Legislative Assembly of the Northern Territory

15th Assembly



Parliamentary Record
Debates and Questions



Thursday 17 October 2024

CONTENTS

SPEAKER'S STATEMENT 161
Committee Membership 161
CRIMINAL CODE AMENDMENT BILL 161
Serial 2 161
VISITORS 167
VISITORS 179
YouthWorX NT 179
NOTICES 180
PETITION 180
Petition No 1 – Suspension of Transitioning Treatments for Children in the Northern Territory 180
QUESTION TIME 181
CLP Election Commitments 181
Declan's Law 182
HomeGrown Territory and FreshStart New Home Grants 182
HomeGrown Territory and FreshStart New Home Grants – Supplementary Question 183
VISITORS 183
Member for Nelson's Parents 183
Schools – Safety 184
Youth Detention Facilities 184
Corrections 186
Public Housing – Crime and Antisocial Behaviour 187
Bilingual Education 187
Public Transport Fares 188
Port Keats Road – Sealing 189
Age of Criminal Responsibility – Paediatricians' Concerns 190
Justice System 191
Infrastructure Projects 191
Age of Criminal Responsibility 192
Remote Housing National Partnership Agreement 193
Vaccines – Meningococcal B 194
CRIMINAL CODE AMENDMENT BILL 195
Serial 2 195
VISITORS 212
Member for Nightcliff's Family 212
PAPER TABLED 249
Quarterly Members' Fuel Transaction Report, Quarter 2, April to June 2024 249
ADJOURNMENT 249

Madam Speaker Lambley took the Chair at 10 am.

SPEAKER'S STATEMENT
Committee Membership

Madam SPEAKER: Honourable members, I report that pursuant to Standing Order 181 the following members were appointed to committees on 16 October 2024:

- Standing Orders Committee—Manuel Brown MLA, Member for Arafura
- Committee of Privileges—Selena Uibo MLA, Member for Arnhem
- House Committee—Dheran Young MLA, Member for Daly
- Public Accounts Committee—Manuel Brown MLA, Member for Arafura
- Legal and Constitutional Affairs Committee—Dheran Young MLA, Member for Daly
- Standing Committee on the ICAC—Selena Uibo MLA, Member for Arnhem
- Legislative Scrutiny Committee—Chansey Paech MLA, Member for Gwoja.

CRIMINAL CODE AMENDMENT BILL
Serial 2

Continued from 16 October 2024.

Ms UIBO (Opposition Leader): Madam Speaker, I will speak briefly on the proposed amendments. There are three key areas in this Bill. I will start on the provision of ramraiding being introduced.

I again make the point that the opposition was only briefed on this Bill yesterday, highlighting how little opportunity we had to do our jobs as members of parliament, and how much the CLP lauded accountability and transparency for its new government, yet it has done the opposite in not allowing all members of parliament time to do their jobs.

When Chief Minister Finocchiaro was in opposition for the past eight years she constantly criticised the Labor government for not being accountable, open and transparent and affording others the opportunity for scrutiny of a Bill before it was brought in on urgency. When we were in government there was always notice of a day or a week for something that was brought in on urgency. In the Chief Minister's first three days of the parliament sittings with her new CLP government, she has not afforded the same respect she demanded for eight years in opposition to all members of parliament. That includes the new members on the CLP side. I doubt that they had an opportunity to look fully, understand and learn about the process of legislation in this place. It has all gone backwards.

We understand that there have been key areas of commitment from the CLP and respect its push to deliver those commitments to Territorians; however, the processes and procedures of parliament that have gone on long before any of us were in this place, with many years of the Westminster system, have all been thrown out the window under the Finocchiaro CLP government.

I make the position clear that we cannot be briefed the day before legislation is presented to make an informed decision about it. Attorney-General, I hope you learn a lot in your new role because every piece of legislation you recommend to the Administrator to be signed off on will have your name on it, so I hope you are comfortable with what is being brought in by your government.

Members interjecting.

Mr PAECH: A point of order, Madam Speaker! Standing Order 20; given that the Assembly has been sitting for only five minutes, I note the interjections from the government.

Madam SPEAKER: They are coming from both sides, from what I heard.

Ms UIBO: Ramraiding is unacceptable. The Labor opposition believes that those who carry out such dangerous and reckless acts should be punished and face full consequences. That is why the Northern

Territory Criminal Code already includes a number of offences that cover this type of unacceptable behaviour in our communities and have serious consequences attached.

Mr Edgington: What section is that?

Mr Maley: What section?

Ms UIBO: Our existing provisions cover a vast range of physical acts and circumstances that may occur in a ram raid. The Member for Barkly probably has not had a chance to look at his own legislation, so I will tell him about it. The offence of burglary already exists and attracts a maximum of 14 years' imprisonment. Recklessly endangering life attracts a maximum of 14 years' imprisonment.

Mr Edgington: I do not need a lecture from you.

Mr Maley: You do not even know what that means, do you?

Ms UIBO: The Deputy Chief Minister probably has no clue; as the Corrections minister, he does not even have a plan.

Mr Maley: When was the last time you read about it? You have no idea.

Ms UIBO: You should listen and learn about your own legislation. I will provide this opportunity for you to learn about it. You probably have no clue of what already exists.

Members interjecting.

Madam SPEAKER: Please cease interjecting, government members.

Ms UIBO: I will say this so that the new ministers can understand their own legislation. It also includes recklessly endangering serious harm, which has 10 years' imprisonment for an aggravated offence; damaging or interfering with property as trespasser, with seven years' maximum imprisonment; damaging property, with 10 years' maximum imprisonment; and driving a motor vehicle causing death or serious harm, with 10 years' maximum imprisonment for death and seven years for serious harm.

Mr Maley: You can read; well done.

Ms UIBO: Hopefully, the Deputy Chief Minister understands the current infringements, consequences and sentencing for the legislation because the way he spoke in parliament over the last day or two …

Mr Maley interjecting.

Madam SPEAKER: Deputy Chief Minister, please stop interjecting; let the member speak.

Ms UIBO: I appreciate the opportunity to talk about this important legislation because it will impact on the Territory. We hope there will be a positive impact on some areas, but we fundamentally disagree with one key element of this Bill. This is an important part of the process of parliament. We support the legislation in regard to ramraiding, but we are simply pointing out the consequences that exist. We agree with the government that this is unacceptable behaviour in our communities.

This is largely window-dressing from the CLP, and I have outlined key penalties in the current legislation. Trying to look good and be popular does not work when you are in government. No-one likes you when you are in government anyway. Trying to make a difference is what you need to focus on. That is my advice to the new CLP government.

Putting in place effective behaviour-change measures, including diversion programs, will improve community safety. We have yet to hear from the CLP how this will work under its governance of the Northern Territory. We eagerly wait to hear about it and to hopefully support the government, but it does not even have a plan in the Corrections space. Goodness knows how government members will try to stop, divert and prevent crime in the Northern Territory when they cannot even get their act together to provide a plan on prevention.

With generational change we need to ensure that there is investment in health, housing, education, infrastructure, training and employment. We have made this point all week and will continue to do so for the

next four years. As an opposition we will ensure that the CLP government is held to account to reduce, prevent and fix crime as it promised Territorians on 24 August.

The Labor opposition does not have an issue with the ramraid amendments, but there are areas that were already reformed by the former Labor government through strengthening and bringing in legislation.

Our former Labor government was on track to introduce amendments to deal with posting and boasting, so the CLP has continued the good work of the Labor government. We thank them for that.

We know that social platforms have had a harmful impact across all communities. The digital community also creates physical harm, and we support measures to ensure there are targeted consequences for posting and boasting behaviour by our law enforcement.

This new aggravated offence is one tool in the toolbox. We also need to be focusing our efforts to get investment in prevention, education and pathways to employment, particularly concerning education of social media and its harm and effect not just on adults but particularly on young children. This has been debated nationally.

Digital and social media—sometimes unfortunately referred to as antisocial media—is part of the process when we look at kids in school and access to the harmful effects of social media. Online bullying is a serious issue for all 25 of our electorates. It is an area of concern, which the former Labor government started looking at, so we thank the CLP government for continuing that.

My question to Minister Maley is whether the conversations with those social media platforms occurred under your new CLP government. Former Labor Chief Minister Eva Lawler began those conversations and was meeting with the big social media giants to make sure the important work being brought before the House today has legs and that we do not find ourselves in a situation as in the USA having senate and political inquiries into the harms and the effect of social media. We want change. All jurisdictions in Australia are battling with this.

In the Northern Territory it is an area of concern, and we will support the government in making sure social media harm is reduced and that we have clear mechanisms for education and processes to support young people who are dealing with the effects of social and online bullying, as well as the other step of posting and boasting which has been brought before the House.

Territory Labor does not support 10 and 11-year-old Territory kids being locked up in prison cells and sent to jail. This is a fundamental belief of our Labor party, and we know that thousands of Territorians are concerned about this part of the legislation. We believe it is a dark day for the Northern Territory to step back in time and to think that the government believes the best way to support 10 or 11-year-old kids who get themselves in trouble is locking them up in a prison cell.

We stand with the members of the Territory parliament crossbench, Victims of Crime NT and the many health professionals, particularly paediatricians. We stand with the Northern Territory Children's Commissioner, the national Children's Commissioner and community members throughout the NT in all 25 electorates who believe that we should not lock up 10 and 11-year-old kids. Some of our children have significant social, cognitive, health and wellbeing challenges; most of the children who end up in the justice system already face significant challenges in their young lives.

Before I get to substantive points of this part of the legislation, it is worth reminding the Assembly of the history and context of the issues that we face in the Northern Territory.

All the evidence to date tells us this; this is evidence, not opinion. When a child comes in contact with the criminal justice system and the more prolonged the involvement within the justice system, it is more likely that child will reoffend. This is not opinion; this is fact and is evidenced.

On this basis, the Royal Commission into Protection and Detention of Children in the Northern Territory recommended that we raise the age of criminal responsibility to 12 years. Across the rest of the country at the time, the age being discussed was 14 years.

In the Territory, we took the first steps to raise the age to 12 years old. It was a Liberal Prime Minister and Country Liberal Party Chief Minister who initiated this royal commission in 2016. They were the ones who chose the terms of reference. They selected the commissioners who made these important recommendations for the Northern Territory.

Unfortunately, when it came to accepting these recommendations to make a difference—such as this one which was backed by evidence and by frontline experts—on how to make our youth justice system safer and more effective, this was a step too far for a former CLP government. They walked away from the work initiated.

In these contemporary times, the new CLP government is stepping back in time to take away all this good work and not listen to a single expert. The former Territory Labor government moved to raise the age in line with this recommendation of the $50m royal commission's recommendations.

When a child aged 10 or 11 is sent to prison, it is not likely they will come out as a model citizen. It is likely they have already been failed by adults. This is spoken about in a recent report by the Northern Territory Children's Commissioner.

It is likely that kids who are in the justice system have also been failed by the education and child protection systems. It is unlikely that they will receive a full range of wraparound therapeutic treatment that they need to overcome any trauma and challenge or disadvantage that they have experienced in their early lives to help themselves or their families get back on track.

We have heard a lot from the CLP regarding consequences, but in relation to the neurological development of a child's brain, their age means they cannot fully appreciate the nature of their actions. A child's functioning in terms of planning, reasoning, judgement and impulse control has not fully developed by this age, which is a significant factor when considering criminal culpability.

Territory children need care and support, not punishment. Every time a child comes in contact with the criminal justice system, it makes it more likely that they will come into contact again and create a cycle of life in the justice system. We do not want this for any Territory kids, no matter what colour they are, what background they have, what language they speak, what their sexuality is or what religion they follow. We want to make sure every child in the Territory, regardless of where they live or their socioeconomic circumstances, is afforded the opportunity to thrive.

Almost three-quarters of people in NT prisons have been in prison before. This is a rising trend. Fifty-seven per cent of adults released from prison return to prison with a new sentence within two years of their release. This is the highest rate of reoffending in Australia. It is completely counterproductive to put 10 and 11-year-old Territory kids on this path by locking them up when they do something wrong rather than providing diversion programs and the support they need to stay out of prison cells and the justice system. This is a huge concern throughout the Northern Territory.

Lowering the age of criminal responsibility, which the CLP intends to do today, is not the answer to our problems; all the evidence tells us this. We want our Territory kids held accountable for any bad behaviour and to face consequences, but we want to see them supported to a better pathway out of the justice system, to ensure they re-engage with school and are supported by families, carers or guardians. Eventually, we want all those kids to be in a position to make a true and fruitful contribution to our community.

This nurturing care and support is what we need for our Territory kids when they fall off the track. They do not need the four walls of a prison cell to tell them to be better. It means earlier identification of children who need intensive management, along with their families, carers or guardians to support them. We need to do this by investing in early intervention and diversion programs.

By ignoring all the research and evidence the CLP government is choosing to increase the cycle of youth crime in the Territory. It is creating career criminals rather than ensuring our Territory kids have the important tools they need to change their behaviour. There are a range of programs, family supports and engagement approaches aimed at teaching children about consequences and putting measures in place to support families for change in behaviour.

Our former Labor government invested $5m into a new on-track program delivery, intensive family support services for keeping children engaged in school and for connecting families for mental health, alcohol and other drug services and important parenting programs.

When I think about the children in the Arnhem electorate, this debate seems personal. It is informed by the voices of the frontline advocates and experts, who have been falsely branded as political commentators by the Chief Minister. Shame!

The CLP government made an effort to discount expert views based on evidence and lived experience in the Northern Territory community. Organisations that have been outspoken on this issue are:

- the Aboriginal Peak Organisations Northern Territory (APO NT)
- NT Legal Aid
- Danila Dilba Aboriginal Health Service
- Congress
- the Aboriginal medical services based in Central Australia
- Tangentyere Council
- Save the Children
- Northern Territory Council of Social Services (NTCOSS)
- Jesuit Social Services.

The list goes on.

All these organisations have been urging the CLP government to see common sense and walk back this part of the legislation because they, as experts, truly know, based on their evidence, that this change in the law will do more harm to our Territory community than good.

In preparation of today's debate, I looked back to what I said when I first debated raising the age of criminal responsibility to 12 years old. What I said almost two years ago in parliament remains relevant now; that is, everyone across the Territory has a connection to our children. It takes courage and conviction to accept that these children are the responsibility of us all. They are not others, belonging to others, and do not need to be punished in detention to be supported.

Our young people deserve access to pathways for corrective behaviour and support from wraparound services to enable them to thrive and step out of the justice system so they can be contributing community members to the Territory that we all love.

Many kids who find themselves in this area of juvenile justice have been denied the proper childhood that has been taken for granted by many of us in this place—where you have the opportunity to play and laugh, food is on the table every day, you have a safe place to sleep and are maybe lucky enough to have your own bedroom, you have clean clothes every day and you do not have to hide from domestic and family violence every morning and night. I am sure that if you knew the stories of some kids we are talking about, upon seeing them locked up you would share and understand the true sense of trauma and sadness in their lives.

On a personal note as a mother, an aunty, a great-aunty, a neighbour, a community member and a proud Territorian, I know that we will be judged by how we treat children in the justice system. This is a dark day for the justice system. All of us know that there are no quick fixes for the justice system and crime. We need to put our focus, resources, efforts and love into ensuring children in the justice system are supported, guided and cared for in order for them to live better and safer lives, which every one of our Territory kids deserves but do not always get.

I remind our Chief Minister and the Member for Barkly that they signed the Aboriginal Justice Agreement, alongside former Chief Minister Michael Gunner, me as a former Attorney-General, David Woodroffe and Deborah Di Natale.

I remind the House, particularly new members, that the aims of the Aboriginal Justice Agreement—signed by both the CLP and Labor—are to reduce offending and imprisonment of Aboriginal Territorians; engage and support Aboriginal leadership; and improve justice responses and services for Aboriginal Territorians.

What the CLP government is doing flies in the face of that bipartisan agreement made several years ago. Through this action the CLP government is dooming young Aboriginal Territorians to a life of disadvantage, reduced opportunities and poorer education and employment pathways not just when they are involved in the justice system but for the rest of their lives.

Chief Minister and Member for Barkly, if your signatures on the Aboriginal Justice Agreement mean anything, and if your words are something you measure yourselves by, we implore you to pull this part of the legislation. This will ensure that we, as a parliament, honour the commitments made in the Aboriginal Justice Agreement to work together and listen to frontline and legal experts so that all of us across the Northern Territory are working to break the cycle of crime for young people once and for all.

I urge every member in this parliament to contribute to today's debate. As I outlined, the Labor opposition has no issue with the first two elements of the amendments to the legislation, as they deal with the consequences for ramraiding and posting and boasting.

We fundamentally disagree with and do not believe in lowering the age of criminal responsibility to 10 years. We know there are people in the CLP government who probably are feeling uncomfortable with this part of the legislation. Three people in the CLP government have legal degrees; I am sure that the legal fraternity has reached out with its expertise and said that this is not a good idea. I wonder if the CLP government is listening to that expertise.

The CLP Treasurer was in Corrections for many years. I am sure he has had many good conversations with former colleagues. I wonder if he feels comfortable with knowing that his former Corrections colleagues will now be dealing with 10 and 11-year-old kids locked up in prison cells. I wonder if they are saying that is a great idea like, 'Well done, Member for Namatjira. That is a great idea; let us lock up kids so we can look after them in jail to then get them out of jail.' I wonder if they are the conversations the CLP Treasurer is having with former Corrections colleagues. I would love to hear the contributions, particularly from every minister who sat around the CLP Cabinet room to pass this and bring it to the House—particularly the crossbench and CLP backbench conversations they have had with constituents.

Let me be clear that the Labor opposition does not disagree with consequences for young people; we disagree and will fight against lowering the age of criminal responsibility to see 10 and 11-year-old Territory children locked up in prison cells.

I know that the CLP intends to push this legislation through today, but I hope that each of the CLP government members—whether they are new members or ministers—uses the responsibility they have in government to go to youth detention centres and Corrections facilities across the Territory, walk through and say with their hand on their heart that it is the best place for a 10 or 11-year-old child if they have done the wrong thing. I want members to come out of the jail or detention facility and tell their constituents, friends and family that they truly believe a 10 or 11-year-old kid should be locked up in a prison cell. I want each of the 17 CLP members to do that, come back and tell us they made the best decision for young people in the Territory. Take responsibility. They are all loving that they won government; we respect that, but we want them to take responsibility when those kids are locked up …

Mr Maley: You failed Territorians for 19 years.

Ms UIBO: Deputy Chief Minister, when those kids are locked up I want you, as Corrections minister, to come out of a prison cell and say, 'That is great; now I can help this 10 or 11-year-old child for the better. I am now the Corrections minister, and that is the best place for that child to be—in a prison cell.'

Members interjecting.

Mx McNAMARA: A point of order, Madam Speaker! Standing Order 20; no interruptions, please.

Madam SPEAKER: I agree. Deputy Chief Minister, please stop interjecting.

Ms UIBO: I hope, implore and encourage all 17 CLP members—particularly the Corrections minister; the Chief Minister; the former shadow Attorney-General, who did not get the Attorney-General role, the Member for Barkly; the Attorney-General, who is giggling away thinking it is great fun over there; and the executive leadership of your CLP government—to see those prison cells and tell the public that this is where 10 and 11-year-old kids should be. Please do that after today. I doubt you have done it in your seven weeks of gloating, Member for Katherine.

Mrs Hersey: I have been.

Ms UIBO: That is great; I am glad. Remember, when we do our best—some of us are parents, and some are not; it does not matter because our job is to make the best laws for all Territorians and for our kids, adults and new Territorians to follow. As much as we work hard, sometimes we fall off the right track. People could

be in a privileged position, and their child could do the wrong thing as an adult. What type of responsibility and label will the CLP government then put on them? What if their child does the wrong thing in their town or community? Are they then responsible for all their child's actions? They will feel like it as a parent, I am sure. How will their government look at them? How will the CLP government treat them if their child falls off the right track?

I would love all CLP members to look their constituents, family members and friends in the eye and say, 'Your child should be locked up in a prison cell for doing that'. That is where they will get the help. What the CLP government is doing is not one but many steps backwards for the Northern Territory in making a difference and being truly progressive.

We often say in this place that we are all fiercely proud of how unique the Northern Territory is. I do it all the time; I love the Northern Territory. We like to separate ourselves from the rest of the country—for better or worse sometimes—and say, 'We like to do things differently in the NT'. For many things that is appropriate. For this part of the legislation, it is not appropriate. It is unacceptable to think that locking up 10 and 11-year-old children will get them the help that they need.

This rhetoric and mantra that has come from new Chief Minister Lia Finocchiaro is a huge worry. If locking up 10 and 11-year-old children is her priority in her first three days of parliament, we have to wonder where the CLP members' hearts and minds truly are and what we will see over the next four years.

Let me be clear: the Labor opposition will support measures to improve community safety. Two of the three elements of this amendment hopefully lead to that. We will be asking about checks, balances and measures. That is something the CLP government, through its rushing on urgency and the mad frenzy of trying to jam legislation down our throats for these first sittings, has probably missed.

Where are those checks and balances? Where are the measures—things like yesterday's legislation when we saw the review of the Northern Territory Ombudsman taken out of the Police Administration Amendment Bill? Where is the accountability? Where is the review of the Police minister provided to report annually to parliament? Why is that missing, and why was it removed? What else will we see in checks and balances that will be removed by the CLP government—the transparency and accountability for government?

Its members talked a big game leading into the election; now it is not about politics. This legislation is about Territory kids—black, white, brown, brindle or whatever colour they are; wherever they live; however much money they have; how much food they have in their bellies; whether they have clean clothes; whether they have a house to live in; whether they have their own bed, are sleeping on the floor or are sharing a room with 10 other family members. They are the kids I want each CLP member to consider with today's legislation. That is what the Labor opposition will do. That is our job and what we will fight for against that horrible legislation.

VISITORS

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of visitors I misread as another group of people. Anyway, welcome to the gallery.

Members: Hear, hear!

Ms BOOTHBY (Attorney-General): Madam Speaker, I start by acknowledging that the Leader of the Opposition has spent almost her entire speech highlighting all the Labor failures Territorians endured over the last eight years. She referred to the report of the Children's Commissioner.

I welcome the Children's Commissioner in the gallery with her team. Thank you for coming along. I met the Children's Commissioner. Her report tells an interesting story.

The Leader of the Opposition also spoke about the failure in education, our health system, our child protection system and our prisons. These children she referred to are being failed by a system the Labor government led and governed for the last eight years. Her speech is an admission of failure. Labor should have done much more work in this space, but it did not. It either chose not to or did not know how to.

The Labor members had good people around them, in our departments and in our commissioners, but they chose not to do it. In fact, they did the opposite; they doubled down to make sure the offenders had more rights than the victims.

The Leader of the Opposition talked about all the hard work they did and all the conversations they had, including the former Chief Minister writing on Facebook. Conversations and letters are not work; talking about things is not work. No-one is buying that. They should have stopped talking and started acting but did not. We will. That is exactly what we are doing this week and next.

Even Labor's own colleague, the federal Member for Lingiari, disagrees with what the Opposition Leader said today. On ABC radio in February she spoke emotionally and passionately about her thoughts on this issue. I believe youths broke into her home, which is why she was on the radio. She said:

> *We've got to stop thinking we're dealing with little angels here … When you look at those photos they're laughing and smiling, they think it's a joke, and it's not, because they could have an accident and one of them could get killed.*
>
> *At the moment, obviously, lifting the age of criminal responsibility isn't working …*
>
> *… if we've got these kids out on the street and there's still this issue; obviously, we've still got problems.*
>
> *You can't just keep grabbing these kids and taking them home, because there's a real problem at home …*

We agree, Member for Lingiari. Your colleagues may not agree with that, but they spent eight years failing these kids.

