rise this evening to contribute to the adjournment debate where we recognise one of the iconic politicians of the Northern Territory. I am sure anyone who has a history of political studies in the Northern Territory will carve out some extra special chapters for the member for Casuarina, Kon Vatskalis.

There is no doubt that Kon has such a broad following and respect. People who meet him like him. His enthusiasm for the Northern Territory is with the most passion I have seen of many people and he does not have an off switch. Kon has an incredible energy and capacity to keep going, whether it is long days, nights or weeks, Kon will literally go and go. He will drive and encourage anyone working with him to share that passion and drive, and do anything he can to improve the Northern Territory.

What I really love about Kon the person - the individual - is his capacity to love. His capacity to love I have witnessed for, as we have heard, well over a decade.

Kon and I met each other when I came back to the Territory in the late 1990s. I saw this enthusiastic, engaging, interesting and intelligent man engaged in political debates with my mother. I thought, 'Wow, what a breath of fresh air in the Labor Party, this is fantastic'. Kon made no bones about it, he wanted to be a member of parliament; he was not even remotely unsure about that path. He went after it and has obviously pursued it with success.

Kon's love extends to his family. I watched the way he supported - even though he had long hours of work - his then wife. I watched the way he supported a funding institute in Perth for his late first wife. He is a passionate believer in supporting Cystic Fibrosis and supporting people on that very sad journey, which took the life of his first wife.

I watched the love he has for his sons, Michael and Alexander, and watched them grow up. Oh my God, it makes us feel a bit old when we see them from these short, little guys starting out to becoming so tall, so mature and so capable. I think they are a reflection of their father's engagement with them in the family. There were long, difficult hours, but I watch many mannerisms and many values that Alexander and Michael exhibit, and Kon shines through in those values. I have watched him support Margaret through the years, knowing she was carrying the greater, if you like, burden of parenting because of the hours and commitment to the job.

I then watched him fall in love all over again with the beautiful Aihong and Kevin, her son, who is also Kon's son. The capacity to love which Kon has shown has been a beautiful thing to witness, and it exudes through him into other people around him in that you start to take on that compassion, nurturing and positive side of life through simply being in his company. I listened to the words he spoke about Aihong and I reflect on that. Good people come into our life at important times, and that time was right for Aihong to enter Kon's life.

I watched the parenting of Kevin; he would teach Kon things, and they have a beautiful step relationship. None of us could have been more excited when Kon shared the news with us, and the public today, that there will be another little Kon running around at some - or a Kon-ette. We said the kid will be awesome - no offence, Kon, but we hope the kid looks like Aihong, with her gorgeous looks, but your amazing personality. What a knock out that child will be globally because it is a beautiful mix and it is a beautiful bringing together of a family.

I wish you all the best in that journey ahead. It is exciting news and makes some people understand why he has chosen to retire at this time for family reasons. Deb Rowland, Kon's right hand woman at Casuarina - to see the loyalty Kon brings in the way he treats people - Deb is a shining example of that loyalty to work with and alongside Kon; you find a strength of loyalty there because you know with Kon that he will be open and completely honest about what he thinks, says and does. There is no mistaking or confusion, and it is there in front of you writ large. Deb has a fantastic Territory personality which embraces that, so thank you Deb for being on that journey with Kon. You have been a phenomenal and awesome team to watch.

I want to acknowledge my colleagues in the gallery, Marion Scrymgour, Jane Aagaard, Chris Burns - that class of 2001. We have never lost any connection there, and yet Gerry Wood in that class too. There is something about that special year for us that will bind us with ties for the rest of our lives. I have a strange views that when we have more time in our lives we will be catching up around some crazy dinner tables with some incredible conversations, talking not just about our lives as parliamentarians, but our lives outside of parliament, which are so rich through our friends and family.

Kon, as you have heard, worked across many different portfolios; it did not matter what it was, he would bring passion to it. I recall a conversation with his great colleague and friend, former Chief Minister Paul Henderson around the potential of Kon as an incoming Health Minister. One thing

about Kon is that with his environmental health background he will understand many of the issues immediately. However, another thing about him - which most people do not know because he is so gregarious and fun to be with - is that he is an incredibly learned man. He reads volumes of information, absorbs and analyses it, and he is able to have a very clear view on how to deal with it and deliver change. Kon has taught me so much about ancient and contemporary Greek history, and he teases me by saying, 'You are almost Greek because of the relationship between the Greeks and the Jews', but it taught me just how learned he is. I have not spent a day in his company without learning something. That is an exciting workplace to exist in and it is a great opportunity I have had in working alongside Kon to continue to learn every day from him.

Yes, he is retiring from parliament, but he is not retiring from the Labor Party. I want to touch on this. Kon is Labor to his core. He tells us the wonderful stories of his mother and the campaigns she has taken. He tells us the great socialist stories of Greece. He is Labor to his core. His values are Labor values, and he loves the Labor Party and the Labor family, in particular here, in the Northern Territory. He is not going away from us, he is moving into a slightly different role for us. I am pretty excited about the time and opportunity we will have to work with Kon ongoing, because there is still a lot to learn from our colleague, the member for Casuarina.

He also has this capacity to endlessly ask questions about parliamentary process. Gosh, I am going to lose about 20% of tricky questions with the departure of the member for Casuarina. Yes, we all came in in 2001, but I view it now as somewhat of a disadvantage of knowing parliamentary procedure because I had grown up around the Parliament House and knew standing orders because Mum was the member for Nightcliff for so many years. Kon is not silly. He cottoned on straightaway that there was someone nearby who seemed to know these bizarre different things around standing orders and procedures.

So Kon has never actually let me get out of that role. I feel as if I am in this constant whip role with Kon. He says, 'All right. What is happening now? Do this. Do that. Blah, blah blah'. I am like, 'Okay. Now, this and this and this'. I keep on saying, 'But we have been in the same time', except Kon is not going to fill his head with the minor, boring procedural details because he is up there thinking of ideas, vision, and passion. That one little quirk, 20% less questions on parliamentary procedure, I am just going to go, 'Oh, take a breather on that one'.

All of the things you brought to us, Kon, have been an adventure. You treat life as an adventure. You seem to have the capacity to embrace every single day for what it brings, and the joys of every single day. That capacity is one of the rarest capacities I have ever seen. It is awesome. It is something I try to learn from Kon. This is a hard gig but he has made it fun. He has made it an incredibly fun time for all of us who worked with him - and he has been successful. He has changed the lives of so many Territorians for the better and, for this, Kon Vatskalis, you have truly served your community, your party, and I thank you.

**Members:** Hear, hear!

**Mr ELFERINK (Attorney-General and Justice):** Madam Speaker, there is something fundamentally wrong with me. I came into this parliament in 1997. Why am I seeing probably the last of the class of 2001 - you were there in 2001? Okay, you are the last stayer ...

