NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 70
Wednesday 31 October 2018

1. MEETING
The Assembly met at 10.00. The Speaker, the Honourable Kezia Purick, presided.

2. PRAYERS

3. ACKNOWLEDGEMENT OF COUNTRY
Mr Collins delivered the acknowledgement of country on behalf of the Assembly.

4. MOTION: LEAVE OF ABSENCE AGREED TO
Ms Fyles moved that a leave of absence for today be granted to Mr Costa due to electorate business.

Question put and passed.

5. CRIMINAL CODE AMENDMENT BILL 2018 (SERIAL 69)
Ms Fyles (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the Criminal Code and tabled the Explanatory Statement (Paper 920) and the Human Rights Compatibility Statement (Paper 921).

Ms Fyles moved that the Bill be read a first time and delivered an explanatory speech.

Bill read a first time.

Ms Fyles moved that the Bill be referred to the Social Policy Scrutiny Committee for report by 12 February 2019.

Question put and passed.

6. TRAINING AND SKILLS DEVELOPMENT AMENDMENT BILL 2018 (SERIAL 59) AGREED TO
Ms Uibo moved the Bill be read a second time.

Mrs Finocchiaro, Ms Wakefield, Mr Wood, Mr Collins, Mr Kirby, Mr Sievers, Ms Uibo.

Question put and passed.

Bill read a second time.

By leave, on the motion of Ms Uibo (Minister for Education and Minister for Workforce Training), the Bill was read a third time and passed to be a proposed law.

Suspension of Meeting: The meeting of the Assembly was suspended between 11.52 and 14.00.

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7. NOTICES

The following notice was given:

1. Mr Wood pursuant to Standing Order 72 gave notice of an amendment to General Business Notice Number 4, Motor Accidents Compensation standing in his name:

   Omit '(5)'

   Insert '13 (5)'

8. QUESTIONS

14:01 Mr Higgins to Mr Gunner
14:05 Mrs Finocchiaro to Ms Fyles
14:08 Mr Higgins to Ms Manison
14:12 Mrs Finocchiaro to Mr Gunner
14:16 Mr Wood to Ms Wakefield
14:19 Mr Mills to Mr Gunner
14:23 Mrs Lambley to Ms Manison
14:27 Mr Higgins to Ms Uibo
14:30 Mrs Finocchiaro to Mr Gunner
14:34 Mr Higgins to Ms Manison
14:38 Mr Wood to Ms Moss
14:40 Mrs Lambley to Ms Wakefield
14:44 Mr Higgins to Mr Gunner
14:48 Mr Higgins to Mr Gunner – Supplementary
14:49 Mr Wood to Ms Manison
14:53 Mrs Finocchiaro to Ms Wakefield
14:57 Mr Higgins to Mr Gunner

Ms Fyles (Leader of Government Business) asked that further questions be placed on the Written Question Paper.

Ms Manison, pursuant to Standing Order 115, gave an answer to a question asked on a previous day during question time from Mr Wood.

Ms Manison, pursuant to Standing Order 115, gave an answer to a question asked earlier during question time from Mr Higgins.

9. LIQUOR AMENDMENT (REPEAL OF MINIMUM PRICING) BILL 2018 (SERIAL 68): BILL NOT AGREED TO

Mrs Finocchiaro (Deputy Leader of the Opposition), pursuant to notice, presented a Bill for an Act to amend the *Liquor Act* and tabled the Explanatory Statement (Paper 939) and the Human Rights Compatibility Statement (Paper 940).

Mrs Finocchiaro moved that the bill be read a first time and delivered an explanatory speech.

Visitor: The Deputy Speaker advised Honourable Members of the presence in the gallery of Peter Clee, President of the Wagait Shire Council.

On behalf of all Members the Deputy Speaker welcomed the visitor.

Question put.

The Assembly divided:

Noes 15	**Ayes 4**
Ms Ah Kit	Mrs Finocchiaro
Mr Collins	Mr Higgins
Ms Fyles	Mrs Lambley
Mr Gunner	Mr Mills
Mr Kirby	
Mr McCarthy	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	
Ms Uibo	
Mr Vowles	
Ms Wakefield	
Mrs Worden	

Motion not agreed to.

10. MOTION: A YOUTH DETENTION CENTRE AND ALCOHOL REHABILITATION CENTRE NOT AGREED TO

Mr Wood, pursuant to notice, moved that the Government reconsider its decision to build a youth detention centre and alcohol rehabilitation centre at Pinelands and instead look at possible alternative sites and in keeping with your promise of Opening up Parliament to the People invite the community and others including local Members of Parliament to be part of those discussions.

Ms Wakefield.

Paper Tabled: Ms Wakefield (Minister for Territory Families) tabled: Proposed Darwin Youth Justice Centre (Paper 941).

Mrs Lambley, Mr Higgins.