This legislation is for three reasons: reversing the Labor government's experiment of changing the minimum age of criminal responsibility; introducing new standalone offences for ram raids; and creating new offences for posting and boasting.

At the August election seven weeks ago, Territorians expressed loud and clear that crime was their number one concern. Unlike Labor over the last eight years, the CLP takes the concerns of Territorians seriously. We listen, and now we are taking action.

Last weekend I was in Alice Springs celebrating the return of the Masters Games in what should have been a joyous occasion. However, locals woke on Sunday morning to the news of 10 youths being arrested after allegedly ramming police with stolen cars on Saturday. This followed an article in the *NT News* in which a Sydney-based national organisation warned of dire consequences and urged the NT Government to adopt recommendations from a report launched in Canberra on Thursday that contained a road map for reform of the criminal justice system, including the establishment of a national taskforce.

My response to these do-gooders down south is that you cannot keep telling us that we cannot change the laws to break the cycle. Where were all those people from down south who were talking about this when, on Saturday morning, these youths were allegedly stealing cars and ramming police? I am sure they were tucked up at home, nice and safe and warm. These children were not.

Instead of telling Territorians what they should and should not accept, how about those southerners be a part of the solution and work with us to make parents accountable for their children. This includes their pleas for Territorians not to change the criminal age of responsibility.

Territorians are sick and tired of crime, no matter what the age of the alleged offender. They are sick of the lack of action to address their concerns. Territorians do not want to hear about more taskforces, especially national taskforces. They do not want to hear of more reviews and working groups. They want to see change and outcomes.

Unlike Labor, we will not sit around talking. We will get the job done. They failed to do it. It is less talk and more action.

Labor increased the age to 12 years, yet we did not see any changes resulting in less crime. In fact, we saw more brazen and escalated crime against Territorians. We had more victims.

The Leader of the Opposition talked about what the other states are doing. She did not say that the Territory—besides the ACT; I acknowledge that—is the only state or territory that has the age at 12 years. We are going back to what the rest of the country is doing because Territorians have had enough of being victims of crime. There are not less crime or victims by changing the age of criminal responsibility. That is why we are changing it back to the way it was. Territorians have every right to expect that this newly elected government will bring about the change so that they can feel safe.

The former Chief Minister, Michael Gunner, said that there was a spike in crime and that it was some kind of an anomaly all those years ago. Then Natasha Fyles gaslit Territorians, saying that crime being out of control was just a perception and gossip. This was followed by the third Chief Minister for Labor, Eva Lawler, telling Territorians to stop talking the Territory down. All along, Territorians just wanted to feel safe. They voted loudly at the recent election. Now the CLP government is delivering.

These CLP government changes as promised are for strengthened ramraid laws which give the police the ability to charge offenders who have stolen a vehicle and used it as a weapon, to damage property or gain entry to a building. This brand-new offence attracts 10 years behind bars.

Some examples of property crime are businesses, homes, police and private vehicles. Only last week the Chief Minister and I visited Pradeep and Bitla of Moil Supermarket. They showed us damage and CCTV of the group of people who allegedly ramraided the back of their shop. They used a vehicle to do that. I watched the CCTV. Precise thought went into reversing the vehicle, nice and slow, before it sped up to smash the barrier to get into that shop. They were allegedly looking for grog, found it and drove off.

Had our legislation been in place, the offenders could have been dealt with under that legislation, showing why we need to put it through.

Only last night in Adelaide River there was an unlawful entry into a school where a bus was stolen and allegedly driven to Berrimah before the group entered the yard of the business and stole two vehicles, ramming the gate with the vehicles to exit. They then drove to Winnellie where they attended multiple businesses, allegedly ramming through the gate at one business. The cost of that destruction for those businesses is gruelling. The thought that those owners had to get the call from police, go to the premises, deal with the mess and anguish, talk to staff about what had happened and have to re-open their business who knows how long later—we have seen too many businesses targeted by vehicles used as weapons in ram raids, and we know that cost is high financially and mentally.

We can all remember just over 12 months ago in the city when there was a ram raid against Attitude for Men which caused $50,000 worth of senseless damage. Our long-term Territorian, Darlene Chin, was shaking and in tears speaking to the media about that. At the time the Labor Chief Minister's response in the media was, 'Territorians need to come together and say enough is enough'.

A few months after that, one Labor minister chose that same site, after it had been repaired for a media conference highlighting what they had done to solve the problem of these ram raids. It was a grant given to the business to put new bollards in front of their glass window. This is typical Labor mentality to solve a problem. Instead of strengthening the law, they chose to strengthen the window or the bollard. That is crazy; that is their good idea and only solution, which is why they are no longer in government.

In my electorate, the Rosebery Mini Mart has endured countless ram raids, with stolen vehicles smashed through the bollards bought by the grant and through bars and glass windows all just to steal a packet of cigarettes. That is tens of thousands of dollars which the business, the landlord or someone needs to pay for—not to mention the anguish every time they get the call from police in the middle of the night.

The CLP will not stand for this lawlessness and heartache for victims who are hardworking Territorians. Labor should have done more to put victims first and ensure offenders have consequences. They did not, but the CLP will.

The new posting and boasting offences in this legislation will see a penalty of up to two years in jail. This will apply to any person who promotes a certain type of crime or criminal activity such as violent offences, property damage, theft, stealing a motor vehicle, police pursuits and robbery on social media platforms, including sharing criminal activity online for the purpose of notoriety.

If you commit a crime and try to be a hero about it by posting the crime on social media, you are glorifying the fact that you have done the wrong thing, which will not be tolerated. This is about ensuring our laws act as a deterrent to commit crime, there are consequences and offenders are held to account for their actions.

Importantly, the new posting and boasting laws do not apply to people who post on social media to raise awareness of criminal activity. It does not apply to Territorians seeking information about a crime or to the media who are reporting it.

This legislation is purely about drawing a line in the sand about what is acceptable and what is not. Filming yourself or your mates committing a crime and gloating about it online is not okay, and we will not stand for it.

Making the minimum age of criminal responsibility 10 means a child who starts to go down the wrong path can have intervention in place with their parents and carers to ensure they do not end up in the justice system or become an adult offender in jail. We must break the cycle of crime early and focus on the root causes.

Despite what the opposition and those opposing the changes will say to you, locking up children is not the outcome we are seeking by making this change. We want to avoid these youths being locked up now and into the future.

Ms Uibo: Why would you change it if that is not what you want to happen?

Madam SPEAKER: Minister, please take a seat. Leader of the Opposition, you complained about the government members interjecting in your speech, so I suggest you give the same respect to the Attorney-General.

Ms BOOTHBY: We want to avoid these youths being locked up now and into the future by addressing the issues early before they become adolescents or adults because that is when they face the full force of the law. Addressing the root causes and ensuring their right to be safe, fed, clothed, educated and loved is critical. By making their parents responsible for these basic child needs as children move through their lives into adolescence and making them know there are boundaries and consequences for their actions, less children will end up in the justice system and they will live more productive lives.

The CLP has always advocated for the rights of victims to be placed above the rights of offenders. These new laws along with other reforms are important changes that Territorians expect us to implement. Our government's plan is to address the root causes, and that includes getting kids back to school and on a better path. We are introducing youth boot camps and working with Indigenous mentors so that kids can learn important life and work skills. It means working on expanding school-based policing; holding parents accountable, including income management; and bringing back consequences, like community work orders. As promised at the election, we have moved youth justice away from the child protection agency to ensure our children have every opportunity for a better life.

In summary, Territorians are not fools. and they will not wait around for generations for change to happen on its own, which is what the former Labor government wanted them to do. People will continue to leave the Territory as they have been doing over the last number of years because they do not feel safe. I will not stand for that. We have an opportunity to make a difference and create a safe and strong Territory that people love, and that is what we are doing in the first two weeks of this newly elected government.

Mr CHARLS (People, Sport and Culture): Madam Speaker, the PINT Club in Sanderson has been broken into 40 times over the last year, and in the last two weeks they have been broken into again, with the manager accidently finding the offenders on the premises. They pulled a screwdriver on him, and he was subsequently assaulted. Territorians are not safe in their homes, on the streets or in their places of business, having a negative impact on health, lifestyle and businesses affording to keep their doors open.

The Member for Brennan mentioned earlier the incident that occurred at the Moil shop, which I go to every few weeks to get groceries. I spoke to the owners, Bitla and Pradeep, and they informed me about the damage that these youths caused in that one attempt, costing thousands of dollars.

As the minister for Youth and for Disability I have well considered my contribution to this legislation. This Bill amends Schedule 1 of the *Criminal Code Act 1983* to introduce a new criminal offence for ramraiding. It creates a specific property offence targeting the conduct of a person who intentionally uses a vehicle to cause damage to property.

It introduces a new criminal offence for posting and boasting, criminalising behaviour when a person boasts about criminal conduct on social media or other publication platforms to glorify the criminal conduct or increase the notoriety, and it lowers the minimum age of criminal responsibility from 12 years to 10 years of age.

Reports of stolen motor vehicles have been ever present in the media over the last 12 months. I have done a recent internet review or Google search and compiled a sample list of 20 articles from June 2023 to January 2024. This has not been a random issue but ever present, causing pain and suffering to many.

To combat this, the CLP took to the election that it would, in week one of parliament, introduce ramraid legislation where using a vehicle as a weapon and posting and boasting on social media will be an aggravated offence. This Bill addresses this matter. The CLP continues to deliver its election promises. Vehicles have been stolen from residential and commercial premises, as well as from the police compound in Alice Springs.

My electorate of Sanderson has been exposed to this over the last 12-months. A group of youths stole two cars—a Prado and a Honda—from Progress Drive, ramraided shopping centres in Anula and Jingili and drove into a licensed premises on Casuarina Drive. A 13-year-old boy was arrested for stealing a vehicle from an Anula house, using it in a ram raid on a business on Casuarina Drive and stealing a significant amount of alcohol.

A vehicle stolen from Nightcliff was used to ramraid two gates in the northern suburbs, with three people arrested in Coconut Gove with the assistance of the dog squad.

When I have been talking to constituents in Sanderson during the election campaign and after, the major concern for them is that these children who do not have the ability to drive are driving the stolen vehicles. which is a risk to the public. That is becoming a common trend. Almost every day that is happening across the Territory. This is dangerous to the community, the children, toddlers and those of old age as well.

No matter where people are, where they are from or their circumstances in life, they are made up of the same neurologically based pathways when it comes to behaviour. The human reward circuit makes us do more to avoid pain than we will do to gain pleasure.

This Bill makes provision for potential consequences for ramraiding, which is intentionally using a vehicle to damage property that belongs to someone else. This Bill will enable better decision-making for youths. It will reduce the bad behaviour and improve our business and community safety.

There was a recent report published by Frontiers in Child and Adolescent Psychiatry, which has evidence of significantly higher substance use by youths on days when exposed to substance-related digital content is posted by peers. They were also more likely to report the exposure and substance use on days when Snapchat was one of the most frequently used smart phone applications.

In our most marginalised youth communities in the Northern Territory chat apps are commonly accessed and used to view criminal behaviour, and the application of the psychological principle of social media contagion or high-risk behaviour applies to criminal behaviour.

This Bill makes provision for an offence if a person publishes material on social media and the material depicts conduct that constitutes an offence against provisions in this Bill or a prescribed regulation, if the person publishes the material with the intent to increase their reputation or notoriety, boasts of the criminal conduct or glorifies and/or encourages others to engage in the same or similar behaviours.

This Bill aims to address social media contagion in a criminal context that will protect our youth and our communities. Over the last few years, things have been getting worse. Sadly, that has been happening. A few people are trying to get more into their group to form a gang and are working together. Eventually, these children are the ones who fall into the trap.

I will share one incident that happened in Casuarina Square over the last six months. There was an incident involving a machete. One of my friends witnessed, when the police arrived, a 15 or 16-year-old boy handing over the machete to a young child who looked 10 or 11 years old. There are no consequences. These children are the victims. We need legislation in place for these children to get that support earlier in their lives.

Looking at the framework of the behaviour and criminal offending of youths, often when there are behavioural issues, there are comorbidities of underlying issues as well, which is why it is important not to ignore these children at an early age, but rather to make sure they are getting the support they need within the systems we have.

Madam Speaker, you were a social worker in a previous career. You will know the importance of this. Some of these children are born with disability. These children may not have the right supports. The current systems

are most likely not capturing these children, and they are ending up on different paths that are not good for them.

If those children are not identified by the system, this legislation will also help identify these children and provide the right support. Many people say it is not about locking up the children. There are provisions when the measures or the acts of an individual go to an extreme. On a voluntary basis, things were not working. We know the results of what has been happening over the years.

These children need support. We need to make sure there are systems in place. Our Minister for Children and Families will be looking to onboard programs and systems to capture children through this.

Reducing the minimum age of criminal responsibility, accompanied by all the safeguards the CLP government is doing, will allow a better assessment of children's culpability and better serve the interest of justice.

Lowering the age of criminal responsibility will not unjustifiably undermine children's rights if the youth justice system could ensure only those truly culpable could be convicted and that the option of prosecution is served as a last resort.

I commend this Bill to the Assembly.

Mr BURGOYNE (Braitling): Madam Speaker, I support the Criminal Code Amendment Bill 2024. Across the Northern Territory, innocent people have been affected by the lawlessness that has been allowed to occur over the last eight years.

The lowering of the age of criminal responsibility is one way we can achieve better outcomes for our community and for young people. Previously, the system has been letting everyone down. Young people who commit serious offences are simply being taken home to who are described by police as responsible adults. No-one in the community accepts this.

If the responsible adults were being responsible for their young people, the young people would not be out in the community breaking into homes, stealing motor vehicles and creating victims who are traumatised as a result of the sometimes violent threats to their lives and damage to their property.

I implore those opposite to sit in the Youth Justice Court. They are closed court rooms that you have to seek permission to view, the specifics of which cannot be spoken about outside, but you will see the chances that young people are given and how many opportunities are given to turn young people's lives around, yet there have not been the programs in place to ensure this can occur.

That is why our government's announcement regarding the two new boot camps is so important. We need a structured environment for young people to turn their lives around. We need to ensure there is a process someone goes through when they break the law so that the status quo does not continue.

Simply taking a young person home after they have been involved in an armed or aggravated robbery or involved in a stolen motor vehicle is not acceptable. That has been occurring for 10 or 11 year olds and other young people. This is serious offending that, if left to occur, will lead to escalating crime as a result of no-one properly demonstrating to that young person that what they are doing is wrong.

An argument often used is that these young people do not know that what they are doing is wrong. I want to be clear that when young people are covering their faces and wearing gloves to break into property, they not only know that what they are doing is wrong but are learning how to break the law and get away with it. We need to turn these young lives around.

Communities throughout the NT are suffering as a result of poor laws and processes. By lowering the age of criminal responsibility, we can interact in the lives of those young people earlier and stop them victimising innocent people. The reality is we would love to get to every young person before they offend. When they offend, we must ensure the programs and supports are in place to ensure they do not end up reoffending time and again.

What has been occurring has not been working, and we must turn this around. These laws will go some way to achieving this. The new ramraid offence is much needed in the Territory. In my hometown of Alice Springs, businesses have been severely affected by ram raids. The local bakery, camping shop, fuel servo, IGAs and

countless other businesses have felt the effects of ram raids and the immense costs to them when someone uses a vehicle as a weapon to gain entry to a premises to steal and cause damage.

I visited Desert Dwellers, a camping shop affected by a ram raid. I will speak about what it takes to build up a business only to have it smashed into and damaged and to have items stolen. I grew up with Carly; she is a young lady who now manages a store her family built from nothing. The rear wall of her home was a tarp when the first of their shops was on Elder Street, and they lived out the back.

Over years of toiling away and making a better life for their family, they could finally move to a bigger premises and invest in their business, as well as investing in a family home. In the last term of government, they were greatly affected by break-ins and ram raids on their business.

I spoke to Carly about how she and her family felt and how it affected them. I listened to her story about how much they love the town of Alice Springs and the Northern Territory but felt like they were not protected from the criminals who would seek to damage and steal from them. Like many families in our community, they were weighing up their future in the town, in a business they had built from the ground up. They did not want to leave, but they almost felt like they had no choice.

I spoke to Carly about laws like the one we are debating. I said that if we were fortunate enough to be elected to government these were the laws we would enable to ensure there are deterrents in place to stop this type of offending.

These were the laws we took to the election, and the people of the Northern Territory spoke loudly and clearly. They want to see change, feel protected and know that when they have poured their life into growing a business, those businesses are protected with laws that ensure the punishment fits the crime for anyone who would seek to smash into the premises, steal and cause thousands of dollars of damage.

The new posting-and-boasting offence aims to target criminals and gangs that seem to be more prevalent of late. Criminals who break the law and then seek notoriety through posting and boasting about their crimes—it is simply not good enough. This new offence will be introduced to ensure we stamp it out so others will not be encouraged to copy the behaviour.

Unfortunately, this is exactly what has been occurring. Police often reference the latest trend that young criminals seem to be emulating. This could be stealing motor vehicles and videoing their pursuits or getting photographs next to people who are sleeping, while robbing them of their possessions.

These are the serious crimes that have been occurring in communities throughout the Northern Territory. The raft of laws the CLP Finocchiaro government is introducing is to ensure innocent people do not continue to become victims. People often speak of the trauma caused to young criminals who end up in youth detention; I ask those advocates to look in the eyes of the innocent young person who had their home window smashed while they were asleep and were threatened with a knife. The trauma that causes can never be undone.

The former Labor government simply choosing to do nothing while offending doubled in Alice Springs was a disgrace. More victims were created every day and more people scarred for life. Many have left town as a direct result of the previous failed policies. Today this changes. We stand with the victims of crime and say loudly and clearly that enough is enough. Today the law will change, and we will work towards ensuring the necessary programs and supports are in place to turn around the Northern Territory.

I am invested in the Northern Territory with my family, and I want to ensure that as we move forward, there is hope for families and individuals. Everyone can sleep a little sounder knowing that the laws have been strengthened to protect them and their families and that what they voted for at the 2024 election has been delivered.

Mr HOWE (Drysdale): Madam Speaker, I will talk about lowering the age of criminal responsibility. I believe that, of the members in this Chamber, I may have the most experience working with children. As a residential youth worker, I do not speak for all residential youth workers; however, I know a lot who work directly with children on the ground, and this is my experience as well.

During my time in residential care, I worked solely with extreme and complex male youths. I can assure you it was anything but a picnic. Some of the crimes I saw regularly with the boys in my care included armed robbery with an axe; assault causing grievous bodily harm to a much younger victim, which was committed

at school; and aggravated assault on a carer. I have also seen a male youth beat a girl who was his classmate, knocking teeth out of her skull.

The idea put forth that children are not capable of serious harm and that the CLP wishes to lock up innocent children is disingenuous because serious crimes are committed, and there are victims of these crimes.

Marion Scrymgour said:

> *We've got to stop pussyfooting around here and thinking that these kids are going and they're being taken home to a responsible adult because in a lot of these cases there isn't a responsible adult there and the reality is these kids don't listen …*

Part of that statement is true, and it is different from what we are hearing from Labor. The kids will listen if they know that a consequence will follow. This is an inherent part of human nature. If they know they can get away with things they will.

Previous Labor minister, Kon Vatskalis, who was also my old soccer coach, said, 'These kids know, and they think they have immunity. Do not tell me that a 10-year-old kid does not know right or wrong. If they do not know what is wrong, why do they cover their face when they commit a crime?'

That is a powerful line: why do they cover their face when they commit a crime? It speaks of knowing at the heart that what you are doing is wrong and you seek to get away with it.

I have an immense respect for youth workers throughout the country. It is an incredibly tough job. They do not do it because of the system; they do it in spite of the system. I can assure you of that.

Leader of the Opposition, I have visited many detention facilities. A lot of the time, I was the only one who cared to visit. No parent or family would visit. On my weekends off, I was the only one who had the care to visit a child in detention. That is the heartbreaking reality of life for some of these children.

I will also explain what it can be like when you are on shift at a residential care facility. I can only speak from my experience dealing with male youths. It can be violent and aggressive. You are dealing with rather strong boys, for such a young age. I admit, the environment has made them so. There is still good in these kids; this Assembly must know that.

This Bill seeks to intervene early, before the street environment continues the damage on these young people. When I was on shift, the only form of escalation you had was police. There is nothing you can do. You can try to divert behaviours, but once they reach a certain point, your only option is police, for your safety and the safety of the other children in care. If that is robbed, I do not know what a youth worker would do when they are being threatened. I have been threatened with knives; it gets real. If they know there is no consequence to that, I do not know how they keep safe. There is a serious duty of care issue there.

Unfortunately, I feel that ideology has blinded reality. In my electorate, youth crime is a serious problem. We hear of studies and evidence base, but I want to know how many of these were conducted in the electorate of Drysdale. How many of these studies reflect data collected in Gray, Driver and Gunn and what the impact of raising the age has been on the crime rate as well as the social outcomes of these children?

Optional diversion, to me, highlights the complete lack of experience the opposition has in this area. To think you can have optional diversion when simply getting these kids out of bed to engage in the daily activities of hygiene can be an impossible order, that speaks to the lack of experience in the harsh realities of the extreme end of this problem.

I have a deep care for youth issues; I sincerely do. It is why I back this Bill. I believe government is a blunt instrument. I do not like it as a tool for social intervention, but for some of these children it is the only thing left that seems to care. We must intervene early for the sake of the child; that is what we are putting forward. We are trying to intervene in a child's life because in the environment they live in, no-one else cares.

It is disingenuous to say we are locking children up. We are trying to intervene to get the best outcome for a child early.

Members interjecting.

Madam SPEAKER: Cease interjections!

Mr HOWE: I will share a personal story which some may know. It played a big part of me being in this Chamber. Over a year ago I was at the Palmerston Markets with my family and was walking my wife and two daughters back to the car; my daughters were three and four. A large youth gang fight broke out that included weapons and throwing rocks. My wife with our youngest, who was just three, had to hide under a table with the market stall owner, as my oldest—who was four—and I were caught in the middle of it. All I could do was wrap myself around her to try to shield her.

As a youth worker this scenario was not new to me, but it was new to have my family involved. Two police officers arrived, and I spoke to them after because there were no arrests made and no charges laid. The police said there was nothing they could do. They knew the kids, who were under the age of criminal responsibility; therefore, the most they could do would be to take the ringleaders home to parents who simply do not care, so they would be back within half an hour.

That is why I am here. I will not let other children become victims. I accept that these children are victims of their social environment. I refuse to accept that my children or any other children in my electorate will become victims because you set an environment for their failure. You asked what the root causes of crime are; they are your failures. There is a failed health system and economy because people do not have work. You failed these children in every facet of government that you have enacted over the last eight years. That is the root cause of crime. You have failed them, and now we must pass this Bill to protect all children of the Territory.

You have caused poverty …

Ms Uibo: Do you know what intergenerational trauma is?

Mr HOWE: Yes, intergenerational trauma; let's discuss that. Every Friday my daughters ask what will happen at the Palmerston Markets because they were the victims of crime. That is the trauma in my family, so you can say what you will, but the trauma is now spreading to our whole society. We seek to put an end to that and will today.