**Ms Lawrie:** No, there is Gerry.

**Mr Vatskalis:** Gerry too.

**Mr ELFERINK:** Oh, okay. In that case, I feel better, or even worse about that.

I place on the record my deep and abiding thanks, as a citizen of the Northern Territory, both having lived in Central Australia and in Darwin, for the service Kon Vatskalis has delivered to the people of the Northern Territory. He referred directly to two particular instances that stood out in his political career. They both occurred reasonably early in his political career. It is clear, with the passage of time, that he learned from them.

One of the things about being a minister is you realise - and it is even truer for a Chief Minister - you have less and less room to move the higher up the pole you go. If I look back at some of the circumstances that surrounded Kon Vatskalis, then look at things like the Montara oil field blowout, which landed in his lap in a most awkward fashion, could he have done better? Who knows? That is a matter for the historians to debate, if the historians ever turn their mind to it in any length. Was he left in the lurch by somebody in the Commonwealth? I suspect so. We will see. Maybe the historians will know one day. Then, you are jammed in these incredibly difficult situations where you have so much more to say, and you know full well if you say it, you will be damned. But, such is the nature of leadership.

'Who will rid me of this turbulent Greek?', I was thinking to myself - to abuse a phrase dreadfully. It turns out the turbulent Greek is going to rid us of him himself. Turbulent he may have been, but the

truth of the matter is that if you are going to do anything in politics then you must drive it and you must drive it with love and passion in your heart.

I just listened to the Leader of the Opposition talk about Kon's love; I do believe he has that and has brought it to the job that he has done in the Northern Territory. He has been a minister for most of that time, 13 years in the political environment, and I know the toll that job has taken on Kon and his family. I would like to momentarily think about all of those families where this job does so much harm because it bloody well does. It is tough, it is hard and it is the families who often pay the penalty.

When passing Kon in the corridors from time to time he will remind me that I am the father of two little girls, not because he wants to pull a guilt trip on me but he wants my daughters to have a father; that tells me that he is a bloke who cares, and I am very grateful to him for it. It is not without an occasional thought that I choose to finally, when I put down my pen in the evening when I sometimes find myself sitting in my office, and determine to go home because it is time to go home and tell my girls a boxer story when they go to bed. It is that reminder to me that still rings in my ears, and I thank Kon for taking the time out to remind me to have a relationship with my daughters.

I am very grateful to the *Northern Territory News* which, from time to time, calls me a hard worker. I take that as a compliment, but even that comes at a price and it is the price that is paid by our family members - the family members who have to sit in here and in the bleachers and listen to their loved ones get dragged over the coals, abused, and dealt with in the most obnoxious fashion, the family members who sit at home and watch the computer, now that we have live streaming feed, feeling anguish for their loved ones. Are they partners in hell? Yes, they care very much about the people they love. At least we get to yell at each other; our families do not; they have to suffer in silence, and all too often, and in truth, suffer they do.

To take up the role of politics is difficult. To take up the role of a minister is extremely hard. To believe in something and drive forward, in spite of the fact that I may not agree with the Labor philosophy, to see a person take up those cudgels and drive them forward with passion in their heart has always got to be acknowledged. I acknowledge and pay tribute to Kon Vatskalis and the work he has done for the people of the Northern Territory.

It is not something I say lightly. It is not something I would cast around wildly, but I suggest to the people of the Northern Territory that with the loss

of Kon Vatskalis, this House will have lost a good, honest and reputable person. Whomsoever might replace him after the inevitable by-election, I will direct them, whether it is the person on our side or the person on your side, to cast their mind to the conduct of Kon Vatskalis as a benchmark as to how you should conduct yourself as a member of the Legislative Assembly of the Northern Territory.

I would like to offer my very best wishes to Kon Vatskalis on his new life, his renaissance if you like, and I hope it becomes a place of great joy. I am delighted to hear about the impending addition to your new family? I hope you are there for the little one for all times and that every time she turns and looks for her dad, her dad is here.

Madam Speaker, there is not much more I can say. Perhaps I can condense it into a single expression: thank you.

---

### Visitors

**Madam SPEAKER:** Honourable members, I acknowledge in the gallery, we have the sons of Lynne Walker, Harry and Patrick, welcome. Also the member for Barkly's wife Dawn, welcome. Aihong and son Kevin, welcome, and Debbie and Deidre, welcome all to the gallery.

**Members:** Hear, hear!

---

**Mr McCARTHY (Barkly):** Madam Speaker, I rise to celebrate the great political career of Kon Vatskalis MLA, member for Casuarina. Kon I want to say that you have been in the forefront of the Labor movement in the Territory as a founding Labor government in the Northern Territory. There were many people behind that movement who respect you for leading and conducting yourself in your true Labor values.

There has been a strong groundswell in the bush. I can remember 20 years under the CLP, and that strong groundswell really sought change and looked for Labor values, a new way of doing business in the Northern Territory. The groups I worked with that represent Aboriginal people disenfranchised from that democracy, the system did not support empowering those people, but over 20 years that changed and the first Labor government came to power. Kon you were part of that and that is a part of your history.

It is worth mentioning that the Labor values embarked on very important changes, and there were so many changes, but one has to remember secondary education for remote students in the bush. The other one coming from a regional remote area was dialysis units for Aboriginal people in regional areas. It was another

movement of people coming home under Labor values to be with family and have better outcomes. The irony was that Kon Vatskalis went on to be the Health minister and embarked on further changes. With a great team - a dynamic, changing team - Labor started to stamp their values on the Northern Territory.

Kon, you have had that many ministerial portfolios and ministerial duties, you are a well-versed minister. You are the Cabinet minister, the local member that can write the workshop manual. Coming into this very privileged place, I can remember as a new MLA, entering the Cabinet room and looking across the table at senior ministers, who were very experienced and learning from each one, there was this special minister, Kon Vatskalis. He had two mobile phones going, he had an iPad, he had a Cabinet book with enough paper to choke a goat and he was across all of it. The Cabinet discussions on top of that - I honestly remember thinking if there is any new information communication technology device where you can use your toes, Kon would turn up in an elegant suit with no boots on, because he would take that next step.

Kon, there are many legacies you will leave behind, but with regard to the workshop manual for candidates - that classic photo of two feet in the air with a pair of R.M. Williams boots and the soles completely worn out. That is not a good advertisement for R.M. Williams, but it is a good advertisement for anybody embarking on a political campaign as a candidate, because the picture painted a thousand words and it spoke volumes. I can remember that photo with your face absolutely beaming, when that team started to take shape, that was the announcement. I am looking forward to the book when it comes out.