Paper Tabled: Mr Higgins (Leader of the Opposition) tabled: Map of new site of youth detention centre at Cherry Creek, Wyndham (Paper 942).

Mr Mills, Ms Manison, Mr Wood.

Question put.

The Assembly divided:

Noes 17	**Ayes 5**
Ms Ah Kit	Mr Higgins
Mr Collins	Mrs Lambley
Ms Fyles	Mr Mills
Mr Gunner	Ms Purick
Mr Guyula	Mr Wood
Mr Kirby	
Mr McCarthy	
Mr McConnell	
Ms Manison	
Ms Moss	
Ms Nelson	
Mr Paech	
Mr Sievers	

Ms Uibo
Mr Vowles
Ms Wakefield
Mrs Worden

Motion not agreed to.

11. MOTION: GOVERNMENT BUDGET CUTS

Mr Higgins (Leader of the Opposition), on behalf of Mrs Finocchiaro, pursuant to notice, moved that this Assembly calls on the Government to adequately resource frontline services commensurate with demand.

Ms Manison.

On the motion of Mr Higgins (Leader of the Opposition), debate was adjourned.

12. REORDER OF GENERAL BUSINESS

The Assembly agreed by leave that General Business Notice Number Three be called on.

13. MOTION: TERRITORIANS' RIGHT TO NATURAL JUSTICE AS AMENDED AGREED TO

Resumption of debate on the motion:

That as a matter of urgency, the Northern Territory Government petition the Federal Government to repeal sec 16AA of the *Federal Crimes Act (1914)* because it imposes an assimilationist and discriminatory approach on all First Nations people which impinges on every Territorian's right to natural justice.

And that the NT Government reviews relevant legislation and works to incorporate in sentencing practices the principles of Aboriginal Law that look to heal and restore communities when harm is done.

On 24 October 2018, Ms Fyles moved the following amendment:

Remove all words after 'that' and replace with:

as a matter of urgency, The Northern Territory Government petition the Federal Government to review section 16AA of the *Federal Crimes Act (1914)* in line with the findings from the Australian Law Reform Committee Report 'Pathways to Justice: An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples' and that the Northern Territory Government refer the matter to the Northern Territory Law Reform Committee to undertake a comprehensive review and consult Territory wide with Aboriginal and Torres Strait Islander people in the Territory.

Mr Guyula.

Question, that the amendment be agreed to, put and passed.

Question, that the motion as amended be agreed to, put and passed.

14. PAPER TABLED: ANNUAL REPORT 2017-2018, OFFICE OF THE CHILDREN'S COMMISSIONER NORTHERN TERRITORY

Ms Fyles (Attorney-General and Minister for Justice) tabled:

1. Annual Report 2017-2018, Office of the Children's Commissioner Northern Territory (Paper 943).

15. ADJOURNMENT

Ms Fyles (Leader of Government Business) moved that the Assembly adjourn.

Ms Moss, Mr McCarthy, Ms Uibo, Mr Kirby, Mrs Worden.

Paper Tabled: Mrs Worden, by leave, tabled: Travel Report, Official Visit to Indonesia Trade Expo Jakarta - October 2018 (Paper 944).

The Assembly adjourned at 19.39 until Thursday 1 November 2018 at 10.00.

DEEMED PAPERS

Pursuant to Standing Order 239 the following papers were deemed to have been tabled:

Annual Reports 2017-2018:

Australian Criminal Intelligence Commission, *Surveillance Devices Act* 2017 (NT), 2017-2018 (Paper 922)
Department of the Chief Minister, 2017-2018 (Paper 923)
Department of Corporate and Information Services, 2017-2018 (Paper 924)
Department of Education, 2017-2018 (Paper 925)
Environment Protection (Beverage Containers and Plastic Bags) Act, 2017-2018 (Paper 926)
Department of Health, 2017-2018 (Paper 927)
Department of Trade, Business and Innovation, 2017-2018 (Paper 928)
Director of Public Prosecutions Northern Territory of Australia, 2017-2018 (Paper 929)
National Health Practitioner Ombudsman and Privacy Commissioner, 2017-2018 (Paper 930)
Northern Territory Anti-Discrimination Commission, 2017-2018 (Paper 931)
Northern Territory Government and Public Authorities' Superannuation Scheme, 2017-2018 (Paper 932)
Northern Territory Office of the Public Guardian, 2017-2018 (Paper 933)
OmbudsmanNT, 2017-2018 (Paper 934)
Jacana Energy, 2017-2018 (Paper 935)
Territory Generation, 2017-2018 (Paper 936)
Work Health and Safety Advisory Council, 2017-2018 (Paper 937)
NT Community Visitor Program, 2017-2018 (Paper 938)

ATTENDANCE

All Members attended the meeting, except Ms Lawler and Mr Costa on leave.

MICHAEL TATHAM
Clerk of the Legislative Assembly