Members interjecting.

Madam SPEAKER: Calm down.

Mr HOWE: This will mean a lot to the businesses in our electorate—like Driver Asian Supermarket, Gray shops, Mellowed Out Greek Takeaway, the Red Cross shop, Salvation Army, PlayShack, Vinnies Palmerston, Coles, Target and Terry White—which continue to be robbed on a daily basis. This will allow respite for the business owners, their staff and the whole Drysdale electorate.

Madam SPEAKER: Opposition Leader, I can hear you chattering away in the background. Could you please try to keep it to a minimum.

Mr BROWN (Arafura): Madam Speaker, I put on record the concerns I have with this legislation and support my opposition team and crossbench in opposing it.

I acknowledge the measures regarding posting and boasting and ramraiding are worth supporting; it may help reduce the behaviour associated with it.

However, combining this legislation with lowering the age of criminal responsibility measures means we have no choice but to oppose it.

All Territorians have the right to be safe. We have heard loud and clear that community safety is a concern for all Territorians, including my Arafura communities. It is clear that the new government has a mandate to make the community safer. Its members ran an election campaign promising to fix crime.

The truth is we all want to see young people held accountable for their behaviour and supported to get on a better path, learn at school and contribute to our communities; however, I cannot see how this policy of lowering the age of criminal responsibility will achieve that.

It is a good slogan for the news, but it will not stop crime or youth offending. How do we know this? Because the people with knowledge and experience in this field have told us. The Chief Minister calls them political commentators. They are overwhelmingly Territorians and subject matter experts.

Colleagues, as elected leaders our role is not to be the smartest people in the room; it is to listen to the frontline experts and our constituents and make decisions in the best interests of the Territory. This is how good evidence-based policy starts. As leaders, we are lucky to have access to and the opportunities to speak to brilliant people, get advice and seek feedback. We are wondering where the experts to support this legislation are. What consultation has the CLP government undertaken with those in the sector?

The lack of support from anyone working in the youth justice sector is a glaring issue that cannot be ignored. We know that stakeholders, including the Criminal Lawyers Association of the NT, NAAJA, the Law Society, APO NT, NTCOSS and the Children's Commissioner oppose this change. The Productivity Commission has also criticised it, calling it a backward step that will likely lead to more youth crime.

Even Victims of Crime NT, an organisation that you would expect to support these measures, came out against the change. Its stance is clear: this will not help the victims of crime or keep the community safe.

Let us look at the reasons Labor raised the minimum age of criminal responsibility from 10 to 12 years in the first place. It was not based on whim but on evidence and in line with the recommendation of the Royal Commission into the Protection and Detention of Children in the Northern Territory. We listened to people who worked with young offenders, and it was what experts said would make a difference.

We know there is a well-worn path from juvenile justice facilities into adult ones. We need to break that cycle, not feed it. By locking up 10-year-old kids the government is actively choosing to ensure that a child's relationship with the judicial system is firmly embedded at an early age. You do not need to put a 10 year old in front of a judge to change them. Change happens when kids receive intensive management for their environment with their families. We do that by investing in early intervention and diversion programs.

Across the Territory there is a range of programs, family supports and family engagement approaches teaching children their errors and implementing measures to change their behaviour. That is happening now. Instead of focusing on measures we know will not fix the issue, we look at successful models, like in my Arafura region and my community of Maningrida. The approach of the Nja-marleya Cultural Leaders and Justice Group is rooted in culture, care and connection, and they work to do this. They provide alternatives to custody. Keeping young people on the right path is making a difference in the lives of people in the community. This model focuses on prevention, support and healing rather than punishment. The group has built a system that engages young people with their culture and the wider community, providing them with support opportunities to turn away from crime before it takes over their lives.

Nja-marleya's program not only responds to crime; it prevents crime. It identifies vulnerable children early and through cultural mentoring and youth work ensures these kids stay on the right path. This includes after-school programs, youth-created projects, bush trips and cultural trips, all of which foster a deep sense of pride and identity and belonging. The approach emphasises restorative justice. When a young person makes a mistake elders and cultural leaders intervene to mediate the solution, helping the offender and the community to heal. In this way problems are solved without criminalising the young person. This approach is different. It works because it focuses on the root causes of youth crime. It is a culturally respectful and community-driven solution.

The evidence speaks for itself. In 2021 Maningrida faced a surge of youth offending, particularly in property crime. Nurses wanted to leave the community in droves. Instead of resorting to punitive measures, Nja-marleya and traditional owners developed a community-driven solution. Guess what? In the community of Maningrida there were only three break-ins last year compared with the nightly break-ins previously.

These locally led initiatives work. The number of youth offenders has dropped and stayed low for the past two years. The community implemented security services, a night patrol, daily youth services and, most importantly, restorative justice. This comprehensive approach did not stop the problem; it set the foundation for long-term change. This success proves that we do not need to criminalise our children to prevent crime. Instead, we need to support programs that help children become the best version of themselves.

I call on the government to follow this model example. Instead of creating future criminals let us build future leaders. All evidence points to the fact that the earlier a child comes into contact with the justice system the more prolonged their involvement is likely to be.

What is the evidence base for lowering the age? There is not one. Lowering the age of criminal responsibility does not address the real issues behind youth offending, which are disconnection from culture, lack of support, trauma and unmet needs. To create a safer Territory, we must invest in our young people. The

solutions from the Maningrida community and other alternative-to-custody programs show us that with the right support we can help our children flourish and keep them out of the justice system.

The government said that it wants to intervene and help young kids get on the right path. Great! Let us do that. Labor will support any measure that is evidence based and will help break the cycle of youth offending. We will support any legislation that invests in what we know works—early intervention, prevention and diversion—but not locking them up.

Ms CAHILL (Children and Families): Madam Speaker, consistently throughout the election campaign the people of the Port Darwin electorate raised concerns about the increasing number of young people creating nuisance in our community; groups of kids as young as five or six roaming the streets at all hours of the day and night; kids breaking into properties and damaging vehicles; and groups of kids entering businesses and helping themselves to items on the shelves, walking out confident that they would not face any consequences with the business owners left feeling helpless to do anything to stop them.

I have personally witnessed young people in the CBD harassing passers-by, humbugging them for money and name-calling. On one occasion a group of three young girls attempted to enter a stationary vehicle at a set of traffic lights. Thankfully, the occupants locked the doors and, when unsuccessful, that group of girls walked off to look for the next opportunity, apparently with no concern that they had been seen or might be stopped. I will never forget the look of terror on the faces of the young couple in that motor vehicle as they realised just how close they came to either being dragged from their vehicle and having it stolen or being robbed and assaulted.

Constituents routinely recount how they have witnessed groups of children walking into our local Woolworths supermarket, helping themselves not to the staples of life because they are hungry but to non-consumables and walking out unchallenged by staff or security. When asked why they did not intervene, they stated that they either did not feel safe to intervene or were of the view that if they did try to apprehend the child shoplifting, it would be them and not the child who would be subjected to the full force of the law.

The consistent message is that our community is laid siege to by groups of young people confident that they can do or say whatever they want without fear of consequence.

From the businesses that have been vandalised and had stock stolen to the members of our community who have had their motor vehicles stolen or damaged, homes broken into, personal items stolen or who have had the horrendous experience of waking up to find alleged offenders in their homes—as I have—the question most often asked is, ‘Why can the police not intervene?’ followed by, ‘Where are the parents of these children?’

The answer to why the police are unable to intervene is most often that the alleged offender was under the age of criminal responsibility; therefore, the only option available to police was to return the child who had been found engaged in alleged criminal activity to a responsible adult.

I recently attempted to find out just what that term meant. As many of those in the Chamber will know, that question is often asked in the community. I ultimately identified that it generally just means to return to the place where they are living and the person who is responsible for their care, be it a parent or a guardian.

Those opposite would have us believe that returning that child to a responsible adult was an appropriate response and that, somehow, that responsible adult would actively intervene and demonstrate to the child that there would be a consequence for their actions. The sad reality is that, more often than not, the child was not safe at home in bed because the responsible adult was the reason they were out on the streets. That child’s home was not safe but was filled with violence, alcohol and disruption.

With each return of a child to a responsible adult to then only have that child leave the care of that responsible adult, it became increasingly clear that the system was broken, this approach was not working and reform was required.

In consulting with all frontline workers, including police, the consistent message was that returning the age of criminal responsibility to 10 years was necessary because without it the only option for children under 12 years was to be returned to the environment they were running away, which was a far from adequate solution.

The Labor Member for Lingiari, Marion Scrymgour, stated on ABC radio on 23 February 2024:

> *We've got to stop pussyfooting around here and thinking that these kids are going and they're being taken home to a responsible adult because in a lot of these cases there isn't a responsible adult there and the reality is these kids don't listen …*

She went on to say:

> *A lot of them—whether they don't feel safe, whether there isn't anyone home—once the police leave, they're back out on the street again with their friends.*

Former Labor minister and now Lord Mayor of Darwin, Hon Kon Vatskalis, in response to the growing crime crisis in our community, on 5 March 2024 posed the question, 'Do we need to go back to raising the age of criminal responsibility?' It was a fair question, given our community already made its feelings known.

On 24 August 2024 our community gave its view on returning the age of criminal responsibility to 10 years. This was a resounding yes.

Those on the other side would have us believe that lowering the age is intended to put children in jail. Our government has consistently stated that it is not our intention to put children in prison. It is our intention to fix the broken system that has kept children in harm's way by only allowing children found involved in allegedly criminal activity to be returned to the environment they have run away from; has not allowed those tasked with caring for those children to be held to account for failing them; and has not provided sufficient frameworks for those caring for those children who are at their wits' end trying to protect them from the influences of others and who are desperately seeking help to get those children back on track.

Every parent knows that a child left to their own devices will push to see how far they can go. If there is no boundary, we send a message to our children that they can do whatever they want. That is why the first action I took when appointed as the Minister for Children and Families was to meet with my department and identify what steps could be taken to wrap these children in a supportive environment that would engage with those responsible for their care and offer the best possible circumstances to get those at-risk children on track and off a path to prison.

It is our intention to catch the children who have fallen—not through the cracks but through the chasm created by those on the other side's inaction on this matter—and be given a safety net that will provide them with safe haven and an opportunity not to progress down a path of crime.

This work has commenced with an audit of the resources and programs already available which can be incorporated into a circuit-breaker program that will focus on ensuring a child who is found engaged in alleged criminal activity is afforded an opportunity to change their behaviour. The Department of Children and Families will spearhead a process of working with those who are responsible for those children, which will provide a clear path away from a life of crime and potential detention by looking to the reasons that child is on the wrong path and working with the child's family to get them on track.

In the first instance it will make sure that child is fed, clothed and safe; that they are attending school; that those responsible for their care are looking after them and, if they are not, looking at why they are not; and, when necessary, steps are taken to support that family to care for the child and, if that is not possible, the options available are looked at to ensure the child is in the best possible environment.

We will also look at how we can put that child into a diversionary process that will help get them on track, see them at school and give them the opportunity to understand that behaving in that way is not okay with our community and will not lead to a path where they are the best person they can be.

The sad reality is that this has been an issue for so long. Young children are learning from older youths that because there are no consequences they can get away with whatever they want because they have been for many years.

Worse still is that older youths are using younger children to commit crimes for them because they know that for those children there will be no consequences. This is not a pattern of behaviour that our community can support, tolerate or allow to continue, so we must provide the framework for our community and frontline workers to actively become engaged in these children's lives at a point where we have the opportunity to make a difference.

We cannot allow the situation to continue as it stands. We must hold our children to account for their responsibilities, teach them about consequences and give them cuddles and rewards when they deserve them. That is what being a good parent is all about. For children who have families that are unable to engage in that way, we will put them somewhere safe, encourage them and support them. We will work with their schools and teachers and ensure that they understand that we care for them, look after them and give them the best possible opportunity.

That is why I commend this legislation to the Assembly.

VISITORS
YouthWorX NT

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of YouthWorX NT participants, along with their mentors. On behalf of honourable members, I extend a warm welcome.

Members: Hear, hear!

Mr YAN (Treasurer): Madam Speaker, I support the Criminal Code Amendment Bill 2024. The purpose of this Bill is to lower the minimum age of criminal responsibility from 12 to 10 years and introduce two new criminal offences of ramraiding and posting and boasting.

All three amendments make changes to the *Criminal Code Act 1983*, and these amendments form part of the NT Government's key 2024 election commitments to make immediate changes to reduce crime and improve community safety in all our communities.

There is currently no specific ramraiding offence in the Northern Territory. We heard the Leader of the Opposition speak of offenders being generally charged with a combination of property theft or burglary offences in the Criminal Code, but due to the increase in offences of this type, the need to introduce a specific offence category is well and truly warranted. The Northern Territory will be the first jurisdiction in Australia to introduce a specific ramraiding offence.

It was intended that by creating the specific standalone property offence of ramraiding this conduct will be more clearly captured and will target instances where a person driving a motor vehicle intentionally uses it to cause damage to property or other people.

The Deputy Chief Minister outlined examples of property, which may include a police or personal vehicle, boat, building, house, business or any other real or personal property such as fences, roller doors and bollards et cetera. Ramraiding, particularly against our hardworking Territorians, is a key issue affecting public security and wellbeing at commercial and local businesses across the Northern Territory.

The new offence will apply to the driver of the motor vehicle. As explained by the Deputy Chief Minister in the second reading speech, existing common purposes and joint commission laws mean that accomplices can also be charged where police find it appropriate. I can clearly explain why this legislative and law reform is needed, particularly in my own community in Central Australia. How many businesses in Central Australia have been subjected to ram raids over the last 12 months? It is hard to tell and get the actual numbers because it is captured as a property offence or criminal damage. I can only speak of those I know of.

This list is not exhaustive. How many times has the Milner Road supermarket had a car smash through the wall of their building? The same thing has happened to the Flynn Drive IGA on numerous occasions. A car was driven through the front door of Desert Dwellers; the Member for Braitling spoke of that. This is a young couple embarking on a business venture, and the personal cost for them is immeasurable. People have smashed through the front door of the bakery in Alice Springs to steal a few cans of drink. The cost to that business to replace the front windows and all the damage is immeasurable for the sake of a couple of cans of soft drink.

A car drove through the front door of Smart Offroad Mechanical in Brown Street just to steal stuff out of their fridge. Andrew Paterson Crash Repairs were ramraided with no theft or anything else occurring. It was plain criminal damage. The Sadadeen shopping centre was hit numerous times. The Todd Tavern bottle shop was ramraided. There are probably a number of premises that I have missed in this contribution. These businesses now sport the latest anti-ramraid prevention that is popping up all over Central Australia. They are the large and ugly concrete blocks to stop vehicles smashing their way into their business premises.

People who land at the Alice Springs airport also now see the same. To combat the possibility of ram raids through the front of the airport, we now have large rocks dotting the footpath outside to protect it. That is how bad it has gotten in Central Australia, which you would understand, Madam Speaker, being from there.

At what cost to businesses? The loss of trading, the theft and the damage to the buildings is immeasurable. This is why there is a lack of business confidence in Central Australia and across the Territory. It is difficult to start a small business if you sell products that may be of value to other people, having to turn your business into a fortress. That is just to stop vehicles smashing through your front doors to steal the products you have on offer. Not only do you lose the products through theft; you then have the cost of the repairs to the building, the days of lost trading and the personal cost and mental issue of being able to get up the next day to open your business or wait for the possible phone call during the night to say that you have been hit again.

This is not just a scourge around Central Australia. It is happening in Barkly, Katherine, Darwin and Palmerston. They are suffering as bad as the rest of us. More worrying now is the way that young people are actively targeting our hardworking police and security staff, those on duty who are there to protect us and our property and the public in extreme danger. This is why we are introducing this all-important legislative change.

The Assembly suspended.

NOTICES

Mx McNAMARA (Nightcliff): Mr Deputy Speaker, I give notice that on the next General Business day I shall move that the NT Legislative Assembly:

- recognises the importance of integrity in our parliamentary system, both to ensure that decisions are made in the best interests of Territorians and to ensure there is public trust in our democratic processes

- acknowledges that public trust in politics is at an all-time low which is due to the influence of lobbyists and vested corporate interests in our politics

- urges the CLP government to honour its election commitment and catch up to the rest of the country by establishing a lobbyist register.

Mr YAN (Treasurer): Mr Deputy Speaker, I give notice that on the next meeting day I shall present a Bill titled the First Home Owner Grant Amendment Bill 2024, Serial 6.

PETITION

Petition No 1 – Suspension of Transitioning Treatments for Children in the Northern Territory

Mrs LAMBLEY (Araluen): Mr Deputy Speaker, I present a petition from 463 petitioners concerning the model of gender care provided to Northern Territory children. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders.

Mr Deputy Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the Speaker and the Members of the Legislative Assembly of the Northern Territory, we the undersigned respectfully showeth:

Northern Territory residents draw to the attention the Speaker and the Members of the Legislative Assembly of the Northern Territory our concerns with the affirmation model of gender care provided to Northern Territorian children with gender dysphoria.

Commissioned by the UK'S National Health Service, the Cass Review Final Report reveals there is no clear evidentiary basis for medical gender affirmation therapies in children. The review confirms that the evidence for puberty suppression and cross-sex hormone treatment is of such poor quality that no foundation exists for clinical decisions and informed consent. Recent document leaks from the World Professional Association for Transgender Health (WPATH) have also revealed internal discussions among surgeons, therapists and activists, laying bare the flawed rationale behind transgender treatments and surgeries. Medical professionals must be allowed to use their trained professional discretion to take a cautious clinical approach to gender dysphoria. Your petitioners therefore humbly pray that:

1. *Suspend all medical and surgical transitioning treatments for children in the Northern Territory to protect them from further injury*

2. *Commission an independent inquiry, similar to Cass Review, into gender care to investigate the legitimacy of the gender treatments provided in the Northern Territory and explore a better and more scientific alternative to treat gender dysphoria among children.*

And your petitioners as in duty bound, will ever pray.

Mrs LAMBLEY: Mr Deputy Speaker, I move that the petition be referred to the Public Accounts Committee to consider whether the petition should be debated.

Motion agreed to.

QUESTION TIME

CLP Election Commitments

Ms UIBO to CHIEF MINISTER

You promised public servants that their jobs are safe and that there will be no asset sales, public service cuts, price hikes or austerity under the CLP government, yet you have also made $280m of unbudgeted commitments. Will you be upfront with Territorians on how you intend to pay for these commitments? In order to pay for these unbudgeted commitments what will you cut, who else will you sack and what will you sell?

ANSWER

Madam Speaker, it did not take long for Labor to get back to its old tricks and ways. I would have thought they learned that lesson a little hard at the last election.

I am pleased that Labor members have been listening to the CLP's election promises because we are determined to deliver all of them. That means public service jobs are safe. I have the privilege of being the Chief Minister of an exceptional public service. The public servants voted for change because they had been operating under a system where ministers were not performing their duties, were incapable of making decisions, had no vision for the Territory and were failing to lead the public services as they should have been. We have tens of thousands of good people who went to work every day and wanted to be part of the Territory's future but could not.

Our machinery-of-government changes are taking the public service from 12 to 18 smaller, more agile agencies where we will grow our own people and get back to technical expertise. I am proud of the CEO team. I met with them again yesterday; we have met several times in the last seven weeks. When I looked around the room I saw a team full of go-getters ready to lead their agencies to rebuild the Territory.

Our mandate for reducing crime, rebuilding our economy and restoring our lifestyle means that every public servant knows what their job is and that they have a role to play in delivering that future for Territorians we promised.

I am proud of all the work and the way everyone has embraced the machinery-of-government changes and our new direction, because everyone knows that what was happening under Labor was not working. We do not intend on maintaining the status quo. We do not want to keep doing anything Labor was doing. We want to drive the Territory forward for everyone. That is why those public service jobs are safe.

Ms UIBO: A point of order, Madam Speaker! Standing order 110; relevance. Chief Minister, how will you pay for these unfunded commitments?

Mrs FINOCCHIARO: We will not punish Territorians for Labor's fiscal and economic mismanagement. When Labor came to power eight years ago, debt was around $1.9bn. We are now sitting at around $12bn in eight years, $1bn a year by a Labor government that has nothing to show for it. We have an underground car park and a shadeless shade structure; it was remiss of me to forget that pet project of the former Chief Minister. The reality is that Labor destroyed the Territory's finances and economy, and the CLP is here to clean up that mess. That is what we are doing.

We are proud that in just seven weeks we have delivered many of our election commitments. We look forward to the future.

Members: Hear, hear!

Declan's Law

Dr RAHMAN to CHIEF MINISTER

Chief Minister, the people of Fong Lim voted for the CLP's plan to reduce crime. Last night we saw the historic passing of Declan's law. The residents of Fong Lim, like all Territorians, will remember Declan Laverty's tragic death.

Chief Minister, can you please explain to the Assembly how the passing of Declan's law will help keep the residents of Fong Lim and the Territory safe?

ANSWER

Madam Speaker, I know how passionate the member is about the people of Fong Lim and the diversity in that electorate. There is one thing that binds that community together: they want to be safe. People in Fong Lim, like all other Territorians, want to be free. They want to live their lives. They do not particularly want government having anything to do with their business. They want a good job, a safe place to live and to get on with enjoying our beautiful lifestyle. That is the framework that our government, together, is delivering for your community, Member for Fong Lim. The number one thing people want is to live in a safe community where there is opportunity for them, their family and future generations and everyone can get on with being Territorian and enjoying what we love about this place.

Yesterday it was fantastic to see Declan's law finally pass. On this historic occasion we were joined by Samara Laverty who sat in the gallery all day. She is a woman of great courage and conviction despite the tragedy she endured. She, her family and Bridget continue to grieve the loss of her son.

The Member for Brennan said it well. Nothing we said in the Chamber yesterday could bring Declan back, but we could honour his legacy by making sure that no Territorian forgets the ultimate sacrifice that he paid the price for. Going forward we can turn things around for every Territorian so that no-one in the electorate of Fong Lim or anywhere else in the Territory has to experience the same tragedy that Samara Laverty has.

By ensuring we have better wanding powers for our police, making it easier for police to proactively wand and by making sure that bail laws are strengthened, we start the work of reducing crime. Today I was joined by the Minister for Education at Darwin High School with police; they had a wand. They were explaining to the school principal how this non-invasive process works. We had officers explaining to us that they had been out on the beat already wanding and had picked up a pair of scissors and knuckle dusters; it was horrible to see. That was from a young person who should have been at school. Now there are two fewer weapons on our streets. I thank our hardworking police. The feedback I have received from them so far has been overwhelmingly positive.

As we pursue a safer Territory there is a lot more work to be done. Our reducing-crime package over the next two weeks is just the start. This is a crisis response to a crisis situation. We make no apologies for delivering on our commitments to reduce crime for all Territorians.

HomeGrown Territory and FreshStart New Home Grants

Ms UIBO to TREASURER

In your media release about opening HomeGrown Territory Grants you made an unbudgeted, unfunded commitment of $20m towards the scheme. Can you be upfront with Territorians on how you intend to pay for this commitment? Can you guarantee Territorians that it will not be through hiking up power prices, cutting, sacking or selling?

ANSWER

Madam Speaker, it is great to talk about the CLP's groundbreaking HomeGrown Territory and FreshStart New Home programs. These are Australian-leading programs providing the opportunities for people to get into the housing market in the Territory which they have found so hard to do before.