You have been a great mentor not only to me, but also to my family and to parliamentary colleagues, and I thank you for that. In a social and cultural context, I see you as the quintessential exponent of multiculturalism. Multiculturalism in the best exponent of that in Australia, which is the fair city of Darwin and we can expand on that into the Northern Territory. Kon, you have taught me so many lessons about multiculturalism. The Leader of the Opposition, the member for Karama, spoke about your flamboyant nature and how that fuses in. Then I watched your very important work right across the world and back home in the multicultural city of Darwin in the Northern Territory.

That is an incredible legacy that you leave and an incredible lesson we can all learn from in what is a turbulent world; those pragmatic examples are definitely worth putting at the forefront of political policy and decision-making and living our lives together.

Kon, I send best wishes on behalf of my family and I. You have made a big impact. Your visits to Tennant Creek are notable, and I will comment on one night where you entertained both Labor Party people, general community members and a notable journalist; Kon, you held the floor that night and it was a show of all shows. We should have been buying tickets for it. It was funny and entertaining, but it was also informative and people got to engage with a government minister. Across all those areas of fun, entertainment, good conversation and good cheer we also learnt and took away lessons about you, the Labor Party and political processes.

It is good when you learn from people. I have said this before and I will say it again: I like people who I learn from, and I would like to thank you, Kon, for being a part of my very special learning in this very privileged position, but also as a Territorian. Go well, mate, good luck to your family as well and enjoy the next chapter. I feel privileged to know that where ever I bump in to Kon Vatskalis or his family I can say, 'I know you guys', and I look forward to sharing that space and time. Thank you.

---

### Visitors

**Madam SPEAKER:** Honourable members, I draw your attention to the presence in the gallery of members of our Scottish community. I see a gentleman up there with bag pipes; I hope you are not going to play them. The member for Casuarina is retiring and everyone has adjournment speeches in his honour.

---

**Ms FYLES (Nightcliff):** Madam Speaker, I too acknowledge Dr Chris Burns, Marion Scrymgour and Jane Aagaard, the previous member for Nightcliff, who are all in the gallery this evening.

Kon, thank you; I still remember the first time I met you. It must have been in the early 1990s at the back of John Bailey's electorate office, the vet was next door; it must have been Christmas drinks spilling out on to the steps. I remember how young your boys were, probably how old mine are now, and to think we would be sitting next to each other all this time later in parliament is almost unbelievable.

I remember when you stood for the seat of Casuarina - I learnt today that you had wished to stand for Nightcliff. I always thought you wanted to represent Casuarina, where I grew up. I remember ...

**Mr Wood:** The truth is now out.

**Ms FYLES:** Remember that I was a rural member for four days, Gerry. I remember how hard you worked. It was a good 18 months before the election, and you started campaigning and doorknocking. You worked endlessly, and that continued when you were elected to parliament, with your schools, your barbecues and your doorknocking. It is almost the stuff of legends in the sense that all the students who were at the school now almost ending up voting for you.

Kon Vatskalis was known by all the kids in the community. Your barbecues were very popular. I still have not reached your success, but we are getting there slowly. Your endless doorknocking - I remember visiting mum and dad on the weekend, and I would invariably see you, your sign or your car. That is something to aspire to as a member of parliament.

As a minister you were respected. I remember a story of a CEO of one your departments - I will not name names - but you were the minister when everything sent out was in crisis, but in all seriousness the efforts you put into Health and Child protection - we need to recognise that. In Child Protection you grabbed it, took it forward and you started a department from scratch, which is a lot of hard work.

I note your comments about family and will keep them with me as I go through my political career. Your love of family is something we have all felt. We really are one big family, and it means a lot to have someone like you as an uncle figure.

I thank you for all your support. A Fyles family member has run all of your campaigns except for one, so the family has had a close relationship over the years. I am sure my father, who could not be here today as he is travelling, would like me to pass on his thoughts and best wishes.

I look forward to now representing you as your local member. AiHong, if he is annoying you at home with a bit too much spare time on his hands, just send him my way. We always have lots of letterboxing to be shared. Kon, thank you for everything, from the Casuarina community, and the Northern Territory. We will miss you. Take care.

**Mr STYLES (Sanderson):** Madam Speaker, I will not take up too much time of the Assembly this evening. I know there are plenty of people on the other side who want to send Kon Vatskalis on his way with some nice words.

I first met Kon in the early 1990s. We had many a discussion. In fact, the discussions I remember the most were outside the Nightcliff Post Office where we used to have huge debates about politics. Neither of us were in politics and, at that

stage, neither of us even looked like being in politics. However, we had these great discussions. The thing I can recall, apart from getting home late because we would be there for an hour debating issues, is we were on a peer level in those days. We both worked in the community and had a passion for what we did. They were great debates. I remember them very well, Kon. I also used to get in a bit of trouble getting home late. I used to blame you all the time.

As we progressed, we both had a great interest in politics. Kon went his way, I went mine. It is very interesting that, after some years, we both ended up in the same place. I remember having a great respect for Kon, simply because of his passion and his belief. That was reciprocated to me. I am sure Kon had a great respect for me because we were both passionate and committed to what we did. You see that in Kon around the community. Of course, even before I entered this House, when Kon was a member of parliament, I used to run into him all the time because I had been out in the community myself for many years, and that respect never changed. I have to say, Kon, it still has not changed. I still hold you in high regard as someone who followed your beliefs, your passions, your family, and your commitment to your community. Those are great traits. Irrespective of whatever side of the House we are in, I have to admire people who have those traits. You are certainly here for all the right reasons. You are passionate about your community. I am sure, as you go forward, whatever you do after politics is going to involve the same thing. I think you will be in a different Chamber somewhere, doing exactly the same sort of thing for your community.

I have a slight inkling, from the nature of the person you are, what you are going to do. I have heard a few little stories about where you are going to go and what you are going to do. If you do that, then you will be rewarded in the same manner you have been rewarded in the service you have given to the people of the Northern Territory.

I say thanks for all those conversations and for helping me hone my political skills over all those debates we had, because I had an idea of what was coming when I achieved my goal of getting into this House, as you achieved yours. You have done a terrific job. You have worked hard. We are, obviously, on the opposite side of politics and we have slightly different philosophical beliefs, but you have made a great commitment. If we do not have the Ying and the Yang in politics, then it will all be one-sided. I appreciate the job you have done in this Chamber for the people of the Northern Territory, and I hope you have a lot of

personal satisfaction about the commitment you have given. Thank you.

**Mr VOWLES (Johnston):** Madam Speaker - Konstantine. Konstantine, it is time to go. He has made that decision. I can tell you, on this side - and probably on that side - of the House, many people are very sad about that. We have heard it tonight already.

We know you came in 1993 after Greece kicked you out. You came to Australia and headed to the Territory, because WA probably kicked you out as well. You are in folklore, along with the member for Karama and the former members here who have gladly, out of respect for you, Kon, turned up - Dr Chris Burns, Marion, and Jane. It is very respectful.

**Mr Wood:** They said they turned up for me.

**Mr VOWLES:** Sorry, not you, Gerry Wood. Are you announcing your retirement, are you, Gerry? What? You just announced it?

Sorry, mate. You come on next. You could probably use your time then to announce your retirement. I send absolute respect to Kon, and to former staff members, and Deb up there as well, who have come along in support and to show their respect and admiration for a man I have admired for a number of years, before I was elected and once I was elected.

It was a great honour for me to follow in the footsteps of Dr Chris Burns. Kon always reiterates, no matter how pressure-cooked this place is or how many vibes or jibes are being sent from the other side, that when we leave this Chamber we make sure we spend time with our family. We lose sight of that sometimes and we have heard tonight that family comes first. I have adopted that as well in here. In that way I will never forget my first two years of my parliamentary career, and that has been really reinforced because this job can swallow you up. It can take all your time and your family have suffered over the years, and you have acknowledged that.

I am sure that Alexander and Michael are going to spend a lot more time with their dad. They probably do not like it but they are going to expect a lot more time. You go down in folklore with the rest of what I was saying about 2001 taking government. What dad taught me in that election win, and election wins after that, is that the one thing you brought to this House, as many members of that time did, was working hard. You have to work hard, no matter what you are doing. It is working hard with your constituents. You are on the ground; you are meeting them; you are continuously following up for them; anything you

can do. Then, if you are lucky enough to get into this parliament, and become a minister as you were for 11 years, you must work hard and do what is right for everybody. Having said all that, you must make time for your family.

I was very fortunate to be invited to your wedding - it was a beautiful moment – and you attended my wedding, which was another beautiful moment. To Aihong, Kevin, Alexander and Michael, you are getting a father, you are getting a husband back, and we know Kon is going to be very busy in whatever he does.

One word comes to mind, 'hyperactive', and maybe a bit 'ADD' or some other late diagnosis of Kon Vatskalis. But whatever he is going to do, it will be interesting. It will be funny and, like most things, he will work hard at what he does. As Minister for Asian Engagement, you took it to a whole new level, meeting Aihong. To marry her was a great moment, it was a beautiful moment and I am very glad when one of my friends, and Kon is my friend, finds happiness, and you have found that. And I know Aihong has found that. I know that Kevin has found somebody he admires, respects and can look up to, and Alexander and Michael will get their father back. So good luck, mate, and take care.

**Members:** Hear, hear!

**Ms WALKER (Nhulunbuy):** Madam Speaker, I confess that I had not heard of the name, 'Kon Vatskalis' until 2001 when Labor had its historic win and achieved government. For my colleague, Kon and Delia Lawrie and the others here this evening – Chris Burns, Marion Scrymgour and Jane Aagaard – we all record that historic win, and Kon was there at the forefront, as a part of it.

Here we are, 13 years later, paying tribute to Kon, acknowledging his contribution, not only to the electorate of Casuarina, who I know he has represented well, but to Territorians. Thirteen years - it is up to the individual whether you think that is a long time or not, but those of us who live and breathe the game of politics know that 13 years is a fair old slog, and Kon, we pay tribute to you.

As has been acknowledged, during those years predominantly that you were in government, for 11 years, you held multiple portfolios. I have sat here and tried to think of the ones that you did not hold. Perhaps education?

**Mr Vatskalis:** Attorney-General and Police.

**Ms WALKER:** There you go. Education, Attorney-General, Police, Treasury and the Chief Ministry were the only portfolios, but if you think of what is remaining, Kon has had a go at

everything - more than just had a go, he served extremely well in those portfolios; he worked hard and delivered.

While I first heard of Kon in the lead up to the 2001 election, I do not think it was until 2008 that we met, when I became the candidate for Nhulunbuy. From the outset, I appreciated the warmth of his welcome to me and the sage advice he offered.

There are a number of things that I took away from Kon, but one of them has already been mentioned tonight - his capacity to work incredibly hard. I have this visual image after the election, the photograph the member for Barkly mentioned - a photograph of Kon, sitting with his feet up, feet crossed, and you could see in the photograph that the soles of his R.M. Williams boots had been worn through, as Kon had been out on the campaign trail, doorknocking around his electorate. That is a visual image for me, it is very powerful, it shows the capacity to work hard. There is nothing quite like wearing the soles out on your boots to demonstrate you have been working hard.

I have also noticed, I am not alone here, Kon's incredible capacity to build networks, perhaps having been in all of those portfolio areas is a big part of that. In the time I have known Kon and been around with him, it does not matter where you go with Kon, there is always someone who knows him and greets him. Similarly, Kon always knows who those people are; he remembers their names and their stories. I heard Hendo say on more than one occasion that there are few people who can work a room like Kon Vatskalis.

That is a tribute to not only his hard work and his determination to get to know people, but his very genuine desire to want to communicate with people and to be personable. That is a very important attribute when you step into public life, to get around and meet people, listen to their stories and very importantly, remember who it is you are meeting along the way.

As Kon said in his speech tonight, family is the most important thing in our lives and sometimes we may struggle to juggle the priorities and remember that family comes first. I know personally, and I am sure it is the same for everybody else, every time that I see Kon at my arrival into Darwin from Nhulunbuy - whether it be coming in for a Caucus meeting or the commencement of parliamentary sittings - the first thing he always says to me is, 'How are the kids?' He wants to know how my family is and how are things going for me at home, which I think is gold. The next question to follow is, 'How is Nhulunbuy?' All of my colleagues have had a big interest in asking how Nhulunbuy is, given the

events of the last couple of years. Kon, in the various portfolios that he has had, has always taken a keen interest, as have my colleagues, in what has been happening in Nhulunbuy.

I remember one couple, quite vividly, associated with his time as the Health minister. In early 2009, there were some difficulties recruiting doctors with obstetrics skills - I am sure you recall it - because it is quite a busy maternity ward there. The ward closed for a few weeks, it would not have been more than five or six weeks and women had to come into the Royal Darwin to deliver. In the meantime, there was a process under way to recruit and train GPs with obstetrics skills and, today, we benefit from a program now in place which ensures there is a constant stream of training and sending doctors through Gove Hospital, which is fantastic. At that time it was very difficult to convince a fairly large contingent of pregnant women that this was not a move to close the ward for good, and they were distressed and it was difficult to convince them this was not government's plans.

It took the Health minister to meet with these women, who at the outset were a little cranky, wanting to ask questions. Kon worked his charm on them and convinced them it certainly was not government's plan to close down maternity services at Gove hospital. What was potentially a story which could have been quite negative resulted in a fantastic photograph, with all of these women wanting to side up alongside Kon Vatskalis, with their arms around him; I wish I had it with me. It made the front page of our local paper, everybody with beaming smiles and a headline which said 'Mums meet the Minister' or something like that. That is Kon's capacity to work with people, to assure them and to deliver on what is the right thing to do.