People building their first home in the Territory can access $50,000 to build their own home and live in it for 12 months. That is a gamechanger for the Territory. People who want to buy an existing home can apply for a $10,000 grant to put towards purchasing their first home. This allows people to get into the housing market in the Territory. It gives them the opportunity to put down roots.

We also have the FreshStart program in the Territory, which is another initiative of the CLP government. This allows people who already own a home—these can be people from anywhere in Australia—to build a home in the Territory, move here and put down roots as well. That brings families to the Territory and boosts our economy and population.

I am lucky to have a few figures from Treasury today. To date, we have had 42 applications for the grant program. We have already approved five applications. That shows the interest that is out there in our building industry and our economy. People want to come to the Territory and put down roots here. That is amazing.

Just yesterday I met with proponents of the building industry. These proponents were telling me how until recently they were having maybe one or two contacts per week about new constructions in the housing industry in the Territory.

Ms UIBO: A point of order, Madam Speaker! Standing Order 110; relevance. Treasurer, how will you pay for this unbudgeted commitment?

Mr YAN: The builder I spoke to yesterday said that he had one or two contacts per week regarding construction in the Territory. Since …

Ms UIBO: A point of order, Madam Speaker! How will you pay for this commitment? Not the good news story regarding the construction worker. How will you pay for it?

Madam SPEAKER: There is no point of order.

Mr YAN: Proponents of the building industry told me yesterday that they used to get one or two contacts per week regarding the construction of new homes. They now say that they are getting five contacts per day. That is amazing. He said, ‘That is a commitment from the Northern Territory’. This will generate income for our economy, bring people here and help build our economy.

HomeGrown Territory and FreshStart New Home Grants – Supplementary Question

Ms UIBO to TREASURER

You said in your answer that non-Territorians can access this Territory money to build in the Northern Territory. How do you enforce that these people will indeed move to the NT rather than renting the property and making money off Territorians?

ANSWER

Madam Speaker, I am happy to answer that question because as part of the probity process that has been put together by the Department of Treasury and Finance, an application must be submitted and a process gone through. From that application process, there is a lot of rigour to determine the approval of those applications.

Part of that will be moving forward. As someone applies for the scheme, gets their grant and builds a home, there will be a follow-up process to ensure that people are complying with the rules. If they are not complying, Treasury will have to make assessments on what might happen to the individuals who are not complying with the regulations that have been put in place by the legislation.

VISITORS
Member for Nelson’s Parents

Madam SPEAKER: Honourable members, I extend a warm welcome to the Deputy Chief Minister’s parents, Mr and Mrs Maley, who are in the Chamber.

Members: Hear, hear!

Schools – Safety

Mrs ZIO to MINISTER for EDUCATION and TRAINING

I have five amazing schools in my electorate of Fannie Bay, being Parap Primary School, Ludmilla Primary School, Darwin High School, Darwin Middle School and St John's Catholic College. I have firsthand experience and have dealt with the dangerous environment that schools can be, and I share my constituents' concerns for the safety in schools. Can you update the Assembly on how the government is reducing crime and how legislation, including Declan's law, will create a safer learning environment in all schools?

ANSWER

Madam Speaker, the Member for Fannie Bay understands that children are our future. The safety and wellbeing of students and staff across the Northern Territory is a priority of this government. From the Barkly to Alice Springs to Darwin, each student is important. Every child in the Territory has a right to an education and to feel safe at school. They cannot learn when the school is in lockdown, and they cannot learn when their teacher has been assaulted. They cannot learn when their schools have been vandalised or broken into. They cannot learn if they do not feel safe. Labor's soft-on-crime approach let crime spiral out of control for the last eight years, and that includes crime in our schools.

To refresh the memory of those sitting opposite in case they have already forgotten the crime carnage they left behind, I will read out recent stats. The number of reported incidents involving edged weapons in or around our schools last financial year was 56, which is up from 49 incidents the previous financial year. There is more than one incident a week when the safety of our children at school has come under threat by someone who is armed with an edged weapon. There have been 56 times when a knife, scissors or machete were used in an incident. Keep in mind that this is the number of incidents reported, so the real figure could be worse. Is it any wonder there were 34 reported school lockdowns last financial year? This is almost three lockdowns a month.

Today we were at Darwin High School speaking with Principal Jill Hazeldine, who welcomed the new laws, saying that it would act as a strong deterrent to help students from bringing edged weapons into the school. I thank Constable Gary Walsh who was showing the principal how unobtrusive it was to be use the wand in a school environment. Our reducing-crime package will also send a strong message that assaults on our teachers will not be tolerated. There will be minimal mandatory sentences for assaults on frontline workers, like teachers.

This behaviour must stop. In the last financial year alone, there were 335 assaults on teachers. That is more than eight teachers assaulted every week of a school year when we must attract and retain great teachers in the Territory. We cannot do that if they are being assaulted in the workplace, and this is what our reducing-crime package will do.

Youth Detention Facilities

Mr PAECH to MINISTER for CORRECTIONS

The former Territory Labor government invested $32m in purpose-built youth detention and rehabilitation facilities in Alice Springs for young offenders. The facility was specifically designed to ensure young people were held to account while supporting them to break the cycle of crime. It was designed so these young people could access health, rehabilitation, counselling and educational programs they need to get their lives back on track. Can you confirm if you are planning to remove young people from this facility and relocate them to Darwin, denying them access to their families and setting back their chances of rehabilitation?

ANSWER

Madam Speaker, I point out that the Member for Gwoja was the minister responsible for Corrections over the last eight years, so the problem with the Corrections system falls at his feet. These children have been broken and damaged by him and the lack of action by the Labor government. Nothing more points it out than the Children's Commissioner's report.

I will read out the title: 'Our most vulnerable children …

Mr PAECH: A point of order, Madam Speaker! Standing Order 46; I want to be clear. I was the Attorney-General; I had no jurisdiction over youths.

Madam SPEAKER: There is no point of order. You are not here to give a speech. We are here to listen to the answer from the minister.

Mr MALEY: The title is, 'Our most vulnerable children bearing the consequences of a failed system', which the Children's Commissioner released on 10 October. This goes to show that the Labor government of the time, now the opposition—that is probably why they are in opposition, because they failed Territorians. They failed to build infrastructure …

Ms UIBO: A point of order, Madam Speaker! Standing Order 110; relevance. What are you doing with the kids in Alice Springs, and where are you moving them?

Madam SPEAKER: He is 55 seconds in; he has plenty of time to answer the question.

Mr MALEY: We will give those children the chance to get a better life, because the Labor government failed to do that. It did not invest in infrastructure and thought the pack-and-stack method …

Ms Uibo: What are you doing with these kids? Where are they going?

Madam SPEAKER: Stop your interjections, Opposition Leader, and listen to the minister in silence.

Mr MALEY: The pack-and-stack method did not work. We cannot leave these children to be put away and forgotten about. It seems the Labor government had a policy of set and forget. Labor members did not care about it or invest in it. They had this idea of, 'It'll be right; just do not spend any money in Corrections.' They failed to keep our streets safe by not investing in the Corrections system.

The CLP government led by Lia Finocchiaro will not let infrastructure deficits get in the way of keeping our community safe. Keeping the community safe is the number one priority of the CLP government, so we will do that. Yesterday we delivered Declan's law in relation to bail to make the Territory a safer place. Moving forward, we want to make sure the Territory is a safe place to live. We want to rebuild our economy and restore our lifestyle.

Dealing with these …

Mr PAECH: A point of order, Madam Speaker! Standing Order 110; it was a direct question. Are you moving children from Alice Springs to Darwin? It is simple. Yes or no?

Madam SPEAKER: Minister, you have plenty of time to answer.

Mr MALEY: The CLP government has come to office and looked at this, and the Corrections facility is a mess. No-one wants to see children locked up. We are looking under every stone and every piece of paper to find out what we can do to make the Corrections system better across the Northern Territory.

Our plan, which we will release in a short while, will deal with the Corrections problem …

Mr YOUNG: A point of order, Madam Speaker! Standing Order 110; relevance. The member has had over two-and-a-half minutes to answer the question, and I do not believe he has answered it.

Madam SPEAKER: He still has 24 seconds.

Mr YOUNG: It was a direct question.

Madam SPEAKER: Yes, we know what the question is. It is up to the minister to answer it the way he sees fit.

Mr MALEY: Our plan will be comprehensive and will deal with Corrections across the Northern Territory. Not only do we want to keep Territorians safe, but we want to make sure the prisoners in custody are safe.

Ms UIBO: A point of order, Madam Speaker!

Madam SPEAKER: Leader of the Opposition, this better be good, otherwise I will give you a warning.

Ms UIBO: He has 10 seconds left to say where he is moving the Alice Springs kids.

Madam SPEAKER: There will be no more points of order. Continue the last 10 seconds of your answer without interruption.

Mr MALEY: We look forward to releasing our plan in the near future, which will keep Territorians and prisoners safe.

Corrections

Mr MACKAY to MINISTER for CORRECTIONS

Labor left behind a shameful legacy when it comes to Corrections, with a lack of planning, investment and appropriate infrastructure. Can you please explain the challenges our Corrections system is now facing and how our new CLP government is working to address them?

Members interjecting.

Madam SPEAKER: Opposition Leader and Member for Gwoja, if you keep interjecting you will be on a warning and you will be cast out for an hour. I know how that feels!

ANSWER

Madam Speaker, the Member for Goyder has a vested interest in keeping the community safe. Being a fellow rural person, I know how important that is for him, his family and the Territory lifestyle.

The new CLP government has been in office for just over 50 days. The mess we have uncovered is staggering, not only in my portfolios but also across the Northern Territory. The Treasurer is pulling out his hair—what is left of it—because of the mess and the amount of overspending, underspending and failure to deliver across the board. That is not to mention the overspend on the shade structure, pet projects, moving bus stops and the $5,000 Christmas tree.

The former Labor government failed to spend taxpayers' money wisely. Governments do not make money; they spend money. The taxpayers out there, the mums and dads and business owners, pay their taxes for us to spend wisely. That is our job.

Unfortunately, the Labor government approach to the Corrections facilities has been terrible, which resulted in prisoners being in watch houses across the Northern Territory. That makes the watch houses unsafe for Corrections staff and police officers. There were 16 prisoners in a cell that was designed to hold one or two.

Ms Uibo: What is your plan?

Mr MALEY: What happens if there is a medical incident?

Ms Uibo: You have been asked by your own teammate, 'What's your plan?'

Madam SPEAKER: Opposition Leader!

Mr MALEY: What happens if there is a debacle or event in that prison cell which requires police officers to rush in to save someone? There are 16 or 17 people there who can fight back. I understand there was a recent escape because that is exactly what happened—prisoners pushed past the guards and got out. The Labor government failed to adequately invest in prison infrastructure.

Mr YOUNG: A point of order, Madam Speaker! I believe the member asked what the plan is. He stated in his question that there was a lack of a plan, but we are still trying to figure out what that plan is.

Madam SPEAKER: I do not think that was the question. I think the minister can answer the actual question the way he sees fit.

Mr MALEY: The Alice Springs youth justice facility has hundreds of structural deficits. There have been mistakes. There have been repairs to door handles and security. This is just one of the previous Labor government's failures.

The new youth justice facility at Holtze is two years behind schedule and about $60m over budget. Imagine the number of doctors, nurses or teachers that $60m could have brought in. It goes back to our pillars to make the Territory a safer place. Unfortunately, the Labor government overspent and under-delivered.

Public Housing – Crime and Antisocial Behaviour

Mr O'GALLAGHER to MINISTER for HOUSING, LOCAL GOVERNMENT and COMMUNITY DEVELOPMENT

As I mentioned in my maiden speech, I know firsthand from talking to residents in the Karama electorate that they are fed up with crime and antisocial behaviour at public housing complexes, which the former Labor government allowed to run rampant through its weak and watered-down crime laws.

How will the CLP government's reducing-crime package fix the failings of the former Labor government and help to minimise antisocial behaviour, including alcohol-fuelled violence and domestic violence, across the Territory's public housing homes and complexes?

ANSWER

Madam Speaker, the Member for Karama is one of the most passionate Members for Karama I have come across in a number of years. The work going on in Karama with the member has been eye-opening for me.

In talking to residents and people in the shopping centre visiting Malak and Karama, issues that have been raised with me are extraordinary. When I hear stories about widespread alcohol abuse, domestic violence, public drinking, violence in the middle of the night and residents being unable to sleep, it tells me that there is a serious issue. It has become clear that the former Labor government had no plan and genuinely no idea what they were doing when it came to crime.

The hard truth is that the former Labor government failed Territorians miserably. It is not only in Karama; I have met with the Members for Blain and Drysdale and looked at issues there. I have been to Alice Springs and with the public housing safety officers to get a feel for what is happening in the Territory. My electorate faces the same issues in unit complexes and public housing; there are issues across the board. Having spent time with the public housing safety officers—I visited them in Darwin—and hearing about the atrocious alcohol-fuelled violence in these complexes was astounding.

I will rattle off statistics, because this will give everyone a feel for what was happening under that out-of-touch Labor government. As of June 2024, over the last 12 months, there were 8,201 reports of antisocial behaviour relating to urban public housing across the Territory. Labor clearly dropped the ball, with no plan or idea. Department of Housing statistics indicate that in the 12 months to 30 September 2024 across the Territory, public housing safety officers attended 45 serious incidents at urban houses; had to request assistance by NT Police, ambulance and Larrakia Nation on 2,130 occasions; and suffered assaults while working on 10 occasions.

This crime crisis has clearly been aided and abetted by the Labor government. Our reducing-crime package puts the safety of frontline workers first and provides for safer homes. I am optimistic that we can work towards getting on top of these issues. It is simply a mess that Labor has left us.

Bilingual Education

Mr GUYULA to MINISTER for EDUCATION and TRAINING

The CLP previously supported bilingual education. They were elected in 2012 with a strong policy of bilingual two-way education. Will this new CLP government that has many bilingual speakers continue to protect the resources and even build strong bilingual two-way programs for First Nations communities?

ANSWER

Madam Speaker, we discussed the Better Fairer Schools Agreement yesterday and how we would move forward with that and agreeing to it, with the previous Labor government signing that in July this year. We spoke about bilingual education. In remote areas, that is important. It falls under the Better Fairer Schools Agreement, with the Learning on Country Program.

The Learning on Country Program operates in a number of remote areas. I went to the 10-year anniversary of the program a few years ago. Maningrida—where the program started—has a great program, and that is carried out in a few other areas. The funding for that program …

Mr GUYULA: A point of order, Madam Speaker! I want to be clear; this is not about Learning on Country but programs for bilingual education. Learning on Country is another thing. Just give me an answer, please. I have not ignored anyone here or disturbed anything; I want an answer straight for the people.

Madam SPEAKER: It is relevance, yes.

Mrs HERSEY: Our government has a priority to be firm with education, making sure children are getting to school to get a good education. Bilingual education happens in remote areas, with the Learning on Country program.

In fact, nine NT Government schools listed have a long history of serving with that bilingual education. They include Areyonga School, Lajamanu School, Maningrida College, Milingimbi School, Numbulwar School, Shepherdson College, Willowra School, Yirrkala School and Yuendumu School.

Those schools were provided funding in 2024. New school funding will be implemented in 2025 through the Better Fairer Schools Agreement. That is now included in their base model funding as well.

We will be following on with bilingual education.

Mr YOUNG: A point of order, Madam Speaker! Standing Order 110; relevance. The question was clear: does the CLP support bilingual education, and what is its policy on it?

Madam SPEAKER: The minister has been talking about bilingual education. She is answering the question and has 40 seconds to go. Let us see what happens.

Mrs HERSEY: For the record for the Member for Daly, who clearly needs to clean his ears out, I have been talking about bilingual education and said that the Better Fairer Schools Agreement and the Learning on Country program is supporting bilingual education.

We have been clear that we want children to get in the school environment. We want to make sure that those children, first and foremost, attend school and are in a safe school environment.

Public Transport Fares

Mr PATEL to MINISTER for LOGISTICS and INFRASTRUCTURE

Many of my constituents in Casuarina who catch the bus to and from work each day are concerned about the crime on public transport. Can you outline to the Assembly the reasons behind the decision to waive fare collection for the bus network from 1 October 2024 to 30 June 2025 and how this will help to keep drivers and passengers safe?

ANSWER

Madam Speaker, I appreciate this question because the former Labor government members thought they were magicians and could pull a rabbit out of a hat with their last-minute three-month free-fare period from 1 July 2024 to 30 September 2024.

Labor claimed this was a boost to deal with the cost of living, saying that it would be great for Territorians and bus drivers and would make timetables smoother. I believe the former minister also said that it would help tourists and get people to and from the Mindil Beach cracker night for free.

Territorians saw through it. Labor dressed it up as a gift, but it reeked of an election stunt designed to win votes and not fix any problems.

I will give the Chamber the facts. Labor's transport system at that stage was falling apart at the seams. When the department briefed me after we took office it was not pretty, with 25% of the ticketing machines broken. A quarter of the system was not working. The ticketing contract had expired in June 2024, and Labor had not even bothered to fix it. Labor hung the bus drivers out to dry, forcing them to handle cash transactions like it was still the 1990s.

After that, the Transport Workers' Union reached out to me, raising serious concerns about drivers being turned into walking ATMs and having to carry cash late at night between the buses and terminals where we have horrific crime problems.

Then we got another nasty surprise. Only 17 of the 79 buses had safety screens installed to protect the drivers from assaults and abuse. We all saw recently what happened to the driver when someone managed to climb over the screen and assault him. After six months of inaction by Labor, these screens had not been installed; they had moved barely an inch.

When we came to government we took action. We worked with the CDC mob running the buses and made a commitment to get those screens to protect the drivers. The safety of our drivers was not an afterthought by the CLP government. The safety of the drivers, the workers, the community and the public is at the forefront of everything we think about every day.

Under our government the days of neglect and disregard are well and truly over. We are getting on with the job, delivering what Labor could not and making sure our public transport system is safe, efficient and ready for the future.

Port Keats Road – Sealing

Mr YOUNG to MINISTER for LOGISTICS and INFRASTRUCTURE

The Territory Labor government committed $60m in the 2024–25 budget along with the federal government to seal the Port Keats Road from Wadeye to Palumpa in my electorate. Can you guarantee that your government will commit to sealing the road between Wadeye and Palumpa? If so, when will the project commence?

ANSWER

Madam Speaker, roads in the bush are critical to the people who live there. I understand that more than any other member in this Chamber. Promises were made to the people of the Santa Teresa community over many years to seal the road, and they are still waiting. Years of promises by the Labor government to seal that road …

Ms UIBO: A point of order, Madam Speaker! Standing Order 110; relevance. The question from the Member for Daly was clearly about Port Keats Road.

Madam SPEAKER: There is no point of order. The minister has been on his feet for 27 seconds. Please let him answer the question in the way he chooses.

Mr YAN: I am talking about roads in the bush and roads that Labor was supposed to deliver and did not. I will answer for the Member for Daly in due course. I still have two minutes and 20 seconds.

I understand the commitment from the federal government in providing that all-important funding to support roads in the bush. There is a huge road network across the Northern Territory and, unfortunately, most of that is dirt. Only most of our major arterial roads are sealed. The federal government is investing money into the Northern Territory to seal roads in the bush. It is a long program, and it will take time to get them done.

I know about the commitment to seal the road from Wadeye to Palumpa and what it will cost. It is on the program, and I know that part of it is federally funded. There is a commitment from the federal government working towards sealing that road. I am working with the department now, Member for Daly, to look at the project and how and when it can be delivered within the roads project.

As the member knows, road projects are large. They are probably one of the biggest parts of the Department of Logistics and Infrastructure's actual budget. It is delivering across the Territory on those committed to by the former Labor government in conjunction with the federal government.

Mr YOUNG: A point of order, Madam Speaker! The department said that it would be committed …

Madam SPEAKER: That is not a point of order; you are adding information. That is disorderly.

Mr YAN: I thought I was reasonably clear on that. The federal government and the Department of Logistics and Infrastructure committed money. I am working with the department on when and how we can deliver that project amongst the myriad other road projects that we have to deliver.

Thousands of kilometres of roads need to be worked on and fixed. I know that the previous Labor government dropped the ball on a number of roads across the Territory. Look at our main corridor from South Australia to Darwin and how that has fallen apart over years of neglect and mismanagement by this Labor government.

We are working hard with the department, and we are working closely with the federal government on our roads funding to deliver those commitments the federal government made. We are working with the department to deliver those roads for the people in the bush.

Age of Criminal Responsibility – Paediatricians' Concerns

Mx McNAMARA to CHIEF MINISTER

On 9 October you received a letter from 53 Northern Territory paediatricians expressing their grave concerns over your new crime Bills, specifically lowering the age of criminal responsibility. They asked for an urgent meeting but are yet to receive an official response. Will you meet with them?

Madam SPEAKER: There is an ongoing debate which this question refers to, so I am not sure. It is up to you whether you answer it, Chief Minister.

ANSWER

Madam Speaker, I am happy to answer. If you feel that it is verging on anticipating debate, then you can pull me up.

Member for Nightcliff, I appreciate the question. I am aware that a letter was sent to me from paediatricians. I respect the work of paediatricians immensely. Having children who have to frequent paediatricians, I also know how difficult it is to get an appointment with them.

Whilst I appreciate that they are exercising their political right to write to me and effectively protest in writing against our lowering of the age of criminal responsibility, their concerns have been heard and duly noted. Today we will move through all stages of that legislation.

My hope is the outcome that the legislation is passed. We have been clear that we always believed in lowering the age of criminal responsibility well before the election and before Labor made it the law. There is no other jurisdiction in this country that has an age of criminal responsibility of 12 years, let alone 14 years, which is being espoused by people expressing their protest to me.

We are confident and comfortable in putting that discretion back in the hands of the judges. Lowering the age of criminal responsibility to 12 years means that judges have the discretion on the decisions they make regarding those young people. That has been and will continue to be our commitment. We will not be deterred by the people who disagree with us.

Mx McNAMARA: A point of order, Madam Speaker! Standing Order 110; I would like an answer to the question. Is that a no that you will not meet with them?

Mrs FINOCCHIARO: I would much prefer paediatricians to be meeting with the children who need their attention rather than spending time in my office. There will be hundreds, if not thousands, of families like mine who struggle to get an appointment for their sick child.

I am happy to receive all the feedback from the people who do not agree with us. I accept that there are people who do not agree with us, but the vast majority of Territorians do, and we are standing up to fight for them in this parliament today and every day. The everyday Territorian backs us.

You can shake your head at me all you like, Member for Nightcliff, but Territorians have spoken at the election that lowering the age of criminal responsibility is part of reducing crime across the Territory. We make no apologies for it.

I respect the political views of everyone. We have been respectful of people with dissenting voices, but at the end of the day I have an important job to do, which is to protect every Territorian. We will stop at nothing to deliver a safer Territory as we promised.

Justice System

Mr HOWE to ATTORNEY-GENERAL

Many in my electorate and the Palmerston community have expressed concerns with the slow path of justice and, at times, examples of outcomes that they do not believe put the interests of victims at the heart of our justice system. Can you update the House on what the government is doing to address these community concerns?

Mr Paech: That is why your bail laws do not start until January.

Madam SPEAKER: We do not need your commentary, Member for Gwoja.

ANSWER

Madam Speaker, I thank the Member for Drysdale for the question. I know that his community has made it clear to him that they want a system that puts victims first.

Member for Drysdale, the backlog in our courts is unacceptable, with cases delayed simply due to Labor's failure to modernise and streamline the justice system. This is not a new issue. It has been ignored, which is not fair on victims.