I also remember, unfortunately, a visit Kon had to cancel when he was the Health minister, simply because it was November - or it may have been early December - and Gove was on a cyclone warning. Kon had a visit planned to Gove, but on the advice of, I think, the police commissioner travel was not recommended. It just so happened that the CEO Geoff Moffatt, had travelled out a day earlier, so was already there. Kon's visit to the hospital was anticipated by workers who were there, so I went instead. I was a poor substitute, Kon, but I went around the hospital, to every department, with Geoff Moffatt. You had asked to go to every department around Gove hospital and say hello to people.

The message had obviously not gotten around to everybody that the minister was not able to come, and I hate to tell you this, Kon, but there were some people who did not know Geoff Moffatt was not the minister. I do not know how they did not

know who Kon Vatskalis was. God bless Geoff Moffatt, who when warmly greeted with handshakes in certain departments as the minister - 'minister, how nice to see you here' - very politely nodded and did not stand to correct them, which was nice.

Kon, there are many memories we share with you this evening across both sides of the House. I wish you well in the time ahead away from politics. I have noticed that when colleagues leave this House they start to look younger, more relaxed and a bit happier within a fairly short period of time. I am sure that is something we all aspire to, but to you and your family, Aihong, Kevin, Michael and Alexander, we wish you all the best and thank you hugely for your contribution and friendship. Good luck, Kon.

**Mr GUNNER (Fannie Bay):** Madam Speaker, I seek leave to table two documents from Mr Norm McCleary.

**Leave granted.**

**Mr GUNNER:** Tonight, I will put on the record what the Chief Minister and Attorney-General will not. At lunchtime today I was contacted by a Western Australian who had been watching my speech on the censure debate. His name is Mr Norm McCleary; I called him back and what he told me was startling.

Mr McCleary is the client at the heart of the 13 questions from the *NT News* that Peter Maley would not answer. He outlined a serious allegation against Mr Maley on behalf of the CLP and former Deputy Chief Minister and the member for Fong Lim. He told me he had emailed the Chief Minister on three occasions to act on it, and the Chief Minister failed in his duty to take any action.

I now read from an e-mail sent to the Chief Minister:

*Dear Adam,*

*My name is Norm McCleary and I was resident in the NT from 1974-2000. I left the Territory to establish (float) Arafura Resources and to progress other mining interests I had in the Territory at that time. Approximately 10 years ago I was involved in pegging mining leases south of Alice Springs over what is known as the Pamela and Angela Uranium prospects. At the time there was a court case over this matter and I was unable to assert ownership and the Court ruled against myself.*

*It has always been my contention that certain officers in the Department and the*



Labor Administration at the time colluded to frustrate my bona fide efforts. The current Head of the Department was one of those involved. I did make a request under the Territory's FOI legislation to obtain the background on the department's behaviour at the time, but as you may be aware the FOI legislation is a toothless tiger and nothing of any interest was forthcoming.

I am now in my 60<sup>th</sup> year and I am starting to tidy up those outstanding items in my life before fading from the big picture. This is one of those items on my list. My solicitor in these matters at the time was Mr Peter Maley, who had strong links to the CLP and in particular, Mr Dave Tollner.

In July 2008 I received a phone call from Mr Peter Maley of Maleys Barristers & Solicitors. He stated he was ringing on behalf of the CLP and, in particular, Dave Tollner. He stated that the CLP was aware of what had occurred recently in regards to my pegging and application for mineral claims over the Pamela/Angela uranium prospects and that they were sympathetic in regards to what had occurred and that when they came to power I would be given the opportunity to review all files and documents relating to the matter. Also, he said that the CLP was in a bind and was unable to raise enough funds for election advertising and if I was prepared to contribute 'say \$10 000' to help myself and the CLP. I agreed, especially knowing that the CLP was sympathetic and intended to allow me access to the files so I would be able to understand what had occurred. I stated that my help would be money 'well spent' and authorised him to utilise \$10 000 from my trust account at Maley's for this reason. This was duly done on the 29.07.08 for the amount of \$5174.40 and again on 01.08.08 for the amount of \$4825.60. The first amount was paid to NT Broadcasters Pty Ltd and the second amount was paid directly to the CLP.

The CLP is now in power and I have waited patiently, apart from my multiple contacts with Steve Doherty at Minister Tollner's office and numerous calls to Peter Maley. To date no outcome has eventuated as envisaged. I understand the Department may have refused the Minister access to the files, and considering that this matter in terms of court proceedings is long settled I find it difficult to understand their position.

Can you please look into this matter for me? I would like to think that the CLP is a

Party which is true to its word and commitments.

Regards, Norm McCleary.

After the change of leadership with the member for Fong Lim, now Treasurer and Deputy Chief Minister, which happened in 20 March 2013, Mr McCleary sent an e-mail to Peter Maley on 14 March 2013. It stated:

Hi Peter, Now that Dave Tollner is in the right position can you please arrange for us to view all the documents and files surrounding my original case? With Regards Norm.

Four days later, Mr Maley wrote to Mr McCleary. It stated:

I agree! I will give them a week to settle down, then I will contact Tollner!

These are the two documents I have tabled. I understand the NT News has these as well. They have now been tabled in this House.

In May this year, Chief Minister Adam Giles was informed of these serious allegations by Mr McCleary about then solicitor, Mr Maley on behalf of the CLP, and Dave Tollner. Mr McCleary is under no doubt that Mr Maley was saying to him, 'If you give the CLP \$10 000 then you will get the information you want when we win government'.

Mr Adam Giles is Chief Minister but he is also the Police minister. We understand this has not been referred to the Police Commissioner. We know the Chief Minister is aware of this matter because he wrote back to Mr McCleary on 25 May after Mr McCleary had sent him a second e-mail accusing the CLP of extorting the money from him. That is three months ago. The Chief Minister responded to Mr McCleary, yet in this House all week, he has been playing dumb telling us he had no knowledge of the issue that led to Mr Maley's resignation. His e-mail back to Mr McCleary said:

Thank you for your e-mail Norm. I have flicked your e-mail to Dave Tollner and he will get back to you. Please let me know if he does not make contact.

Mr McCleary informed me of these e-mails today by telephone, and has told me he has provided them to the NT News. We know Mr McCleary's trust money went to the CLP because it has been published in the party's annual return for that year. The donation to the CLP of \$4 825.60, rounded up by 40¢ to \$4826, is in the party's return for that year from Maley Pty Ltd to the CLP.

What of the \$5174.40 which has been paid to NT Broadcasters for CLP election advertising? We have been unable to find any declaration of that amount, and will be referring it to the NT and Australian Electoral Commissions for investigation.

The complainant gave the money over on a promise of getting sensitive information from the new government which he had, hitherto, had been unable to get by normal channels. Not only was Mr Maley and Mr McCleary's solicitor at the time he asked for the \$10 000, he had been retained to act for Mr McCleary in the court case on the matter detailed in the e-mail to Mr Giles.

What of the member for Fong Lim's role in all this? According to Mr McCleary, he is up to his eyeballs in this matter. Mr McCleary says that Mr Maley asked for the \$10 000 on behalf of the CLP and the member for Fong Lim. Moreover, he actually met the member for Fong Lim some time later while he was walking in the mall with his lawyer, Mr Maley. Mr Maley introduced the two men, and the member for Fong Lim thanked him. When Mr McCleary was asked if he believed the member for Fong Lim was thanking him for the \$10 000, he said he had no doubt he was.

Madam Speaker, the allegation by Mr McCleary is that the member for Fong Lim gave Mr Maley riding instructions to offer Mr McCleary a favour in return for a \$10 000 donation. It is not surprising to hear how the CLP does business. The greater failure here is the failure of leadership and of duty.

The Chief Minister has known this allegation since May and has done nothing about it. He should have immediately referred the matter to the Police Commissioner. His failure is even greater knowing he is also the Police minister. It is clear the Chief Minister has failed to maintain the high standards of probity his office demands and the community expects.

**Mr CHANDLER (Brennan):** Madam Speaker, tonight I want to pay tribute to the member for Casuarina, Kon Vatskalis, who has given much time and part of his life to Territorians, and for that he should be commended.

Kon has been a good operator, he has kept me on my toes quite a few times, and he is one of those guys that never can turn off. He is always playing politics. It does not matter whether it is in this House or at a dinner or at a function, he will always have something to say and usually he says to me that I am in the wrong party, that I should be in the Labor party and not the conservative party. He is wrong. He would always joke that he would have in his top pocket a signed copy or application for the Labor party for me to sign. I have got a copy here of membership

for the Country Liberals and it has Mr Kon Vatskalis' name on it, just in case, Kon, now that you are leaving the Labor party you could sign this and come and join the Country Liberals. After all those years you deserve it.

In all good humour he has been a remarkable member and advocate for his constituents in Casuarina. He has done a remarkable job and the one thing that is often not spoken about in this House is the time and the commitment that people have to give in this role. We do not always agree on ideology. We do not always agree on policies and issues we are dealing with, but we appreciate each other for the time and effort that we put in. It is often unseen and the biggest hole is often played on the families and is no different for the member for Casuarina.

Kon, I wish you all the very best for the future. You have been a great advocate for your party, particularly for your constituents and for Territorians. Thank you.

And the membership is here. I will bring it up.

**Mr WOOD (Nelson):** Madam Speaker, the member for Casuarina has one differentiating, if that is the right word, characteristic from the rest of us. He is the only one that can speak Greek English. When he first came into parliament, I must admit I did have trouble understanding what he had to say, and he was the butt of a few jokes. What that said was that you cannot take the Greek out of Kon. He is an Aussie but he loves his Greece. As an example of that I quote this is from the *NT News*. I am not 100% sure of the date here but he might recognise it. It is called, 'Speech: a blast from the past', and Kon, you would be surprised, I am using a bit of IT here. Kon is an IT nut, but in my case it takes a bit of work.

It says:

*Territory parliamentarians were dumbfounded when Casuarina MLA Kon Vatskalis spoke about democracy during his maiden speech on Tuesday.*

It must have been 2001.

*The NT legislator's bewilderment had nothing to do with Mr Vatskalis' accent or his definition of democracy. He quoted a famous speech made by Pericles of Athens 2500 years ago in Greek which left members of the House baffled about the meaning of his words.*

*He later translated the quote into English for the benefit of everyone in the House. The Ethnic Affairs minister...*

I did not know you were called that

*... said Pericles was the founder of democracy and the speech was so powerful that in recent times many conservative governments in Greece restricted its circulation as subversive.*

*Attorney-General Peter Toyne had to put forward an amendment that allowed Mr Vatskalis to finish his lengthy speech.*

That is one of the great things about this parliament, we are able to have people like Kon who was able to bring another, you might say flavour, to the Northern Territory and certainly his Greek background was a part of that.

I have also got some nice pictures here of when Kon nearly had black hair. If there is one thing you do notice of members of parliament who have been here for a while, especially males, their hair colour changes. His certainly did change. Just because you are retiring, I am not sure if it will go back to being black, but obviously you were a handsome looking bloke in those days; I am not saying you are not that way now.

There are a couple of other things I remember Kon for; having cups of coffee in the mall is one. He had his little Greek enclave, it was either in the Galleria or up this end of the mall. I do not know what they were talking about, because it was all Greek to me, but it was something very special. He has a great relationship with people of Greek origin, that does not mean he does not have a good relationship with other people - otherwise he would not have been re-elected three or four times. Four times in Casuarina, same as me. He was a very popular local member.

One thing that he has not done for a number of years is show off about soccer. I will call it soccer for the moment - or football. When Litchfield football club - soccer club - started up, Casuarina would come out and flog us, 20-0. The member for Casuarina, what a show off, you never heard the end of it. But, you cannot say that so much now, that mob out in the bush know how to play the game now and are doing pretty well, so I hope to see you out there one day. I am refereeing on Sunday at 8.30 am, I do not think it is you though.

He also loved his computers and it has been mentioned before; it has gotten him into trouble occasionally, because he used to sit over here. He was once doing something he should not have been doing, I think he was playing computer games or looking at motor cars. That is it - he was looking at cars. There must have been some boring speech going on in parliament. But, some of that sneaky media, you never trust them, they sit up there and have eyes in the back of their

head. They knew what he was doing and, bingo, it was in *Bush Ranger*. I must admit, I understand that sometimes the speeches in here can put you to sleep and you have to do something else with your time.

He came from a background of environmental health. I do not know if I am touching a sore point, because I have the ex-minister for Health down the back here. I remember the Humpty Doo landfill site, gee, did we ever have some brawls on this side of the House about trying to preserve the Humpty Doo tip. Along with the member for - what was Mr Burns' electorate called then? - Johnston, who was minister for Lands and Planning, then we had the Minister for Health, who knew everything you could know about environmental health. Here I was, as one of the local members fighting to retain the landfill site at Humpty Doo.

There were some passionate debates, I tell you, but I was up against it and I lost. But, that is life. Kon is a man of the people. People may remember this - on 14 of September 2002, he looked much better here, he lost all his hair. He raised \$10 000 for cancer, there is a picture of him and he looks like a Greek Yul Brynner.

He was one of those people who took his job seriously, as it has been said, he had a heap of portfolios - I think it was 20 in his time in parliament. He was also very much a member of the community. Someone here said he was also able to get around parties and meet people, but I have a feeling that has something to do with a red liquid. He liked a bit of that; I know that because I met him sometimes when he had a few of those - he is nodding his head. That was all part of keeping the economy of the Northern Territory going. We appreciate that, as a minister, you have to do some of those things some of the time.