Last December, the news reported an NT courts spokeswoman saying that the callover list assigned dates for approximately 85 people on bail still waiting to resolve their cases. They also reported that Chief Judge Morris started with cases that had been stuck in the court system for two years, handing out dates to matters going back to 2020.

Labor knew of the delays and the backlogs; they should have acted, but they did not. The CLP is committed to reforming the courts to fix Labor's mess. Unlike Labor, we are committed to a justice system that works because victims need justice. I am meeting with stakeholders across the justice system because we need to solve those problems. They have been unsolved for nearly a decade. Our goal is to reduce the burden on victims and ensure that cases, particularly involving domestic violence, are not delayed unnecessarily. Territorians deserve a justice system that works for them.

It is not just about ensuring a justice system that works, which is critical; our government's plan is about addressing root causes to get our kids back to school on a better path.

Ms Uibo: What are they?

Ms BOOTHBY: Leader of the Opposition, I pick up on your interjection. We are introducing youth boot camps. If you listen, you will hear. We will be working with Indigenous mentors at the youth boot camps; bringing back consequences; expanding school-based policing; holding parents accountable, including with income management; and, as promised at the election, we moved youth justice from the child protection agency to ensure our children have every opportunity for a better life. Our plan also means criminals know there are consequences for crime, which is a strong deterrent for them and will make them think twice before committing a crime in the first place. Our plan is to reduce crime so our justice system will have less stress and strain and there are less victims.

Infrastructure Projects

Mr BROWN to MINISTER for LOGISTICS and INFRASTRUCTURE

Before the election Treasury revealed that the CLP planned to scrap $42m worth of capital works. Now that you are in government, can you be upfront with Territorians about which communities will miss out on previous committed capital works?

ANSWER

Madam Speaker, I do not know where the questions come from because there was nothing said by the CLP about scrapping infrastructure projects in the bush. I have not been briefed on anything from the Department of Treasury and Finance about projects we are scrapping in the bush. We are looking at everything that Labor left us with, so we may have to reprioritise money to ensure we can deliver for Territorians. I have seen the state of the books; they are atrocious. With every rock I lift, it is like there is a poison scorpion underneath with issues left behind from Labor. All I have done since becoming a minister is fix Labor's problems. Everything that has come across my desk since becoming the Treasurer and a minister in this government has been dealing with Labor's failures, problems and financial mismanagement of our economy.

If we allowed Labor to continue with the way they were spending they would be breaching the debt ceiling in the next few financial years, and that provides serious issues for the Territory economy. By breaching the $15m debt ceiling, which was put in place by Labor because they could not rein in their spending. Their spending was out of control, and you had to bring in Langoulant from Western Australia …

Ms UIBO: A point of order, Madam Speaker! The question is about the $42m that the CLP committed to scrapping in infrastructure prior to the election. What are you scrapping?

Madam SPEAKER: Minister, you have already answered that—you do not know about it.

Mr YAN: Madam Speaker, it is not true that we are scrapping $42m in infrastructure programs. I will go back to the budget. Labor's mismanagement of the budget was so bad that they had to bring in somebody from Western Australia to look at the books. John Langoulant looked at the books, and he was horrified. Labor was projected to hit $30bn-plus of debt for 250,000 people. Labor took a bit of John Langoulant's advice and started to slow down. I believe it had to change the Treasurer to try to rein in that spending. They slowed it down for a little while, but then like drunken sailors …

Ms UIBO: A point of order, Madam Speaker!

Madam SPEAKER: Opposition Leader, this better be good.

Ms UIBO: The Treasurer said he is not aware of where that figure has come from …

Madam SPEAKER: No, you are giving a speech. Is this relevant? Because what he is saying has been highly relevant to the question.

Ms UIBO: It is, Madam Speaker. It is the pre-election fiscal outlook by Treasury that was provided back to the Chief Minister …

Madam SPEAKER: No! Sit down; there is no point of order …

Ms Uibo: From Treasury!

Madam SPEAKER: You cannot, as a point of order, add extra information because it suits you. You ask your question, and the minister answers.

Mr YAN: Where was I? Drunken sailors—that was what Labor was spending like.

Labor slowed down its spending for a little while and then off it went again. I have looked at the books and seen what the trajectory looked like. If Labor had stayed in power, the Territory would be broke. We would be beggared beyond belief. I do not know where we would have ended up.

We have come to power and have a strong fiscal strategy to rebuild our economy so that we can all enjoy the lifestyle that we have come to know and love in the Territory.

Age of Criminal Responsibility

Mr KERLE to MINISTER for CHILDREN and FAMILIES

Seven weeks ago at the election the CLP received an overwhelming mandate from voters to reduce the age of criminal responsibility. In my electorate of Blain there is a lot of concern about youth crime and the lack of

consequences for offenders they saw under the previous government. Can you please update the Assembly on the work being done to give young people a chance at a better future and avoid a life of crime.

ANSWER

Madam Speaker, that is a pertinent question. When those on the other side announced they would raise the age of criminal responsibility, they said they would not do so until appropriate programs were in place. They went ahead with raising the age of criminal responsibility before ensuring programs were in place anyway.

As stated by the federal Member for Lingiari, Marion Scrymgour:

> *… lifting the age of criminal responsibility isn't working.*

She further stated:

> *We can't … allow these young people to be doing the damage that they're doing; they're not only doing that to themselves, they're doing it to the community.*

Our government is doing the work those on the other side should have done by putting in place supports and processes that will protect our kids from a life of crime. It is our intention to fix this broken system by putting in place sufficient frameworks for those children so they are appropriately supported and cared for. We will not be sending them to prison. We will be looking after them.

Working with my department we have already commenced identifying what steps can be taken to support these children and engage with those responsible for their care to offer them the best possible circumstances so that those kids who are at risk are deviated from a life of crime to one of prosperity and contribution to their community, not taking away from it. We will catch the children who have fallen through the cracks created by the other side's inaction. We will provide a safety net that will provide an opportunity not to progress down that path of crime.

Our circuit-breaker program will focus on ensuring that a child found engaged in alleged criminal activity is afforded the opportunity that they have not had up to this point to change their behaviour. We will spearhead the process clearing that path for them so that they are back in school, supported by the school environment, and their families are supported in caring for and protecting them. We will make sure that if they are on the wrong path, working with their family, we will get them on the right path.

We will progress reform to maximise parental involvement and accountability that can be utilised not just by the Department of Children and Families but by any government agency working with parents and children. We will not abandon our children and lose another generation.

Remote Housing National Partnership Agreement

Mr YOUNG to TREASURER

Will the CLP honour Labor's $4bn remote housing national partnership agreement with the federal government in full?

ANSWER

Madam Speaker, I have already spoken with the federal Infrastructure minister about the program in the Northern Territory and the $4bn that is needed to address the housing overcrowding issue in the bush.

The previous federal government committed quite a lot of money to the Territory to start delivering housing. It took the previous Aboriginal affairs minister, Ken Wyatt, to scold the Labor government for its lack of delivery in the bush. Labor was years behind on the program, so he came here and had a bit of a yell at them to tell them to get on with it. That has, sadly, put that program behind.

Ms Uibo: COVID was a thing, and we caught it up. Do not tell lies.

Madam SPEAKER: Opposition Leader!

Ms UIBO: I withdraw, Madam Speaker.

Mr YAN: Labor did not involve the people in the bush as part of that program in the construction of those homes. I am committed to that with this $4bn program that we are implementing over the next 10 years.

We have not seen the level of involvement from our communities that we want to see. When people in communities are involved in the building and construction of their homes, they get outcomes. There are economic outcomes, and people take pride in the construction. They generally treat their homes better because they were part of building it.

In a rush to get housing into the bush, we are seeing a push for modular homes to be built in town, put in trucks and sent out bush. People in the communities tell me, 'The contractors show up, develop a lot, get everything ready to go and we sit there and watch'. Then the truck rolls in with a crane a couple of months later, a house gets lifted off and dumped on the ground, and they have no input to what is taking place. Eventually, they get to move into the house.

Mr YOUNG: A point of order, Madam Speaker! Standing Order 110; relevance. The member said he supports it, but does he support the funding agreement in full?

Mr YAN: I thought I was pretty clear that I support the program of $4bn in conjunction with the federal government delivered over the next 10 years. I want to see more Aboriginal community involvement in the construction of these houses. I want the people in the bush to be working alongside contractors to build those houses and provide the all-important education and vocational outcomes Labor did not deliver. That first part of the program has seen delivery of modular housing in communities when there was the opportunity to have it built onsite.

Vaccines – Meningococcal B

Mrs CARLSON to CHIEF MINISTER

This week was the seventh anniversary of the death of Darwin baby girl, Skylar Lawrence, from meningococcal B. Her family lives in my electorate of Wanguri. Can you please update the House on how the new CLP government is taking immediate steps to ensure no other Territory family has to suffer the tragic loss of a child from this deadly disease?

ANSWER

Madam Speaker, Sally and Ash Lawrence are residents in the Wanguri electorate. Just like other members of the Northern Territory community, they have wanted action on meningococcal B for far too long. I acknowledge the tireless campaigning and work of Sally and Ash, who have been fighting for free meningococcal B vaccines for Territory kids for seven years, despite the tragic loss of their daughter Skylar to this awful disease, which presents like any other typical childhood illness.

On 15 October 2017 Skylar turned into the Lawrence's star. As part of our swift action in the last seven weeks, we have been able to deliver for not only the Lawrence family, whose fearless advocacy in this space has led to this point where now the Northern Territory will join the few jurisdictions leading the way in free meningococcal vaccines.

We will make sure that every Territory family who wants access to it, can. One of the awful things about meningococcal B and the vaccine is that it is cost prohibitive. In a cost-of-living crisis, there are not many Territory families who can afford $200 per vaccine. If you have a baby that baby requires three. If you have an adolescent, they require two. Many families are looking at over $1000 just to vaccinate their child from this disease which, if it does not take their life—as Skylar's tragically was—it often leaves people with lifelong disabilities.

We moved fast and stood with Sally, Ash and the Chief Health Officer last week—I acknowledge Karen from the Meningitis Centre Australia as well for her hard work—at Ray's Patisserie and Cafe, which is part of the 'ShareacinowithSkylar' campaign.

From 1 January next year, if you have a baby who is between six weeks and 12 months old, you will be able to get those three free meningococcal B vaccines. If you have a Year 9 student next year they will get two shots as part of their school immunisation program.

We are not just stopping there; we are running a comprehensive catch-up program for all the kids who missed out because Labor did not invest in their health and future. If you have a 12-month to two-year-old child, that catch-up will be available next year.

If you have a 15 to 19-year-old that catch-up program will be available to them. We will expand where you can get those vaccines to pharmacies as we move through the expansion of the pharmacies' scope of practice.

I am proud to have delivered this election commitment for Territorians and the Lawrence family, who has suffered the tragic loss of their daughter, Skylar.

Mr EDGINGTON (Leader of Government Business): Madam Speaker, I move that any further questions be placed on the Written Question Paper.

CRIMINAL CODE AMENDMENT BILL
Serial 2

Continued from 16 October 2024.

Mr YAN (Treasurer): Madam Speaker, before lunch I was speaking about ramraiding. We spoke about businesses that were ramraided, but the more dangerous effects of young people in stolen cars is ramraiding and targeting police and security staff.

I will read about events that happened recently in Central Australia. The following is from 12 October:

> *Northern Territory Police have arrested ten youths following a dangerous driving incident involving stolen vehicles in the Alice Springs CBD early this morning.*
>
> *Around 3:40am, the Joint Emergency Services Communications Centre received reports of two vehicles driving dangerously through the CBD. The vehicles, containing several youths, were believed to be stolen.*
>
> *A police traffic unit was stationed on Todd Street when one of the stolen vehicles collided with the rear of the unit. Fortunately, the incident resulted in minimal damage and no injuries.*
>
> *Officers formulated a resolution plan after noting the intention of the occupants in the stolen vehicles to ram police vehicles.*
>
> *A second police vehicle, upon completing their response at the hospital, returned to the station, and was again rammed by one of the stolen vehicles on Gregory Terrace. There was minimal damage, and no injuries were reported.*
>
> *At approximately 4:50am, police successfully spiked one of the stolen vehicles on Telegraph Terrace, leading to the arrest of the youths aged between 13 and 17. A 13-year-old youth was returned home and left in the care of a responsible adult.*

That is why we are bringing in this legislation regarding ram raids. Because it was only a criminal offence before and there has been the increase of ramraiding, it is important to make it a standalone offence with serious penalties for those taking part. It is not only the damage to property. It is the potential loss of life and injury to people that can happen in ram raids.

I will move on to the second part of the Bill, the minimum age of criminal responsibility. In the Northern Territory it was raised to 12 years. The Finocchiaro CLP government campaigned on reforms to lower the age of criminal responsibility and was elected with the mandate to do so. These amendments lower the minimum age of criminal responsibility to 10 years, thereby ensuring that 10 year olds will face consequences for committing offences, that appropriate rehabilitation will be provided to them and that they will have the opportunity to turn around their lives.

As the Member for Braitling said, young people who come into contact with police and the justice system are simply being returned to what is deemed a responsible adult, only to be back out committing further offences sometimes within minutes. This is where this legislative change can have effect and make a positive change for the young person and their family.

The Leader of the Opposition stated this morning that by the time a young person comes into contact with the youth justice system, the system has already failed them. I agree with the Leader of the Opposition; the system has failed them. This system was put in place by the Labor government, so Labor members should take ownership of this. I think I can speak with a degree of knowledge on this matter.

The Leader of the Opposition made references to me, my previous career and colleagues. It was clear from her comments that she does not understand Corrections staff and their approach to their job. Corrections staff are there to help make them better people so that they can do their best and not come back into the Corrections system. The Leader of the Opposition held the role of Attorney-General at one stage, with Corrections in that portfolio.

The ludicrous statement that a 10 or 11-year-old child would be put in a Corrections centre is misleading and scaremongering. There is specific legislation in place that is not being changed and which does not allow a young person to be placed into an adult Corrections facility. For the Leader of the Opposition to state that in parliament is misleading.

The Member for Gwoja raised the age of criminal responsibility in 2023 when he was the Attorney-General, with virtually no plan to deal with the consequences that change would bring. I, along with many others, asked what would be put in place for young people when the age of criminal responsibility was raised.

We heard from the Member for Gwoja loud and clear—it is easy to check the *Hansard*—that he would not raise the age of criminal responsibility until Labor had appropriate programs in place. We all know what happened. The age of criminal responsibility was raised, and there was and still are no new programs in place by Labor.

The Labor government hung its hat on the existing programs in Central Australia, being Saltbush, which is voluntary. Young offenders do not have to go, nor do they have to stay if they do not want to. It is limited by the number of spaces available. Effectively, the Labor government did not follow its own advice. Sadly, that is a common occurrence.

I will speak further about the scaremongering and explain why the change is good. Intervening at an early age to change behaviour and help families and individuals is critical. Young people are coming in contact with police and the justice system at those ages, between 10 and 12, and nothing happens. They are taken back to a responsible adult or a home. As far as I can tell not much is happening with the families, and there are no consequences for their actions. Sometimes they are referred to programs that are only voluntary. There is nothing happening with the young people between 10 and 12. They continue to commit offences. At 12 years old there has been no intervention, assistance or change, then suddenly they are confronted with the criminal justice system and the youth justice system, and nothing has happened to support the young person between the age of 10 and 12.

To the people who do not agree with what we are talking about, this is not about putting kids in detention; that is the last thing we want to do.

Mr YOUNG: A point of order, Madam Speaker! The Treasurer keeps misleading parliament by saying that they do not intend to lock up kids. Their policy clearly states that they are lowering the age of criminal responsibility to 10, which means that kids will be locked up.

Madam SPEAKER: Member for Daly, you cannot use a point of order to give a speech. If you feel that the minister is misleading parliament, you can do that through a substantive motion.

Mr YAN: As the Minister for Children and Families said, kids between 10 and 12 years old are not falling through the cracks; they are falling through the chasm. What should we do? Should we do nothing with the 10, 11 and 12 year olds? Should we allow them to continue to commit offences, come in contact with police and not do anything to change their behaviour? Or should there be consequences for the children committing offences—to have the judicial system look at the child's circumstances and at the child holistically and make decisions on what can be done to help that child and the family, because that is not happening currently. They are allowing children to continue coming in contact with the justice system or the police and nothing happens. We have the opportunity with a 10, 11 or a 12 year old to make change and intervene early. Working with children early is the best opportunity to make change into the future. This happens throughout the criminal justice system.

If we can put something in place and give the court opportunity to direct a young person to undertake a program or a course, to involve their family and change the child's circumstances, then maybe when they

turn 12, 13 or 14 they will not be coming into contact with the criminal justice system and change is made in the young person's life to break the cycle. Labor, what would you rather see? Would you rather see nothing happen with a child between the ages of 10 and 12 and allow them to continue down this road, or would you rather see the ability for something to be done for the child and family and allow the judicial system to make an order to get help required? That is the question I put to those who are questioning why we are making this change. This change is important. Nobody wants to see young people coming into detention, let alone me. I can speak with a bit of authority on this, having worked in the criminal justice system for 18 years.

I need to include comments made by the federal Member for Lingiari, Marion Scrymgour, who understands this. Marion lives in Central Australia, and she speaks with authority. She said:

> *We've got to stop pussyfooting around here and thinking that these kids are going and they're being taken home to a responsible adult because in a lot of these cases there isn't a responsible adult there and the reality is these kids don't listen.*

She also said:

> *At the moment, obviously lifting the age of criminal responsibility isn't working.*

Unfortunately, I have to agree with her. It has not worked. We need to put something in place to provide these kids the opportunity to change their behaviour; help them and their families to stop the ongoing criminal behaviour; and give them the opportunity to break that cycle so they do not end up in youth detention later in life, then possibly follow on into the adult Corrections system.

At present there is no offence in the Northern Territory that relates to the conduct of posting and boasting. The new offence introduced by these amendments will target the trend of posting videos and images of offending online or on social media platforms, where the posting is motivated by the desire to boast or glorify criminal conduct, encourage others to engage in similar offending or to increase that offender's notoriety.

We know all too well that seeing this material can be retraumatising for the victims and generate feelings of insecurity in our community, resulting in an increased perception by the public of crime and feeling unsafe. The purpose of the posting and boasting law is to provide law enforcement authorities with the mechanisms to target the inciting of antisocial and often criminal behaviour.

We see all too often across the Territory criminals using social media to glorify their offending behaviour and crimes. We have all seen the gangs using this method to gain notoriety. I will not name them on the record. It is degrading to the victims of these low-life thugs and thieves.

We have all seen it, sadly, in our community in Central Australia. Every year there seems to be something new and different. I remember many years ago that there was a spate of issues when people were breaking into houses and taking selfies with the residents of those houses while they slept, placing them online and boasting about it.

How degrading was it for the people whose photos were taken in that manner? Imagine the feeling of vulnerability and of feeling unsafe in their homes knowing that this had taken place. This law is designed to deal with individuals who would use social media platforms to glorify their offending and effectively degrade and humiliate other members of the public.

The offence will include exceptions to allow for posts for a genuine purpose such as scientific, academic, educational, artistic or journalistic purposes. This means social media posts that are intended to raise awareness of crime, not to glorify it, will not be captured by this new offence. Nor would NT Police campaigns which denounce offending behaviour.

The Member for Lingiari gets this stuff. She understands it, has lived it and lives in our community. She said in the media:

> *We've got to stop thinking we're dealing with little angels here … When you look at those photos they're laughing and smiling, they think it's a joke, and it's not, because they could have an accident and one of them could get killed.*

Unfortunately, that is exactly what happened in Central Australia. We still see the repercussions of that. Young people who stole a car were hooning around the central business district of Alice Springs. Sadly, that car rolled, and a person was tragically killed. That had significant consequences for our community across

the board. In some ways, posting and boasting on social media is responsible for this. These people are committing crimes specifically so that they can record it, place it online and gain notoriety amongst their peers at the expense of the general public.

These amendments are a vital part of the government's strategy to reduce crime, rebuild our economy and restore our unique lifestyle. Whether we like it or not, crime has a direct effect on our economy. People are not investing in Central Australia, the Barkly, Katherine, Darwin or Palmerston because they do not feel confident or safe to do so.

People are leaving the Territory, closing their businesses and getting out because of this. We need to turn that around by changing the legislation to provide the all-too-important opportunity for young people and their families to get the help they need before they continue on the path of criminal behaviour; address the posting and boasting issue online so that we do not glorify criminal behaviour; and provide the correct legislative framework to make Territorians feel safe again. That is what we are here to do.

Every person in the Territory deserves the right to feel safe at work, in their homes and going about their daily lives. Over the last eight years that safety was eroded by the previous Labor government. It was as though it did not care about the people of the Territory. Labor members were hell bent on driving their own ideology at the expense of everyone else.

I am proud to be part of a CLP government bringing this all-important legislative change to make the people of the Territory feel safe and provide the unique opportunity we all have to be whatever we want to be in the Territory.

Mr YOUNG (Daly): Madam Speaker, all Territorians have a right to feel safe. Territory Labor has heard loud and clear that community safety is a concern for people in the Territory. We want children to be held accountable for their behaviour; however, we also want children to be supported and put on a better path, learning at school and contributing to our Territory communities.

Rock-solid research has shown that locking up children does not make the community safer but instead increases the likelihood of a child becoming entrenched in the criminal justice system and going on to live a life in and out of a prison cell.

The data is clear. When kids are in alternative programs, such as group conferencing, they are 40% less likely to repeat their mistakes than if they were punished in the mainstream justice system, such as serving time in prison.

I will break this down further. The latest Police annual report stats say that 70% of kids aged between 10 and 17 years do not reoffend within 12 months if they were part of a diversion program compared with 70% of kids who were released from jail and charged with a new offence. It is clear that sending children to jail does not make them or our community safer.

This will have a negative consequence on the lives of our most disadvantaged children and their families, and it will ultimately lead to the community being less safe. No-one wants that. The government should provide adequate and necessary services to families who need them while keeping the community safe.

I have had many conversations with Territorians regarding their concerns about crime; however, no Territorian came to that conversation or left it thinking that locking up 10 year olds is the solution. In my travels across the Daly numerous families made it clear to me that they are worried about what lowering the age of criminal responsibility will mean for their families, communities and connection to their culture and country. The families and communities also felt demonised by the consistent negative rhetoric the CLP keeps using.

Families need to be supported not demonised. We need to bring the community together, not divide it. We need to invest in early intervention and diversion programs. We need to have services that identify children who need intensive management along with their families at the early stages. We do not need children of primary school age in jail.

The CLP has not provided an adequate plan on what lowering the age of criminal responsibility will mean for children, their families and the Corrections system. Territory Labor believes it is paramount to have the tools and services to intervene before an at-risk child is caught up in the justice system. There is a range of programs, family supports and family engagement approaches aimed at teaching children about consequences and putting in place measures to change their behaviour.

For example, the Territory Labor government invested in the On The Right Track program, delivering intensive family support services, keeping children engaged in school and connecting families with mental health and alcohol and other drug services and parenting programs.

We invested in the co-responder model, which protects children on the streets at night. The co-responder model identifies children at a young age who are going down the wrong path and intervenes. The current Minister for Corrections in an interview with Channel Nine claimed this program was a success.