I will miss you. We are reducing the number of 2001 members down considerably now, it is getting a bit scary. The Leader of the Opposition and the Attorney-General, who has had a bit of a bump, he regards himself as part of the crew too. We are only down to about three now. The Remuneration Tribunal will be pleased because there will be less pensions going out.

Kon, you have been a great person in this parliament, but even more so you have been a great Territorian. I have never regarded you as Labor, not because you are Labor, I have just regarded you as a good bloke who worked very hard, very diligently, took a lot of punishment sometimes from people in the opposition and took it when I might have lost my temper. I cannot remember Kon ever losing his temper. He took a lot of flak sometimes, and flak that was not called for, but he stood up as a gentleman, took it on the

chin and turned the other cheek most of the time. For that, Kon, you are a great bloke. You have done very well for the people of Casuarina and the Northern Territory. I wish you all the best for your retirement and do not forget that if it is a baby boy, there is a great name you could use. I do not know what Gerry is in Greek but I am trying here - you never know. Thank you, Madam Speaker.

**Mrs LAMBLEY (Araluen):** Madam Speaker, I pay my respects and give tribute to Kon Vatskalis, a gentleman and someone who I have enjoyed the odd debate with over the last four years. He was indeed a very strong minister, a leader and a tenacious politician. The thing I have grown to admire and like about Kon is that he is a true gentleman, always very respectful, well-mannered and a decent human being. He always asks me how my family are, and he is just a good bloke. I wish you all the best, Kon; you are one of the true gentlemen in this Chamber. Kindness goes a long way in the Assembly and you have always demonstrated that towards me, which I sincerely thank you for.

I would like to talk about an issue that has arisen over the last week; I would like to inform the Assembly about a Northern Territory-based research project investigating alternative and more practical treatments for impetigo. This project will not only benefit Northern Territory and Australian children, but could also benefit the millions of children worldwide who suffer from this infection. The Menzies School of Health has conducted a trial which proves the benefits of a new, non-injection treatment.

In Australia, research has found that eight out of every ten children living in remote Aboriginal communities will have skin sores at least once before their first birthday. About 50% of the pre-school and school age children in these communities will have skin sores right now. The sores are due to an infection from a bacteria that has been linked to chronic kidney and rheumatic heart disease. The Menzies School of Health has completed one of the largest clinical trials of skin sores treatment ever conducted in Australia. That is outstanding work. Over a three-year period, 508 Indigenous children with skin sores, aged three months to thirteen years from communities across northern and Central Australia were randomly assigned to receive either an oral treatment or the traditional injection for skin sores. This study found that five children ran away when they found out they were randomised into the injection arm of the study and 30% of children had pain at the injection site 48 hours afterwards.

The study showed simple, short duration oral treatments, trialled either twice a day over three days or once a day over five days, worked just as well as the injection in resolving the skin sore

infection within seven days. This is great news for children desperately needing treatment of their sores, as the regimen is simple and pain-free. We now know the oral treatment works just as well as the injection, but also that it is palatable, pain-free, practical and an easily administered alternative.

I am very pleased to inform the Assembly that the Department of Health supports the findings of this important study and has begun implementing them in the Northern Territory. The use of this oral therapy is now included in local guidelines for the treatment of skin sores, as well as being included in the upcoming national therapeutic guidelines for the treatment of this condition.

The Country Liberals government supports medical research and is committed to improving health outcomes for all Territorians. I am proud, as the Minister for Health, to talk about this kind of important research being undertaken on home soil, not only to improve the health outcomes for Northern Territory children, but potentially around the world. This is significant work that has a potential to greatly improve the health of Australians and millions of others around the world.

I congratulate the authors of the impetigo research paper published in *The Lancet* including Dr Asha Bowen, Dr Steven Tong, Professor Ross Andrews, Irene O'Meara, Mark Chatfield, Professor Bart Currie, former director of Menzies and now director of Telethon Kids Institute Professor Jonathan Carapetis, and James Cook's University's Associate Professor Malcolm McDonald.

Madam Speaker, this is excellent research work done in the Northern Territory changing the lives of children across the Northern Territory and, indeed, the world.

**Mr BARRETT (Blain):** Madam Speaker, this evening I pay tribute to Nan C Miller. Nan passed away on 23 December 2013 at home in Darwin, the beloved wife of Trevor Miller and loving mother of Ginger and Kerry.

Nan was born in the United States in 1940 and, as a young girl, her parents moved to a Ute Indian reservation. They went there to operate a trading post. Soon after this, they moved into the Navajo Nation Reservation to operate a trading post, and it was here that Nan found a connection with Indigenous people. The Navajo Nation adopted her and gave her a special name in their culture.

Nan was educated in a small one-room classroom with the Navajo, and finished primary school a year early. She finished high school two years early. Nan then went to university to study nursing.

While there, she met Bob, they were married and had three children, Ginger, Kerry and Kenny. Bob was a track official at a racing circuit and, sadly, one day Nan received the news that a car had lost control and left the track, hitting Bob and killing him.

Kenny had seizures and, when he had grown too large for Nan to pick up, she had to have him put into a nursing home. Nan also lost both of her parents in a domestic violence dispute, where her mother was killed by her father.

Despite of all of this, Nan recovered. She raised her children, went back to university, and completed her nursing degree. She also remarried a man by the name Art and life was getting back to normal. Art was an air traffic controller and, when Ronald Reagan fired all the air traffic controllers in the US, Nan and Art moved to Australia. Nan and Art had two boys named Sean and David.

They separated in 1985, and Nan applied for a job with Territory Health. After an initial unsuccessful attempt to get work in the Northern Territory, she moved here to work in the Territory in Territory Health as a nurse. She quickly showed her skill and talents and became the deputy head of the Communicable Disease Centre.

In 1986, she married Trevor Miller, and her life and career really hit its straps. In 1989, Nan became the immunisation senior project officer and pioneered a Hepatitis B vaccinations program. She contributed heavily to the measles, mumps, and rubella vaccination programs and, also, on a lighter note, was part of the project design team that came up with the HIB, the HIB Monster, a dragon that was part of a vaccination campaign that went around to Indigenous communities and the greater Northern Territory area encouraging people to be vaccinated for HIB.

Nan was also instrumental in setting up the AIDS Council. In 1989, she worked hard on this and created a stir in Darwin when she handed out condoms at the Royal Darwin Show as part of a safe sex campaign. She worked very hard in her position, and would often be up late working on contact tracing, which is about tracking the spread of communicable diseases and notifying people to be checked out for infection. If a person, say, had measles, they would want to know what classrooms had that child been in and, therefore, contact the parents of those other children to make sure those children could be checked. If any of those turned up positive, they would then track to see if other people needed to be notified and warned about that infection.