We also invested in community youth diversion programs, which are available for all ages, including those under 12 who are at risk of future contact with the formal youth justice system. These programs, such as the Kardu Kigay lurruth ngala youth program offered by the Thamarrurr Development Corporation, offer a great service, responding to the needs of young people in regional and community-based contexts.

This program is offered to all youths in the community. It provides a range of activities, including bush wok cooking classes; gym sessions; mowing and whipper snipping in partnership with the men at Healthy Homes; art and culture with the men at the Men's Shed; fishing and netting skills through the fishing enterprise; training, sport and outdoor education with the youth centre; and art and cultural activities with the women's centre.

The Thamarrurr youth centre in Wadeye is managed by a team of experienced local staff who facilitate programs to offer an outlet for youths to learn about their health, social and emotional wellbeing and undertake training in various fields. These programs provide opportunities for young people to learn and grow. The services and programs in Wadeye provide leadership positions and employment opportunities for community members to step into.

Many of the local youth workers are past participants of other programs, many delivered by the Thamarrurr youth centre such as the Bright program in Victoria. Young people from the Thamarrurr region travel to Bright in northeast Victoria to participate in a tailored work readiness program, which includes working in a cafe to become a barista, learning to manage a cafe, cooking and other hospitality skills. It has trained more than 100 young people to be workplace ready, with life and leadership skills across a variety of workplaces.

Many participants have returned to Wadeye to work in local businesses; others have taken up key roles within Thamarrurr Youth Indigenous Corporation, graduated high school, attended TAFE courses and attended university. The CLP should be expanding these types of preventative programs.

The CLP should also invest in the Back on Track community youth justice program, which is targeted towards young people aged 17 to 18 who are engaged in antisocial or offending behaviour. Back on Track is an holistic service coordinator model based on elements aimed at equipping a young person with the skills needed to deter them from reoffending. This includes assessment and case management, identifying developmental and therapeutic needs, addressing consequences and giving back to the community. There is a focus on life skills; cultural connection; building family capacity and responsibility; and vocational education, training, employment and reengagement with education.

By locking up 10-year-old kids the CLP is actively choosing to embed children in the justice system at an early age and turning their backs on these programs and families. You do not need to put a 10-year-old in front of a judge to help them. This is lazy politics from those on the other side because they do not want to deal with the real issues at heart. We need to treat the root causes of offending and the social determinants of justice to get involved early in the individual and family life cycle.

By ignoring all the research and evidence, the CLP is choosing to increase the cycle of youth crime and create career criminals rather than ensuring children and families have the tools to change their behaviour. We know that any contact with the youth justice system increases the likelihood of further offending. Ten and 11-year-olds do not belong in police cells or in the court dock.

We can and must do better for the Territory's most vulnerable children. There is enough evidence that proves our jails are failing our kids, community and society. On 10 October NAAJA put forward a submission to the Senate inquiry into Australia's youth justice and incarceration system. This submission addresses a number of items, which are laid out in the terms of reference. Terms of reference state:

a. *the outcomes and impacts of youth incarceration in jurisdictions across Australia*

b. *the over-incarceration of First Nations children*

c. the degree of compliance and non-compliance by state, territory and federal prisons and detention centres with the human rights of children and young people in detention

d. the benefits and need for enforceable national minimum standards for youth.
We also include observations about compliance with human rights by police during the arrest and detention of young people in the Northern Territory.

I encourage those opposite to look at this submission in its entirety and put themselves in the shoes of the children. In the submission there is a case of a young person under, 'Separation of young people who are at risk'. He is known in this submission as 'X' to protect his identity. The submission states:

X was placed in separation after he started self-harming. At the time of being placed in separation, he disclosed suicidal ideation to Don Dale staff.

A short time later, X was discovered unconscious on his floor after he had knocked himself out after repeatedly banging his head against the wall.

X was then transferred to Royal Darwin Hospital where he was assessed by a psychiatrist and received medical care. Although X was recommended for transfer to the Youth In Patient Unit (YIP), at the time of X's hospital admission there were no beds available in YIP. Instead, X was informed that he would be returned to Don Dale and marked 'at risk'. X's previous experiences in Don Dale told him that being marked 'at risk' meant extended periods of separation. In a state of heightened fear about further isolation in Don Dale, he escaped as he was being discharged from hospital and ran away to his nominated placement with Territory Families.

X was returned to Don Dale and placed immediately into separation.

The Youth Justice Act requires all children in separation to be given access to education and recreation materials, and to be given access to sunlight and outdoor exercise for at least 15 minutes every three hours. However, for the next 24 hours, X was only permitted to leave his cell twice, for a total of 30 minutes and was not permitted to go outside at all. During this time, X was isolated in his cell with no recreational or educational material. His mattress was also removed from his cell for a few hours as punishment after he refused to get undressed at the request of correction officers.

X reported suffering acute mental distress and having extreme thoughts of suicide because of this treatment.

I also refer to an article published in the *NT News* of an 11-year-old Aboriginal boy who spent three weeks in Don Dale and wrote about his experience inside jail. His name and identity is protected. The primary school boy wrote:

I am eleven. Most days I wake up wishing I could go home. Some officers are terrible. I feel like most of them are only there to make your day worse than it already is.

I get angry at myself, and all I can do to calm myself down is tell myself tomorrow is going to be a better day. No-one wants to listen or help or to talk to you when you're feeling down.

I am in a cell, it has a metal toilet. I have a tap that always runs hot. I don't have anyone to talk to in my cell. I can't shower.

I miss my mum and dad and nanna and brothers. I love them a lot. Sometimes they miss my calls and I'm not allowed to call back.

There is spit on the walls and ants everywhere and they don't care about our hygiene and us.

I hate Don Dale.

These two case studies alone should bring about great concern of the CLP's policy. They are about the conditions, the harm and torture which will be inflicted on kids if this legislation is passed. This will be the Country Liberal Party's legacy.

Mrs HERSEY (Education and Training): Madam Speaker, I put on the record my contribution towards the posting and boasting and ramraid legislation.

I remind those on the other side of the Chamber that we went to the recent election with the promise of bringing this legislation during the first sittings of parliament, and this is what we are doing. We are taking action. This is what Territorians voted for on 24 August. They voted for the CLP in their thousands. As a result, we have a commanding majority of 17 members in parliament. They did not vote to keep the same. They did not vote for more of Labor's failed policies, and they did not vote for keeping the age of criminal responsibility to 12. If the majority of Territorians wanted to keep the age of criminal responsibility at 12, we would not be here today, but they did not. They want change and action now. That is what we are doing.

I pick up on the Opposition Leader's comments on locking up children. Our CLP team has never said that we will lock up 10-year-old children. We understand this, and Territorians understand this. The only people who choose to ignore this is the opposition and the crossbench. They like to whip up a bit of hysteria because they have nothing else to talk about. This is the rhetoric that the failed Labor government peddled to the community. Territorians saw through the lies during the election campaign, and they see through it now.

We took our plan to the election. There was an overwhelming result and mandate for us to deliver our promises. We have listened to the people on the ground, which those opposite obviously have not done and still do not.

On this side, we have been listening to Territorians for the last four years. We heard loudly and clearly the frustrations and that the community members had a gutful of the crime crisis that the Labor government, now opposition, left us in. Territorians were sick of not being listened to, and we were constantly told we were talking the Territory down. The previous Labor government took the Territory to her knees. We, the Country Liberal Party government led by Lia Finocchiaro, will not be ashamed to take action to make the lives of Territorians better and safer.

There are countless times I have spoken about a young person in Katherine who has been known to the Education department and former Territory Families, yet when I brought it up with the previous government nothing was done to make this young person's life better. When he had an ankle monitor on, he was not monitored and continued to break and enter. The only thing the previous government did was expunge his record of over 40 offences. This did not help this youth get his life back on track or help our community feel safer. Shame on the previous government for that.

As I have said many times in this Chamber, youths are not born criminals or wanting to cause harm. That is why it is important that children attend school. As part of our plan to reduce crime the CLP government will hold parents to account if they do not send their children to school because they are breaking the law. Every child deserves the right to an education. Unfortunately, Labor scrapped truancy officers; we are now doing the work to rebuild that program and get kids to school.

We will work with families to get their kids to school and on a better path. We will show them care and value. We will invest more in the intervention and treatment of fetal alcohol spectrum disorder. We will bring back consequences for bad behaviour. To stop this bad behaviour you must set boundaries, just like you would with your own children or in your work environment. When youths do the wrong thing there must be appropriate consequences like community service. This is something the previous Labor government took to the 2020 election, yet it did not happen.

Under the CLP government youth diversion programs will be mandatory and not optional as they have been. The Member for Daly was just talking about Back on Track. That is not a mandatory program; it is voluntary. He can talk about all the programs he likes, but they were voluntary. That is the problem. This is why we will build two boot camps—one in Alice Springs and another in Darwin.

I will tell a story about when, in 2023, our CLP team went to Seven Emu Station owned by Frank Shadforth and his family. Frank is a traditional bushman. It was Frank's dad, Willie Shadforth, who worked hard as a cattle drover and horse trader and saved enough money to buy his own station in the 1950s. It is a credit to them.

At the time the CLP opposition went there, Katherine was having a crime crisis of its own. I distinctly remember this because it was shocking for my community. There were 15 businesses broken into, and the community members were feeling totally powerless regarding their rights and feeling that there were no consequences for the perpetrators, many of whom were youths.

I was talking to Frank about this; he and Marissa, his daughter, told us about the youths he was meant to receive at Seven Emu Station. He said they were supposed to receive four 10-day youth work camps and two long-term camps each year until 2025. This station received $4.5m from the Labor government to run

these camps of short and long-term stays that would provide intensive intervention to break the cycle of youth crime. It was a great place in the outdoors far away from trouble and temptation, building cultural knowledge which Frank shared with us whilst we were there. It was extremely interesting.

At the camp there would be a focus on practical learning, horsemanship, land management, tourism, working on a station and learning about bush medicine, which they also make on the station. You can imagine our shock when we learned while we were there that, so far that year—it was June—they had not received one child to that program despite there being a youth crime crisis. That is what you got under a former Labor government—broken promises and words with no follow-through.

Every day Territorians continue to deal with crime. I was doing research going back two years ago; there was an article stating that there were police cars in Katherine allegedly rammed by teenagers in stolen vehicles. The police said that it was a concerning social media trend. The article stated:

> *Police say it was lucky 'no one was hurt or killed' when a group of teenagers in allegedly stolen vehicles rammed a pair of police cars in a Northern Territory outback town.*
>
> *The incident appears to be the latest example of what police are calling a 'very concerning' social media trend among youth offenders in northern Australia.*
>
> *… two cars had been stolen from the Northern Land Council compound in Katherine … and were being driven erratically around the town.*
>
> *Five officers were deployed before the alleged offenders barrelled down Katherine's main thoroughfare where the officers had parked.*

In fact, it was outside of Marion Scrymgour's office and the Opposition Leader's office. It continues:

> *'Unfortunately, the two stolen vehicles directed their attention directly to our police cars, subsequently ramming two police cars,'*

It was a sheer fluke that no-one was seriously hurt. I continue:

> *'Thankfully, the police officers weren't in any of the vehicles at the time of the deliberate and reckless act of ramming our police vehicles.'*
>
> *…*
>
> *… locals were feeling 'threatened' by a recent spike in crime*

Three teenagers were caught. I continue:

> *Three teenagers, aged between 14 and 16, were taken into custody.*
>
> *'One was an arrest target and the two others are on bail conditions already for property offences,' …*

Commissioner Murphy was the deputy commissioner at the time. He said:

> *… there was an emerging trend of young offenders targeting police vehicles across northern Australia.*

This is a failure of the previous Labor government. They could have done something to make Territorians' lives better but did nothing. It is a shame on them that they could have been doing what we are now in government to make Territorians' lives safer. They chose to put their heads in the sand and continue on their path of making the Territory's crime crisis that we are left to fix. What a mess it is!

In the last 10 days there have been ramraid incidents in Katherine; there was a stolen car from Slingshot Haulage rammed through their gates. I think it is the second or third time their gates have been broken. Another stolen car drove into Toyota and smashed all the windows. How they missed the two brand-new cars I do not know, but it was a stroke of luck. In the same incident—they were all the same people—they went on a spree around town. There was a young woman rocking up to the gym early that morning who had her car blocked behind her and a machete held to throat as she was threatened and her car stolen while she was left picking up the pieces. I cannot even imagine how that young woman must have felt apart from

extremely terrified. It is unacceptable behaviour, and Territorians have had a gutful. They showed the previous government that they had a gutful, and we are in government to clean the mess.

In Darwin last night youths from the Member for Daly's electorate stole a school bus from Adelaide River before travelling to Darwin where they stole further vehicles and ramraided multiple businesses. The damage bill for this would be in the tens of thousands of dollars. It is simply not fair on those businesses and the school, which is potentially without a school bus on a school day. How does it pick up all the students to take them to be educated?

The ongoing repercussions of that one incident of poor behaviour these people chose has a ripple effect across many areas. It is not fair to the school which had its school bus stolen, the Darwin residents who had their cars stolen or the businesses that suffered thousands of dollars of damage from these ram raids.

To anyone sitting opposite who wishes to criticise the new ramraid legislation, I suggest you talk and listen to these victims of crime. I am not sure who you were talking to, but it is clear that they were not victims of crime. They might be your friends or someone like that, but they are not victims of crime. If you were truly listening to those constituents, you would not be thinking that this legislation is bad.

These incidents are not just occurring; they are increasing in number and in violence. The current laws are not working. Those opposite refuse to admit that. That is why they are now sitting in opposition. Their heads are still stuck in the sand, and they are still ignoring the truth.

The electorates have already judged them harshly for ignoring that truth. They may want to be wary of continuing down that path, or their stint in opposition may be extended.

Having a specific and dedicated offence for ram raids, which has never been done before, will send a message loud and clear that this behaviour will not be tolerated by this government. We have to cut through to these offenders and do things differently if we want different outcomes. We are not ashamed of that. We will follow through with our promises made at the recent election.

We will not be doing more of the same, keeping the same old laws and the same old tired, divided Labor. Under this new legislation from the CLP government, there will be accountability and consequences. Our community will be a lot safer.

Mr PAECH (Gwoja): Madam Speaker, kids should be on country, not in courts. Kids should be in programs, not in prisons. Kids should be thriving and surviving, not rotting in cells.

I will contribute to the Criminal Code Amendment Bill and the age of criminal responsibility debate. There are few times in this Chamber when I have struggled to find the best words to describe how I feel.

Today we are talking about people who still have their baby teeth and have no place in the criminal justice system. We are talking about people who are deemed too vulnerable to be of an age to be on social media. They have no place in the criminal justice system.

People who are not even old enough to have completed primary school have no place in the criminal justice system. They need support, education, love and assistance with whatever is driving them to make poor decisions. The saddest thing is that the CLP will not do anything to reduce the crime rate. These changes will only guarantee that these 10-year-olds have a lifetime of incarceration and recidivism.

I feel sad for Territory children because the government has taken a policy position that says, 'We know you are falling through the cracks, have complex needs and that your behaviours are rooted in deep poverty, but to help you, we need to criminalise you first.

Criminalising young people and claiming that we need to do it to help them is the most ridiculous assertion I have ever heard. We do not need to put a 10-year-old kid in front of a judge or in the prison system to help them. We do not need to put a 10-year-old kid in the prison system to help them. There are so many ways that this government could help Territory children. It could amend other legislation to respond to the complex needs of Territory children, but instead it chooses to criminalise Territory kids.

Today will be remembered in the Territory's history books as a dark day for Territory kids. The future will prove the CLP wrong. It will prove that it was poor policy. It will prove that it was about headlines, not good policy or safety.

Everyone in this Chamber agrees that the number one priority should always be keeping our community safe, and the paramountcy of children should always come first. To make our community safer we need to adapt and adopt smarter options that reduce crime.

The CLP has shown again that it is interested only in fearmongering and creating division in our community. The government has brought forward a Bill for entirely political reasons. It knows that the old system does not work and was broken. The CLP was a part of why the Royal Commission into the Protection and Detention of Children in the Northern Territory was called. It admitted as much in the 2022 debate on raising the age of criminal responsibility. Let us face it: the CLP members are already out of ideas. They lack vision and initiative. When they are in trouble they go back to the future.

The only thing that the CLP government can offer is the status quo—the same old tired slogans and legislation. We know that the way to break the cycle is by intervening early before there is engagement with the criminal justice system. It is about delivering smarter justice for a safer Territory to break the cycle of reoffending because the evidence is clear that locking up children is not working.

The 2017 Royal Commission into the Protection and Detention of Children in the Northern Territory's final report included a recommendation to raise the minimum age of criminal responsibility to 12 years. The former Territory Labor government committed to this. I am proud to have been the Attorney-General who led this important transformation of the Territory's justice system to ensure that we would not give 10 year olds a lifelong connection crime.

The royal commission found that time spent in custody neither supports or improves outcomes for vulnerable children nor makes the community safer. This seems to be lost on those in government. It is anything but surprising that the CLP has decided to ignore the clear evidence that the earlier a child comes into contact with the criminal justice system the more prolonged their involvement with it is likely to be. That is where the cycle of offending starts.

To make our community safer we must adopt the smarter solutions that reduce crime. The CLP does not like evidence. That is why the CLP has committed to going beyond opposing these reforms by proposing to decrease the age of criminal responsibility as it stands. Some of today's contributions would make you think that CLP members do not believe in a minimum age of criminal responsibility at all. They are actively choosing to ensure that a child's relationship with the criminal justice system is firmly embedded at an earlier age, ignoring the evidence that demonstrates that the criminal justice system is criminogenic. They want to ignore the serious long-lasting effects that these interactions have on a child's life and on the rest of the community. These interactions have serious long-lasting effects on a child's life and on the rest of the community. They want to ignore the fact that locking up children is fundamentally incompatible with the scientific evidence about a child's cognitive development.

The CLP is not interested in evidence and, instead, ignores it. We have seen it this week and are seeing it again today. By ignoring all this evidence, CLP members are without a doubt choosing to increase the cycle of youth crime. We need to break the cycle of youth crime in our community. No-one is disputing that, but the best way to do so is through early intervention, prevention and diversion, not criminalisation.

Mr Edgington: You tried that when you were in government.

Mr PAECH: I pick up on the interjections. I have not interjected on one member in this debate, and I ask that the same respect be afforded to me.

The government could be choosing to expand intervention programs that specifically target 11-year-old and younger children and their families when they show signs that they may be at risk of offending. The CLP is not interested in smarter solutions; it is interested only in the same old tough-on-crime slogans and rhetoric. Territorians want smart solutions. They want the Territory government to deliver those smart solutions that are proven to break the cycle of reoffending, prevent crime and keep our community safe.

We do not need to look far to find solutions that work. We do not have to look overseas or down south; we can look in our Northern Territory at the amazing work happening on Groote Eylandt. Northern Territory Police data shows that youth crime on Groote Eylandt has fallen by 95% over three years, as new justice programs led by the community have been implemented.

Programs, including mentoring and peacekeeping, have been able to help divert young people from the criminal justice system before coming into contact with it. These programs have been beneficial because they are proactive. They engage with young people and children, and they allow the community to opt in to

be role models. The programs deliver real opportunities to build life skills like cooking, health, fitness, spear making, photography, strengthening cultural identity, respectful relationships and also finding work experience positions, undertaking short courses and getting a driver's licence.

We know it works, and that is what the CLP is choosing to ignore by actively choosing to entrench children further into the justice system. We need to be cultivating a system that not only puts the safety and wellbeing of children at the forefront, but that will ultimately make our community safer. We have to be smarter when dealing with this small cohort of children.

We need to remember that the children we are talking about are 11 years old and younger. That is primary school age, Years 5 and 6. In reality, this means 10 and 11-year-old children can be put in handcuffs, held in police cells and ultimately sent to prison. I have said it before, and I will say it again: we should not be locking up children who cannot even see over the partition of a courtroom dock. Our courtrooms, cells and prisons are no place for children.

I will address another issue raised by government members—that is, *doli incapax*. The suggestion that the *doli incapax* principle already provides a legislative safeguard is incorrect. The *doli incapax* principle applies to 10 to 13-year-old kids. It is a rebuttable presumption. The onus lies on the prosecution to prove that the child knows their conduct is wrong.

The presumption of *doli incapax* is not a true safeguard for Territory children. Medical and legal experts have recognised that *doli incapax* is an inadequate safeguard to protect the most vulnerable and young children from entering the criminal justice system, because the process of rebutting that presumption usually only occurs down the track at a court hearing after that young person has already been through the process of being arrested and held in a youth detention facility. It is those vulnerable children with serious capacity issues who are often held in detention on remand awaiting a *doli incapax* assessment and decision.

This so-called safeguard unfortunately does not prevent arrest; interaction with the police; the adverse effects of lengthy periods in detention on remand, which includes separation from family and community; disruption to education; negative associations with sentenced offenders already in detention; and a lack of access to therapeutic programs.

The presumption still has a role and ensures inquiries are made into the child's mental capacity by the prosecuting authorities, but it is yet to safeguard children from the adverse effects of arrest and detention before the finding is made.

Labor will always take an evidence-based approach to this issue, recognising that the earlier a child comes into contact with the criminal justice system, the more prolonged their involvement is likely to be. Entrenching a child in the criminal justice system at an earlier age will always make the community less safe. That is what we will see under the CLP; I guarantee it. Crime will get worse when you criminalise people at a much earlier age; you create career criminals.

The CLP members can sit here looking smug, patting themselves on the back, knowing that this legislation will provide an opportunity for 10-year-old children to be thrown into prison rather than addressing the complex needs through therapeutic programs and support. They can claim that this is in the best interests of children, but we know that is utter rubbish; it is BS.

I am not ashamed to have been the Northern Territory's Attorney-General who raised the age of criminal responsibility. I am not ashamed to have been the first Attorney-General in the country to raise the age of criminal responsibility. I will not be ashamed to be part of an important movement that will raise the age of criminal responsibility again in the future because it is the right thing to do; our Territory children deserve it.

Throughout this debate we have heard a number of parliamentary members make comments. The Members for Port Darwin, Namatjira and Katherine have stated that this legislation is not about locking up kids. If it is not about locking up kids, why are we lowering the age of criminal responsibility to provide the framework to put children in prisons, not in programs? If it is not about putting children into prisons, why are they not expanding or creating new programs? Why are they not amending the *Child Protection (Offender and Reporting and Registration) Act* and the *Care and Protection of Children Act* to ensure that they can make these programs mandatory?

Instead, they choose to lower the age of criminal responsibility to provide the framework to put children into prisons at 10 years old. Putting children into cells is child abuse. We have heard in this parliament stories of children self-harming because they are not being cared for. There were stories in the Northern Territory's

Royal Commission into the Protection and Detention of Children of children self-harming. That is a form of abuse.

'We are doing this because it is in the best interests of a child' is crap! If we had the interests of the child at heart, you would be amending other legislation to provide a therapeutic program—mandatory, if that is what you choose to do. Lowering the age of criminal responsibility is not a necessary process to help a young person get their life back on track.

The Member for Namatjira spoke about the so-called lack of programs. If that is the case and the motivation to lower the age of criminal responsibility, why not simply invest and create more programs and opportunities for young people. The Territory Labor government committed an additional $5m to expand existing programs and create additional programs for young people to be referred to.

The Member for Port Darwin speaks about tough love, being tough on crime and income management for families and how she will do that. She is wrong. She has no power to put people on income management. Income management is a Commonwealth matter. You can advocate to and encourage the Commonwealth, but you cannot income manage Territorians yourself.