In 1990, Nan went back to study and completed her Master's in Public Health. Her treatise to

complete this study was a ground-breaking piece of work that looked at cold chain of vaccines. Basically, vaccines need to remain in very specific temperature ranges in order to remain viable. It was found that about half of the vaccines that were being used were not viable at all and, therefore, ineffective. Her work led to changes in the cold chain policy that become a model for Australia and the world. A cold chain is where people look at the cycle from production to end use. They investigate exactly what is happening - where they are stored, how are they transported and in what kind of containers; Nan's work really helped put together something that will improve this area.

Nan put together the framework and wrote further papers and manuals about vaccination programs and vaccine handling. These included *Universal Hepatitis B Vaccination; Cold Chain in a Hot Climate* - about giving vaccines; *Changes to the Northern Territory Childhood Vaccination Schedule; Factors Affecting Hepatitis A Vaccination Uptake Among Childcare Workers in the Northern Territory*, and *Hepatitis B School Age Vaccination Programs*.

Her studies and papers on cold chains for vaccines became the basis for other states rewriting their policy on cold chains, and her work was borrowed profusely. Rather than being upset by others using her work without permission, Nan was pleased that her work was being used and was glad that the changes in policy would be saving lives.

Businesses and other health professionals worked with Nan to create better methods of storage and transportation of vaccines and a firm in the US worked with her to build thermometers that could record highest and lowest temperatures within the cold chain that would ensure the viability of the vaccine all the way to the end user.

It was these contributions to the Northern Territory that we honour her and we stand in this house with all Territorians and remember the important and valuable contribution that Nan made. At the end of her career, she worked in Papua New Guinea as an immunisation field officer, which shows she cared about people and their health and wanted to be back on the ground working with Indigenous people as she did when a child with the Navajo.

In 2006, Nan received a Living Legend Award at the Nursing Awards night. Indeed, this award was well-deserved because Nan was what the Territory loves, a person who can work through adversity and, with great love and passion, come out the other side and do great things. Despite all of the loss Nan experienced in her life - more than I would like to comment on here - the loss of three

children, a husband and her parents, this five feet, one inch, 40 kg woman had a big spirit and a big heart. She has directly and indirectly touched many thousands of lives through her work and life, and she will be missed by her workmates and her dogs, who she loved coming home to. She was quoted in the *NT News* as saying:

*Dogs are always there to welcome you, no matter how rotten a day you have had or what you look like.*

She will be missed by her friends who loved her energy and passion, her family, her daughters in the US and her husband, who was to be here tonight, if the timing had worked better.

The Territory says thank you to Nan. In this House we remember her; rest in peace, Nan Miller.

**Mr WESTRA van HOLTHE (Katherine):** Madam Speaker, I have an adjournment to do, but I want to acknowledge the member for Casuarina, Mr Kon Vatskalis, and his contribution to the Northern Territory and its parliament since, I think, 2001, when he was elected. He was one of the easier people on the other side of the House to get along with. I obviously disagree with Kon's politics, but he and I always got along quite well and, certainly, he was one with who you could have a decent, well-mannered conversation, and I appreciate that. I wish you the very best for the next stage of your life, whatever that may bring, and you can rest assured that you indeed made some great contributions to the Northern Territory.

I use this adjournment speech to remember a great Territorian, a friend, a family man and a tireless contributor to the Northern Territory's public service. Dr Masood Ahmad of the Department of Mines and Energy's NT Geological Survey Team passed away on Sunday 10 August this year. A couple of his colleagues from the Department of Mines and Energy are in the gallery tonight, and I acknowledge them. Dr Ahmad first joined the department's geological survey team in 1982, and he was an integral part of the NTGS for over 20 years. As the assistant director in charge of the metallogenic section, Mr Ahmad was responsible for all NT Geological Survey studies aimed at gaining a better understanding of the Northern Territory's mineral deposits.

In 2004, he moved out of his managerial role and into the position of Chief Geoscientist, which he held until his recent retirement.

Dr Ahmad, or Masood, had many achievements with the NTGS team. Masood was responsible for compiling the first modern geological map of the Northern Territory. He established the Northern Territory's mineral occurrence database. He

authored numerous reports on mineral deposits in the Northern Territory and was considered a leader and a mentor to many NT geological survey geologists.

His most enduring achievement is likely to be the development of the *Geology and Mineral Resources of the Northern Territory* book. Masood divided most of his time during his final years with the NTGS on compiling this book, which is now considered the definitive volume on the Territory's geology and resources. To put that work into context, this is the volume Masood worked on. It was a real pleasure and an honour to help Masood and the NTGS team, and all those who contributed to this book, to launch the book out at Speakers Green some months ago. I was very fortunate and privileged to have those who contributed to the book sign it at the front. I am looking at Masood's signature here and it is with a great feeling of pride that I will cherish this book, because it represents not only a wonderful volume of work about the Northern Territory's geology, but also a huge contribution made by Masood. He was a great man.

Masood was a gentle and humble man, with a great passion for the Territory's geology and resources, who was known for his integrity and his dedication to the NT Geological Survey. The *Geology and Mineral Resources of the Northern Territory* book is the first ever comprehensive description and detailed analysis of the geology, mineralogy and petroleum resources of the entire Northern Territory.

As I mentioned, I had the pleasure of launching the book last year. It was designed to be an essential reference work for all geoscientists with an interest in the Northern Territory, particularly those involved with minerals and petroleum exploration. Indeed, with the publication of this book, mineral and petroleum explorers now for the first time have a single point of reference to access the latest in geological knowledge and understanding of the Territory's resources.

The *Geology and Mineral Resources of the Northern Territory* book includes descriptions of every named geological unit in the Territory, as well as all significant mineral deposits and petroleum fields. It describes each geological province and basin in the Territory, and also includes a summary of the Territory's geological history. It is a fitting tribute to Masood and the many years of dedication he gave to developing this book, and it is only to be a definitive reference for existing explorers, but will also act as a prospectus to attract further investments in the Northern Territory.

Fortunately, when one wants to peruse this book, one does not have to pick up a hard copy. I

understand it is available on DVD, but it is a wonderful read. I have not had a chance to read it from cover to cover, but I have glanced through it a number of times to familiarise myself with the geology of the Northern Territory and what Masood did.

He began his transition into retirement a year ago following the completion and launch of this volume. I understand Masood was utilising the remainder of his leave before formally retiring. It is unfortunate that his official retirement was scheduled to begin later this month.

Dr Masood Ahmad will be remembered fondly within the Department of Mines and Energy and, on behalf of the Northern Territory government, I acknowledge his tireless work and passion within the field of geology.

Vale Masood Ahmad.

Motion agreed to; the Assembly adjourned.