It is hypocritical that members opposite talk about people committing crimes. People make mistakes. People need help. There are members in government who have been before the court or NTCAT themselves for mistakes that they have made.

This is a sad day for Territorians. I acknowledge the thousands of people who have continued to be the strong voice for Territory children and the people from the Raise the Age campaign.

I acknowledge the Close Don Dale NOW group. People like Aunty Donna, Aunty Natalie Hunter and Johnny Lawrence are the definition of resilience. They have been there every day to stand up for Territory kids who are in these facilities.

It is upsetting that when we are debating lowering the age of criminal responsibility we also find out that the Corrections minister is planning to move children from a purpose-built facility in Alice Springs—aimed at helping them and designed by incredible architects to encapsulate the needs they have and the therapeutic opportunities that they need—to Darwin, allegedly, where they will not have any connection to country or family. There will be no opportunity for the family to work with the young people on therapeutic response or helping them get their lives back on track.

I also acknowledge a friend who is no longer with us, Sophie Trevitt, who was a star for Territory kids as a lawyer and an activist. She sadly lost her life, but she got to be alive to see the age of criminal responsibility be lifted in the Territory. Soph, as a dear friend of mine but also an advocate, pressured me to raise the age to 14; that is important work that we must continue to do,

I am confident that the progressive movement in the Northern Territory will not drop the ball. We will continue to advocate. I acknowledge every person across the Territory who has been a supporter for this campaign. I acknowledge every person who came to the forecourt at Parliament House this week when the campaign and rally was being held to hear firsthand from people like Uncle Robbie Mills on the direct impact and consequences that this draconian, punitive and terrible legislation will have on the Territory's most vulnerable kids.

We heard paediatricians talk about how harmful this will be. We have heard that young people are still developing; their cognitive development is still being undertaken.

There is not one person in this parliament who does not know or is not related to a person under the age of 11. Many in this parliament are a biological or a kinship parent of a child in the Northern Territory. Go home and look at these children, and imagine putting them in a cell. Imagine putting them into the back of a paddy wagon. Imagine the horror of a child being thrown into a cell where there are adults looking at them, because that is what you are doing.

It is a disgrace that you put three pieces together because you know you are ashamed to talk about lowering the age of criminal responsibility in isolation. You needed to put the ramraid provisions in this legislation. You needed to put the posting and boasting provisions in this legislation so that you could talk tough on crime and talk down Territory kids because you do not have the courage to talk about this in isolation.

We heard members of parliament talk about incidents that happened in Alice Springs involving motor vehicles on particular weekends. On those weekends those children were not 10 or 11. Those children were already criminally responsible. You choose to use that to demonise a younger generation. That is appalling.

Now we are talking about ram raids. We have created a single criminal offence. I have news for you: Territorians can already be charged for ramraiding. This legislation is not innovative and new; the courts can already charge someone under the Act for ramraiding.

This is a bit like the bail Bill. Territorians had to find out through the committee-stage amendments that the bail Bill provisions you brought on yesterday and rushed on urgency will not even start until January. That is how urgent it was. You could have brought that legislation to parliament this week and put it on the Notice Paper to let the brand-new members, the Independents, the Greens, the Member for Mulka, the Member for Johnston, the new members of the Country Liberal government and the Territory Labor opposition have the chance to look at that Bill and talk to people about it—my goodness, maybe scrutinise it—and bring it back in November for its passage. You chose to tell porky pies to Territorians that it was so urgent and imperative that we move on and get it done yesterday. Yesterday we found out that it will not even start until January.

You politicised the need for urgency. You told Territorians that this would be immediate. We heard that loud and clear. However, people still have to wait from now until January for your own laws to take effect. That is extremely poor form.

Members interjecting.

Mr PAECH: I pick up on those interjections. We are not in government; you are. You control when you can take this to the Administrator, but the Chief Minister is on *Hansard* saying that the bail legislation will not start until January. You talk this big tough talk, but when it comes down to it, it is all smoke and mirrors. If it was so important it would be starting next week. You would be going to the Administrator and getting it done.

Ramraiding is a serious issue. We need not just take a criminalised approach but invest and run campaigns on education. There are amazing groups running victim–offender conferencing, talking to people about the harmful effects of criminal behaviour. Young people sit with the victim and talk about it, understanding it.

I will not always agree with the Member for Port Darwin, but I agree with some of her comments about working with businesses to see whether there is an opportunity for young people to form a relationship so that we can then see them have opportunities to grow and develop.

Ms Uibo: That is leadership.

Mr PAECH: That is leadership; I acknowledge that.

I will not support any aspect of this. The Member for Katherine talked about a young person whose records she was not happy to have expunged; however, I acknowledge that the CLP has chosen not to reinstate those expunged records to keep people's criminal records clear and let them start from a new position.

Mr YOUNG: A point of order, Madam Speaker! Pursuant to Standing Order 43, I move that an extension of time be granted to the member.

Motion agreed to.

Mr PAECH: It is disappointing that some members were yelling 'no' and did not want an extension to hear the truth.

Madam SPEAKER: I did not hear that.

Mr PAECH: I did.

I think the legislation is terrible; it is harmful, abusive and not in the best interests of the Territory, but I acknowledge that the CLP will not be returning people's criminal records. They will remain expunged as I had expunged them in 2022 as part of raising the age of criminal responsibility. That is important. It provides at least some opportunity for young people who had their record expunged and have not been before the criminal justice system to have that free and wonderful opportunity for a bright future.

I acknowledge the sponsoring minister, the Deputy Chief Minister, for that important aspect of the Bill.

I reflect on posting and boasting. We have had a lot of conversation in the Chamber about it. Let us unpack that; other areas of that legislation could have been explored. This does not stop young people from creating private Facebook group chats and sharing information, because it is not public. Information on resourcing has not been provided articulately to anyone on this side of the parliament. Will we see police off the beat and on computers trying to monitor this? What are the consequences for people who take photos but who are not the person posting and boasting? We need to understand the implications and potential unintended consequences of this, because it is important.

I look forward to the government highlighting why it is necessary to bundle all three together.

I acknowledge the a range of stakeholders: the Criminal Lawyers Association of the Northern Territory; the National Aboriginal and Torres Strait Islander Legal Services; the federal President of the Australian Medical Association; the solicitor of the National Justice Project; the Law Society of the Northern Territory; the National Children's Commissioner; the Aboriginal and Torres Strait Islander Social Justice Commissioner; NAAJA; SNAICC; the Productivity Commission; the head of the Australasian College of Physicians Paediatrics & Child Health Division; the Northern Territory Children's Commissioner; NT Victims of Crime; Professor Susan Sawyer, Director of Adolescent Health and Royal Children's Hospital in Melbourne; Justine Davis, the Member for Johnston; Kat McNamara, the Member for Nightcliff; Yingiya Mark Guyula, the Member for Mulka; Rodney Dillon; Kacey Teerman; Asta Hill; William Tilmouth; Donna Ah Chee; and the other Territorians and Australians who have called out this injustice we will see.

I pick up a word said by the Member for Drysdale: courage. Courage comes in all shapes and forms. The Member for Drysdale sees courage differently than I. The people I read out just now are people I see as courageous. They are fierce advocates for Territory children. I hope the children can meet those people and hear their names to know they are the people who backed them for a brighter, smarter, safer future.

If the primary objective for the legislation is not to lock up young people, why are we lowering the age of criminal responsibility? Why are we allowing the framework for police and courts to use as a course of action? If that is not the intent, then why? We want to know why that is the case. I never had the privilege to be the Territory Families minister or the Minister for Child Protection, but I hope that is an opportunity I can be afforded. I love Territory kids and want to make sure they have the brightest future. I would see the day a progressive parliament is back to raise the age of criminal responsibility to break the cycle of criminalisation and see young people with a bright, fair future.

Territory families need help. We heard that when the former Chief Minister introduced a youth curfew. They were not asking to lock up their kids, but for help. They want to thrive, survive and be better families, not to see their children taken away. This deprives them the opportunity to see their children grow and flourish.

It is disgraceful that we are lowering the age and talking about tough on crime and families during Anti-Poverty Week. Poverty is the key driver of crime and antisocial behaviour in communities, not because kids feel like it; they live in abject poverty. They need us to be there for them. Ripping them away from their mothers, fathers, aunties, uncles, grandmothers, grandfathers, brothers and sisters to throw them in a cell is not the right thing to do.

I know there are members and people of the public who will be disgusted in what I say, and it is because I am holding up the mirror and want you to look at yourself and understand what you have done when you walk out of here. I want you to understand the harm and that when the crime continues to rise, it is because of these decisions.

I look forward to hearing from the Members for Fong Lim and Fannie Bay about this issue. I know their electorates had something to say about this. Whilst they are cocky over there shaking their heads they did not get in on their own right, they got in on preferences and by refusing to answer the questions in their community.

I am looking forward to telling the people in Fannie Bay and Parap what they voted for. I will call a division on everything tonight to have in black and white where you stand, so the future will remember you for the decisions you made. That is what needs to be done today and every day. Today is a dark day for Territory kids, and it will be remembered. You will be remembered for your shortsightedness and your popularity contests that will not go down well. There are so many other ways you can address these problems. There are other ways you can be leaders; you have chosen a quick fix and a headline, not a proper policy. You have chosen to go back to the future. You have chosen to put kids in cells where, as we heard this week, you would not put a dog. That is why we invested to build new facilities; they were terrible.

Mr KERLE (Blain): Madam Speaker, I will address the comments by the Member for Gwoja. They had eight years to implement all of the things he mentioned. He was a minister of the Crown for four of those years, yet over that time crime rates and incarceration—especially for these children he professes he cares about so much—only went up, not down. I could go on, but I think reality has passed judgement on their policies. I hope, Member for Gwoja, that when crime does go down under this government you will apologise for your wrong comments and thank us for keeping Territorians, including your constituents, the women and children of your communities in Yuendumu and Lajamanu, safe.

I heard your comments about the rally, and I wish you had been so brave to stand in front of this House when 5,000 people gathered outside to protest the death of Declan Laverty. I was there, as were many on this side of the House, but not one Labor member was visible that day. Shame! Territorians have judged you on your actions. You say it is a popularity contest; well, the election was the greatest popularity contest that we have. Judgement has been passed.

There are three components to the Bill: ramraiding; posting and boasting; and returning the age of criminal responsibility to where it stands in every other state in the nation.

Member for Daly, I am surprised that you did not take the opportunity to talk about how this Bill will help the people of your electorate. Just yesterday I was reading about how a group of youths stole a bus from a school in Adelaide River and drove to Darwin to steal more vehicles and ram through gates of businesses. When this Bill is passed, it will form a strong deterrent that will help to keep your constituents in Adelaide River and other rural communities safe.

In June 2020 a four-wheel drive stolen from Bellamack was used in a ram raid at the Howard Springs Tavern in order to access alcohol. I will quickly read a media article from the time. It states:

> *NT Police responded to calls that the Howard Springs Thirsty Camel bottle shop … had been ram raided by a four-wheel-drive about 5.45 am on Monday morning.*
>
> *Police enquiries found the Volkswagen Amarok was stolen from a Bellamack residence following an unlawful entry at some stage overnight.*
>
> *NT Police said several youths were seen running from the vehicle with one carrying a carton of alcohol with him.*

I doorknocked that residence shortly after that occurred. The pain and anguish of having their vehicle stolen in the dead of night and damaged in a ram raid, then splashed all over the media was extremely traumatic for the residents.

Over the last eight years we have seen a concerning escalation in the trend of stolen cars ramraiding businesses. Those opposite said that there are already offences similar to the one before the House, but laws have many purposes, and one of them is deterrence. Making a specific offence for the crime of ramraiding will provide a strong deterrent for potential offenders.

I move on to posting and boasting. It is well known that we have a problem in the NT after eight dark, long years of Labor government. Gangs are committing crimes and bragging about it on social media, with competition between gangs to commit offences and share them, with dangerous behaviour spreading virally online.

I will read two articles. The Member for Katherine beat me to the punch on one of these, so I changed my order. I will start with this one from the ABC on Wednesday 9 November 2022, which states:

> *Alice Springs youth crime spree triggers extreme response from NT Police*
>
> *Northern Territory Police warned Alice Springs residents to avoid the CBD last night …*

We all recall the shock and horror of NT Police advising the public to avoid the central business district of Alice Springs because of out-of-control crime. What a disgrace! How is our struggling tourism industry meant to survive when the police tell people to avoid the Alice Springs CBD?

The article continues:

… after three stolen vehicles, including a Toyota Prado from the ABC compound on Gap Road, were observed driving in a dangerous manner and targeting police vehicles.

Assistant Commissioner Martin Dole said it was an extreme but necessary measure.
…

Five people were arrested in total.

…

In a statement, police said they expected to charge a 13-year-old boy with aggravated unlawful use of a motor vehicle.

It goes on. Other youths were dealt with under the *Youth Justice Act 2005*, which I will return to later.

That happened on 8 November 2022. At the time there was video spread on social media of those youths in vehicles, targeting police cars and driving in an erratic manner around the Alice Springs CBD which, I am sure, Madam Speaker, you well recall.

Fast-forward to the following week, Thursday 17 November 2022, when the headline read:

Police cars in Katherine allegedly rammed by teenagers in stolen vehicles amid "concerning" social media trend

The article states:

Police say it was lucky "no one was hurt or killed" when a group of teenagers in allegedly stolen vehicles rammed a pair of police cars in a Northern Territory outback town.

The incident appears to be the latest example of what police are calling a "very concerning" social media trend among youth offenders in northern Australia.

At about 11pm … police received reports that two cars had been stolen from the Northern Land Council compound in Katherine …

It goes on. We all remember that harrowing vision of a stolen vehicle driving at police cars in Katherine. That is not the sort of thing we want to be in the national news for.

That was in November 2022. Here we are two years later, and we had just less than two years of a Labor government. In that time what action was taken to address this concerning trend?

This CLP government has been in for about seven weeks, and we already have a Bill before the House which will deal with this criminal behaviour. Two years of Labor government after this occurred in Katherine and Alice Springs—proof positive that action was required, and what did we see? Nothing.

There was nothing from the former Attorney-General or Chief Minister. That is why Territorians have spoken, and there is now a new government. This government is taking action.

In my electorate of Blain people are regularly traumatised when a certain well-known group of criminals—which I will not name because they do not deserve the notoriety—post on social media about vehicles they intend to target. When they steal these vehicles, video themselves driving dangerously and committing various criminal acts and share these widely on social media, the victims of these crimes are traumatised again, seeing their beloved vehicle used in these criminal acts.

It is about time. I think the people of Blain will warmly welcome this change of lowering the age. The Leader of the Opposition said this morning that the younger a child comes into contact with the criminal justice system, the more likely they will be to go on to commit more serious and violent crimes.

I have known the Leader of the Opposition for a long time, and we have a warm relationship, but I am afraid you are the victim of a logical fallacy. Correlation versus causation—I will draw a brief example. If you had a surgeon who only took on the hardest cases that needed the most expert attention, they would have a higher rate of adverse outcomes than a surgeon who only took on cases for young and healthy people.

That would not mean that expert surgeon was deficient; it just means they are the one who must deal with the hardest cases with the most risk. The sad truth is that the causality runs in the other direction. It is not the criminal justice system which is creating criminals. The criminal justice system is responding to criminal behaviour by people who are already broken and traumatised. These people are coming from broken homes. Broken homes produce broken people, and when broken people come into contact with the justice system earlier and go on to engage in more serious and violent behaviour as time goes on …

Mr Young: So you are admitting it?

Mr KERLE: The solution is not to stick your head in the sand and pretend that the justice system is the problem. The justice system is part of society's response. The problem is the broken homes that need to be dealt with. However, there are community expectations that need to be addressed. When people commit offences and break the law, they expect there to be consequences.

The Leader of the Opposition and those on the other side of the House have talked a lot about the experts, but the experts I listen to are the people of Blain. They tell me that raising the age of criminal responsibility has failed. Crime has not been lowered. People have not been safer in their homes or on the streets of Moulden, Woodroffe or Bellamack. The experts of Blain have told me that the policy of the former government has failed.

The Minister for Territory Families in the previous government, Kate Worden, spoken often about the alleged hard work the Labor government was doing in youth justice. Where is it? I never saw any evidence of it. It was mentioned earlier today that there were a lot of meetings, consultations and talkfests, but never any evidence of programs hitting the ground and making a difference in the lives of Territorians. If there was, the crime rates would have gone down and we would have seen evidence of children's lives being improved. But it did not; crime rates only went up.

I will read comments from Hon Marion Scrymgour, the federal Labor MP for Lingiari. She said on ABC radio on 23 February 2024:

> *We've got to stop thinking we're dealing with little angels here … When you look at those photos they're laughing and smiling; they think it's a joke, and it's not, because they could have an accident and one of them could get killed.*
>
> *At the moment, obviously, lifting the age of criminal responsibility isn't working.*

Mr Young: You keep contradicting yourself.

Mr KERLE: I pick up on the interjection from the member who is not representing his own electorate and taking care of the people of Adelaide River.

Members interjecting.

Madam SPEAKER: Member for Blain, take your seat. The commentary from the opposition members is too much. Tone it down, please. Opposition Leader and Member for Daly, your interjections are not welcome. Please remain silent.

Mr KERLE: The Honourable Kon Vatskalis, former Labor minister, said on Mix 104.9 on 5 March 2024, 'These kids are not little angels. Dropping the age of criminal responsibility to what it is now, I think, was the wrong move. These kids know, and they think they have immunity. Do not tell me that a 10-year-old kid does not know right or wrong. If they do not know what is wrong, why do they cover their face when they commit a crime?'

One thing those opposite like to talk about is that this legislation is about locking up kids, and that is not true. We took a commitment to the election to address the root causes of offending, and we intend to follow through on that.

I will read extracts from the *Youth Justice Act 2005* that deal with the diversion of youths suspected of committing an offence. In section 39, under Part 3, 'Diversion of youth', it says:

(1) This section applies if a police officer believes on reasonable grounds that:

(a) a person has committed an offence; and

(b) the person is a youth or was a youth when the offence was committed.

(2) The officer must, instead of charging the youth with the offence, do one or more of the following as the officer considers appropriate:

(a) give the youth a verbal warning;

(b) give the youth a written warning;

(c) cause a youth justice conference involving the youth to be convened;

(d) refer the youth to a diversion program.

There are already plenty of options on the books that do not involve custody. In fact, it says the officer 'must'.

Returning the age of criminal responsibility to where it was up until two years ago and where it currently is in every other state in Australia is about giving police tools in their toolkit so they have the discretion to deal with the people who come before them, whether they are young people or adults. If there are failures in the home and all of the other programs that are meant to support these young people, at the end of the day, the community expectation is that consequences will flow. That is what this legislation is for and why I am happy to support it. By all means, we should have early intervention programs, but if they fail, the community expects us to keep them safe.

To answer the question from the Member for Gwoja earlier, this provision is a failsafe for when all the other programs that he wishes existed have failed, to ensure there will be consequences. I am proud to be part of a government that will address the root causes of offending and keep Territorians safe at the same time.

I will support the good work of the Raiders, the Crocs, the Palmerston Regional Basketball Association and all the other sports teams in Palmerston to engage with at-risk youth and give them opportunities to succeed. I will also support the primary schools who support these kids from disadvantaged homes and do all they can to support them to flourish in life.

In my electorate I have many disadvantaged children who need help, but if they do the wrong thing, they need to know there will be consequences. I support this Bill and commend it to the Assembly.

VISITORS
Member for Nightcliff's Family

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of the Member for Nightcliff's family in the gallery. I extend a warm welcome to the member's father and children.

Members: Hear, hear!

Mx McNAMARA (Nightcliff): Madam Speaker, I acknowledge that in the gallery there are two young Larrakia leaders, Mililma and Rakeisha, who have been staunch activists on this issue.

Madam SPEAKER: Hear, hear!

Mx McNAMARA: The situation we find ourselves in is due to the monumental failures of governments for decades in the NT. Our governments in the NT and federally have been failing Indigenous children and their families for decades. I commend the previous Labor government for raising the age to 12.

It seems to me that when addressing these issues there are at least two lenses that we must use to evaluate them. The first is an ethical and moral lens, and the second is a practical lens—the, 'Will it do what we want it to do?'

I will put that first ethical lens to the side for a minute, not that we should ever sideline the moral implications of our actions. Given what I have heard from members of the government so far, no-one seems concerned about the moral and ethical implications of locking up children, so for a moment I will put that to one side.

Our Chief Minister has rubbished expert opinion and evidence and said that she does not listen to it. I do not know how that marries up with her saying that she is listening to Territorians because obviously many subject matter experts are also Territorians. It is a bit of a coincidence that the CLP says that experts do not matter but every expert on this issue says that we should do the opposite of what the CLP is doing.

I do not have such a high opinion of myself that I cannot listen to people who know more than I do on a topic. I will refer to a submission from a group of senior Northern Territory paediatricians to the Senate inquiry into Australia's youth justice and incarceration system. Where do you go when your children are seriously ill? Who do you look to for guidance and answers when you have an unwell child? If a paediatrician's expert opinion is good enough for you and your child, it is good enough for the children whom this Bill will impact. The paediatricians do not have anything to gain by writing this submission. They are a profession that exists purely to ensure the wellbeing of children; it is pretty simple.

Madam Speaker, I seek leave to table two documents.

Leave granted.

Mx McNAMARA: I table a letter from 53 Northern Territory paediatricians to the Chief Minister concerning lowering the age of criminal responsibility. I also table a copy of the paediatricians' submission to the federal Senate inquiry into Australia's youth justice and incarceration system.

I will read excerpts from their submission:

> *… Government inflicted harm, through incarceration during early adolescence, will only serve to ensure these children are sent on a path away from becoming functioning adult members of our community.*
>
> *…*
>
> *Incarceration during adolescence, a critical developmental period, impairs cognitive growth, social learning, and emotional regulation.*
>
> *…*
>
> *Prolonged isolation, inadequate schooling and a lack of rehabilitative programs contribute to the deterioration of their mental health.*
>
> *…*
>
> *Criminalisation and punishment of antisocial behaviours as if the child were an adult, does not provide a framework for rehabilitation, does not improve a child's development, does not teach emotional regulation and does not change the patterns of behaviour the system is intended to address. There is no evidence that criminalising a child's behaviour prevents or deters an individual from future offending. Evidence consistently demonstrates that incarceration increases the chance a child will re-offend; more than 60% of youth in the justice system 12–16 years will reoffend. The current system is not working.*

They continue:

> *In medicine it is widely understood that children are not just small adults. They are physiologically, psychologically and developmentally different to adults. The model of harsh punishment to teach cause and effect, as sometimes used for adults, is extremely unlikely to yield desired positive behavioural change in a younger brain. Suffering does not teach a child to behave. It is unsurprising that children incarcerated at a younger age are even more likely to re-offend, not less likely …*
>
> *In order to regulate emotions and behaviour, the developing brain requires adequate nutrition, positive attachment with a stable role model, provision of clear and consistent boundaries, social and cultural engagement and a stable environment that provides education, stimulation, care, and responsibility and inclusion within a community to develop a sense of self. This is not provided in the current model of detention … By punishing and isolating them, we are failing the most vulnerable children in our community, denying them the right to learn and grow, and offering them no alternative future trajectory.*

I ask the Members across from me: do you presume to have more expertise than a paediatrician?

Today we heard members from the CLP say that our opposing arguments are ignoring the harm caused by youth offenders, as I believe the Member for Drysdale said, or that we are ignoring the trauma that violent offences cause to victims, as I believe the Member for Braitling said. I know and understand that being a victim of crime, like an assault, is traumatic and harmful. I want to stop this happening, but lowering the age will undoubtedly make this worse.

We are hearing from the CLP that even though they are making it possible for 10 and 11-year-olds to be charged and locked up, that somehow, that will not happen.

Apparently, there will not be 10-year-old kids in prison but this unholy trifecta of legislation—lowering the age, presumption against bail and mandatory minimum sentences—means that this is possible, even likely.

This is not just about prison cells; it is all forms of detention. These kids will end up in watchhouses and detention before any conclusion has been made about whether they are guilty or innocent. As we know, the evidence is unequivocal that the earlier a child is involved in the justice system, at any stage of the process, the more likely they will continue to be involved and the more likely they are to be incarcerated as adults.

We will hear the government talk about *doli incapax* as if this a magic bullet that will mean no innocent children are incarcerated. This will not and does not work like that.

To give a real-life example—of which there are countless—a 13-year-old girl recently spent six months in detention before her *doli incapax* hearing found that she was not criminally responsible, and she was released. That means six months of being locked up before being found not to be criminally responsible.

I know so many people who are horrified by this bill, and they say to me, 'I just keep looking at my 10-year-old kid and wondering how the CLP can think this is okay'.

I have a 10-year-old sister and a five-year-old foster sister. I know what the effects of intense childhood trauma do to a child, and I know that regardless of the fact that they now live in the same, safe and happy home, one of them is still statistically much more likely than the other to end up imprisoned under your bill.

Then I remember something: of course, neither of my sisters are likely to be imprisoned, and do you know why? Because they are not Indigenous, and we know the children you are aiming this at. We know your double standards. We know that you manage to sleep at night knowing that 100% of the children incarcerated in the NT are Indigenous.

Can I remind the members in this place that there have been 516 recorded Indigenous people who have died in custody since 1991. You are placing Indigenous kids in a place where 516 Indigenous people have died in the last 33 years. Shame on you.

I quote Aunty Natalie Hunter, a youth justice advocate from Close Don Dale:

> *Our children are under attack … They are being criminalised and incarcerated more than ever before. There is no presumption of innocence. Before they are even found guilty of a crime they are imprisoned on remand for months on end—or forced to wear an ankle bracelet. These are dehumanising and traumatic formative experiences for children.*

This is not about being tough on crime or soft on crime; it is about addressing the root causes of crime. Make no mistake, we know what they are. Only when Aboriginal people lead Aboriginal justice will we see the positive, achievable changes outlined in the royal commission and consistently reiterated in the enormous body of evidence on youth justice.

Now you say that you are listening to the victims of youth crime, well what about the organisation that represents the victims of crime, Victims of Crime NT?

They have warned that lowering the age is a step backwards and that there will be no lasting benefits to victims of crime in the NT until much more is done to stop young people being pushed into offending. I quote the Chief Executive of Victims of Crime NT, Gerard McGeough:

> *… the evidence is the evidence: the younger that someone engages with the justice system, the higher the probability they will continue to be engaged in criminal activity.*

Are you dismissing this organisation as well?

The CLP does not listen to experts, evidence, First Nations communities or legal services of organisations representing the victims of crime. The argument that we keep hearing from the government is that lowering the criminal age to 10 is nothing about locking up children and all about supporting them. Supposedly the only way to engage them and their families would help.

This is a lie that is so brazen and malicious that it is unbelievable. If you think that the only way to help vulnerable children is to criminalise them, you are not doing your job properly. Can we not get more creative and find literally any other than criminalising them? You are not even trying; this is lazy law-making. When the first 10-year-old is locked up after this Bill passes you all better walk into this Chamber hanging your heads in shame.

Mr O'GALLAGHER (Karama): Madam Speaker, this is a serious debate and issue. I refer to my maiden speech as reference; you may recall that I said 'love, compassion and tolerance'. That needs to embrace what we are discussing.

There are a lot of members, including the Members for Nightcliff, Blain and Drysdale, who have young children. They love their children and are raising them with values and respect. That is good. They are giving them values because they are taking responsibility for their children. Some of the underlying causes of our situation is that we have parents who do not take responsibility for their children. As I said in my maiden speech, unfortunately, as I walk the streets of Karama, Malak and Knuckey Lagoon, I see many children who do not have this loving and compassionate environment, which means their lives are being derailed and they are pushed into antisocial behaviour. We have to get to these kids early. We have to help them.

This is what I am a little worried about. I know they are genuine, but when I listen to the opposition's arguments I feel like going to the Member for Sanderson's office where there is an audiologist across the way who offers a free hearing test. I am offering all of the opposition members a free hearing test because they are deaf, and they are not listening to what we have said. Our intention is not to lock up kids. I do not know how many of our members have said that.

We are here to help. We are trying to get to them before they fall into the cracks. That is what we want to do, which is what the Member for Brennan was speaking during Question Time. I will quote the Member for Brennan:

> *It is not just about ensuring a justice system that works, which is critical; our government's plan is about addressing root causes to get our kids back to school on a better path.*
>
> *…*
>
> *We are introducing youth boot camps … working with Indigenous mentors at the youth boot camps; bringing back consequences; expanding school-based policing; holding parents accountable, including with income management; and, as promised at the election, we moved youth justice from the child protection agency to ensure our children have every opportunity for a better life.*
>
> *…*
>
> *Our plan is to reduce crime so our justice system will have less stress and strain and there are less victims.*

That is our intent. I again offer a free hearing test to you.

The other thing is what everyone thinks about the age of 10. My grandson will be six next week. He knows the difference between right and wrong. I recall that my son, when he was four or five, knew the difference between right and wrong. He stole and did misdemeanours, but worked out that he was doing the wrong thing. There were little consequences for little things. Let me tell you here and now, we are not talking about misdemeanours or stealing lollies.

I will give the classic example, which I referred to in my maiden speech. The Chief Minister came out with me during the campaign to a young family in Karama Crescent. That lady had come to me, reaching out, asking, 'Can you talk to me?'

We went there and sat down. She relayed the story of how on a Sunday afternoon, at 4 pm, her husband went out the gate to get dog food from the shops. A bunch of youths, including one who was only about 11, got around him and put a knife to his throat and threatened to slash him in front of his young family. When I

say young, I mean a young mother of a one-year-old baby and a three-year-old toddler. They threatened him right in front of them. He gave them money, and they went away.

I went back to do a welfare check on that family, and I have been back a couple of times. When I went back the husband was not there, but the brave young mother was there. I asked how she was going, and she said, 'Not so bad'. I asked, 'How's your husband going?' She said, 'He is finding it hard. He is traumatised and keeping it bottled up. He can't get it out.' It is putting a strain on their whole relationship.

We talk about consequences; what about the consequences for the victims? They are the ones suffering, and no-one listens to them. They want action.

I went back again, and this couple said they were still feeling it and were about to move. They relocated simply because of the trauma. I feel for the husband, and I hope he gets counselling, because he needs to get it out. He did not deserve this, nor did his family, but they are the ones who have to take it on.

In her reply, the Leader of the Opposition said that thousands of Territorians are against the proposal. That is probably right, but if you reflect on the outcome of the election, there is a bloody sight more who are for it, and they want us to act. They do not want deaf people not listening to them. They want people to listen and act on their words.

Let us not get this hubris that we know everything. Why do we not listen to the majority? Why are we telling the majority of Territorians they know nothing? That is BS—I am sorry; parliamentary language. We cannot put up with that anymore.

Look at our plan. Territorians knew exactly what we would do. I will read excerpts from it:

> *Week 1 of Parliament we will:*
>
> *Introduce 'Ram Raids' legislation, using a vehicle as a weapon and 'posting and boasting' on social media will be an aggravated offence.*

That is part of this legislation.

Without any apology, and embraced by the majority of Territorians was this:

> *Lower the age of criminal responsibility so offenders don't fall through the cracks. They can be sent to meaningful intervention programs to turn their life around.*

Let us remember that is the intention. Take the bloody wool out of the ears and listen.

Let me go to another couple of points. I heard the Member for Gwoja speak. He claimed credit for raising the age of criminal responsibility from 10 to 12. He wants to go to 14 if he can. If we let him go, he will go up to 18; that is fine.

Mr Paech: That is not what I said.

O'GALLAGHER: No, that is not what you said, but I said 'I think'. You did say 14.

Having said that, he also kept talking about being progressive. First of all, in going from 10 to 12, my understanding is crime rates went up, they did not go down. There is something wrong in that equation. It did not make a solution; it caused the problem. We are addressing that problem.

The word 'progressive' is a lovely, beautiful word. I looked up the antonyms of progressive in the dictionary: conservative, moderate or orthodox. I do not mind being called conservative, moderate or orthodox. I will take that as a badge of honour. It also said it depends on your version of 'progressive'. There are lots of versions of 'progressive'. I found the one that might apply.

One of the most progressive TV shows I have ever seen is *Teletubbies*. I am sure I could imagine Tinky-Winky, Dipsy, Laa-Laa and Po playing around, laughing, dancing and singing as they go around their days in a scenic *Teletubbies* land while their baby-faced sun interacts with them in a fun way …

Ms UIBO: A point of order, Madam Speaker! Standing Order 110: relevance. There is a lot of light humour, which is fine, but this is a serious matter which the government has brought to the House. Let us all do our jobs.

Madam SPEAKER: Yes …

Mr MALEY: A point of order, Madam Speaker! The Member for Karama is actively talking about what is before the House today. This is completely relevant because we had an election seven weeks ago. This is exactly what we are talking about: we are here to listen and act …

Ms Uibo: Do not embarrass yourself. That is a shame job.

Mr MALEY: That is what the Member for Karama is doing right now. He is telling stories about what he heard and how progressive the CLP will be and how this mob over there failed Territorians.

Ms Uibo: About *Teletubbies*? Get real! You are the government; what you say matters in this place now.

Madam SPEAKER: Opposition Leader, you do not have the call …

Mr Maley: Go outside and whinge outside. Tell someone who cares.

Madam SPEAKER: Member for Karama, continue with your speech. Everyone has been given a lot of latitude.

Mr O'GALLAGHER: The other worry I have about the Member for Gwoja is part of his closing comments. He said he had been progressive and all that, but that he would definitely call a division on every clause. I did my parliamentary training; I listened to it. We were given advice and if the Independents were there, they would recall this. The advice was the nature of the parliament is the government gets its way; opposition has its say.

I want the opposition to have its say, but what I cannot tolerate this tantrum of unwarranted delay just for the sake of delay. That, to me, is disrespect to this parliament. It is a shame job. If we are to get serious about this let us do it properly, but do not try to delay things for the sake of delay.

J DAVIS (Johnston): Madam Speaker, I am in opposition to this Bill. I am in solidarity with my First Nations friends, family and colleagues inside and outside this Chamber who have stated clearly what the impact of this Bill will be.

I will touch briefly on the ramraiding parts of both laws, but I intend to focus on the age of criminal responsibility, given the magnitude of what is happening today in this Chamber.

We have talked in this Chamber about the need for good process. We have not had time to properly understand this Bill. I repeat my comment from yesterday that I am here on behalf of my community to do a good a proper job. I cannot do a good and proper job, and I apologise to my community members who put their trust in me, as well as to all the people who will be harmed by these laws that we are rushing through.

The rushing of law yesterday means that we are already seeing unintended consequences. We did not get to consider the impact of changing what is defined as serious crime or introducing a presumption against bail for children—now for 10-year-old children as proposed by the CLP in this Bill.

We have not had time to look at the impact of the post-and-boast Bills. A constituent asked if the post-and-boast legislation will impact on the ability to protest, which the Chief Minister expressed her commitment to. She said, ‘If someone videos something that a protestor is later charged for, or if someone gets caught up in a protest that turns violent around them, then someone records this and posts it as a matter of public interest, will fall under the posting and boasting laws?’

I note under the Bill these laws will apply to 10-year-olds; how can we expect them to understand the potential impact of sharing posts? The CLP tells us that the community is demanding urgent action on safety, and they have a mandate to deliver. I agree. They tell us that 10 and 11-year-old kids are falling through the cracks, and we have responsibility to act urgently. I agree. We have a job to do, we hear about the harm to the community and children and from members about the impact of crime on them, the family and their constituents. Every person in this community has the right to feel safe. As the law makers in the Northern

Territory our job is to make laws so everyone in the community feels and is safe. I share the CLP's commitment to this, but I cannot agree this law will do that.

There is no evidence that criminalising children makes people safer. The data is clear; it harms these children for life and harms the community by turning kids who are falling through the cracks into lifelong criminals. Instead of criminalising we must address the causes of crime, repair the harm, foster real accountability and create alternative pathways. This is how we achieve long-term safety for our communities. I hear the CLP say over again that is what they want.

The CLP says that we need new laws to stop 10 and 11-year-old kids falling through the cracks, but we already have the tools we need. Under the *Care and Protection of Children Act* police are empowered to apprehend at-risk children, take them to a safe place, investigate their situation and report to the people responsible for their care and protection. We do not need to criminalise these children to make sure they get the help they need.

We have spent more than $40m on the Royal Commission into the Protection and Detention of Children in the Northern Territory, initiated by the CLP's federal counterpart, and the evidence is overwhelming. Criminalising children causes long-term harm to everyone. The royal commission did not recommend lowering the age of criminal responsibility; instead, it told us we need to stop crime before it happens and how to do it.

Everyone agrees that we have spent too many decades cleaning up the mess of failed policies. We have heard from lawyers, medical professionals and economists that this Bill is harmful, expensive and will not achieve its aims. The CLP told us that they do not want to listen to experts and want to listen to the community. My community has told me over again they want this issue addressed. They want it addressed in a way that works; they do not know the solutions, but it is complicated, and the right information is needed to make the decisions.

Terese in Moil or Graham in Millner can see that, but not the CLP. My friend Stan at my local Greek club where I get coffee every morning, said, 'I saw the news about the 10-year-olds. Those kids need to be in school, not jail.' Stan is right, and he is a CLP voter.

The Member for Drysdale, who is not in the room …

Madam SPEAKER: Member for Johnston, I know you are new, but you cannot refer to a member being in or out of the Chamber.

J DAVIS: Apologies.

The Member for Drysdale describes himself as the most experienced person in the room in working with young people. I worked with young people for over 40 years as a youth worker, a family crisis worker, a mediator and a restorative justice practitioner. I worked with police, in prisons, in youth detention centres and in the violent events. I worked with people who have caused harm and committed crimes—serious violence, like murder and rape. I have worked with those people who have been hurt and damaged by this, who have had family members killed, sexually assaulted and who have had the worst things you can imagine happening to them.

I have sat with victims and offenders. I do not appreciate being told that I am not aware of the trauma and impact of crime on people. In my work before I came to this role, I saw it every day; it is one of the reasons I chose to do this job. I have seen firsthand there are better ways to do things—ways that will stop crime before it happens—that will support victims, create accountability, repair crime if it happens and ensure it does not happen again. This Bill will not do any of that.

I am not a naive do-gooder, and I am sick of hearing do-gooders being dismissed. I do not understand why the CLP thinks it is bad to do good; perhaps they can explain it to me. Thank you, Member for Drysdale, for expressing your compassion for children, and I am sorry that your family and your children have experienced trauma and harm. No-one should have to experience this. I am glad to hear you and your fellow members in this Chamber say over again that this Bill is not about locking up children.

As we have heard from other people, I do not understand why you are bringing in this Bill if you do not want to lock up children. If you want to protect children and intervene you do not need this Bill. If you want to protect the community and keep people safe, this Bill will not do that. If you want to care for the children who

are not cared for, this Bill will not do that. The only thing I can see this Bill doing is making things worse—our whole community will be less safe.

I fear this Bill will make things worse for all children, including your children, Member for Drysdale, and worse for our whole community. As we heard from the Member for Gwoja we do not need to look far to find what works. In the NT we have programs already that are making a real difference, like the community justice groups in Groote Eylandt where youth crime dropped by 95%, or the Alice Springs alternative-to-custody program for women where participants are three times less likely to reoffend compared to those sent to prison.

We need to start asking the right questions if we want real solutions. What will genuinely make our community safer? How do we break the cycle of crime and disadvantage? As politicians it is time to stop asking what will get us elected in four years and start asking how we build a safe, strong and sustainable future for everyone.

We know that lowering the age of criminal responsibility will mean that this group of children will spend more time in courts and on bail or remand rather than being directed to programs, supports and re-engaging in school. They will be in the hands of lawyers, judges and police instead of social workers, youth workers and family support workers. We know lowering the age is contrary to the recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory.

If the government insists on passing this legislation, they should include the implementation of the royal commission recommendation to have 14 years old as a minimum age of detention. If they insist on criminalising 10-year-old kids, they should not remand them in custody or sentence them to detention if they are under the ages of 14.

I will be opposing this legislation. If the government insists on passing it, I will do everything I possibly can to protect children from harm, which is what I heard the CLP wants. It is a key responsibility for all of us. I will be proposing amendments to minimise the amount of harm this legislation causes to children, including carve-out offences; oversight; and, along with the Member for Mulka, an amendment to say that while children can be held criminally responsible, they cannot be detained.

The CLP has been saying that it does not want to lock up children. That is what these amendments will say. This is not ideal. We know that any contact with the justice system is damaging to children, but perhaps it will minimise the negative impact on our children and on all our futures.

If the government insists on lowering the age of criminal responsibility, it must increase opportunities for youth diversion by increasing the number of offences and circumstances when young people can be given youth diversion instead of being formally charged. This includes giving back power to judges to send a young person to diversion when they are eligible, as well as giving police more scope to send a young person to youth diversion instead of formally charging them. These were also royal commission recommendations that Labor implemented and then rolled back again.

We know the criminalisation of 10 and 11-year-old kids traps them in the criminal justice system and does not address the underlying social, emotional and health-related issues these children are experiencing. We know that criminalising young children contributes to higher rates of recidivism and worsens long-term outcomes for all of us.

It is also of concern that the age of criminal responsibility was only recently increased to 12 years, accompanied by the introduction of the On the Right Track program. This meant young people were engaged in programs and supports at an early age of offending behaviour, rather than spending lengthy time on bail, appearing in court or languishing in youth detention.

We are now being asked to change this law when, according to the department, there has been no evaluation of the impact of the 2022 changes to the age. We do not know what is working and where the gaps remain.

We have heard from people across the board, including from members on both sides of the Chamber, of the importance of supporting and funding culturally appropriate initiatives and working with Aboriginal leaders to implement justice. We need to listen to elders and work with them to address these issues.

There is a huge gap in community-based programs that provide support for vulnerable children, culturally appropriate programs, effective diversion programs and properly funded restorative justice that can be victim

centred and work with young people and children to create accountability, repair harm and effect long-term change.

If the government is serious about stopping youth crime and looking after children, this is where we need to put our resources, not in locking up kids.

If this law passes we will not be the only country in the world that treats 10-year-olds as criminals instead of children, but to my knowledge we will be the only country that has raised the age based on evidence, did not evaluate the impact and then chose to lower it again. What on Earth are we doing? The passing of a law that takes us backwards is a sorry day for all Territorians.

This is our moment to make bold, effective laws that actually work for generations to come, laws that address what the CLP is talking so passionately about in this Chamber and that address the things we all care about—making us all safer and caring for all our children. This is the real mandate we are tasked for in this Chamber. This law will not make us any safer; it will make us less safe. We do not need it to look after the 10-year-old children who are falling through the gaps.

I will not be supporting this Bill. I urge my colleagues to make law that is smart, brave and will be effective in making us all safer.

Mrs FINOCCHIARO (Chief Minister): Madam Speaker, I am proud to speak to this legislation which forms the second Bill in our reducing-crime package for this first sitting of parliament. It is off the back of a clear, defined and plain commitment to Territorians in the last election that in the first week of sittings we would do certain things.

Yesterday, in fulfilment of that commitment to Territorians, we passed Declan's law. That is an historic moment where we can not only honour the life of a young man who had his life cut short at the hands of a violent offender on bail with an edged weapon, but also put in place stronger mechanisms in all forms of bail and for the police to better detect knife crime.

On that point, I thank Constable Gary Walsh and his team, who were with the minister for Education and I at Darwin High School today. We were speaking with the principal about how Declan's law will allow principals to use the intelligence they gather in schools to get police to undertake wanding in the school environment.

Constable Gary Walsh had been out earlier this morning, undertaking a wanding operation in Palmerston. In his pocket he had a pair of scissors and a pair of knuckledusters which were obtained. It was an excellent example of deterrence. He was about to perform the wanding operation; the person who would be wanded knew the game was up and simply handed over those weapons to police. It was a fantastic outcome. It was a young person who should have been at school and who is now not carrying around a weapon. Who knows what would have come of that?

Congratulations, Constable Gary Walsh. It was an excellent example of why we are standing here doing what we do. I commented at the press conference that we will never know the full extent of how effective our laws have been, because of all those instances of proactive policing that we are empowering, enabling, supporting and promoting our police to undertake. We will never know the crimes that never happened.

Today, Constable Gary Walsh is a perfect example of that. We will never know what might have happened later today or tomorrow with that young person with those weapons in their pocket. Because we have given police better powers, that deterrence factor makes a difference. It is an important part of the Territory story going forward that we take these measures to back our police, give them the powers they need to support a safer Territory and back Territorians to live a safe life.

The second part of this reducing-crime package is before us. We have been debating it all day. I appreciate every person who has contributed, because we are all in this parliament elected by our peers and our community to do an important job. I appreciate that there are members in this parliament who will vote against this, and that is your democratic right and obligation on behalf of your community. That is what you believe is right.

What I know to be true is that the Territory is facing a crisis of extraordinary proportions. A crisis at the level we are facing requires a crisis response, which is why we were clear with our community, every Territorian, that if we were to be elected to government we would do several things immediately. We are delivering on that commitment.

It is interesting, because governments are usually criticised for failing to deliver and our government is the opposite. We are being criticised for delivering on the commitments we took to the election. I wear that as a badge of honour, because I have always said to Territorians, 'Judge us on our actions, not our words'.

Territorians have been talked at by a Labor government for eight years, where the rubber never hit the road, and people were sick and tired of it. I would rather Territorians judged us for the actions we are taking and the deliverables we are turning into reality for our community. Over the last seven weeks, whether it is this package of reducing crime Bills, the meningococcal B vaccine, the HomeBuilder scheme or any of the other initiatives we have either delivered or put in motion, no-one could say we are not a government of action and of our word and I am proud of that.

Whilst Labor wants to come in here and tell the CLP what it should be doing instead of what it is doing, Territorians have little sympathy to the arguments. The reality is, just seven weeks ago, Labor was the government. Labor raised the age of criminal responsibility, saying that it would be this great moment in time when it changed youth justice forever. Labor failed to deliver any of the promises it made in the leadup to or in the execution of raising the age of criminal responsibility.

Since 1 July this year there have been at least 104 instances of crimes involving children aged between 10 and 11; that is a tragedy. Many of us in this Chamber are parents, and we would all know young people. I have said it a thousand times, and I will say it again, that no 10 or 11-year-old kid wakes up one day and becomes a criminal. There has been systemic failure in these young people's lives, probably since before they were born.

What the Opposition Leader did this morning in her contribution was point the finger at every government agency and every other authority that has failed these kids. What she did not do, and I found most telling, was point the finger back on the people who have the greatest responsibility for that child—the child's family. At the end of the day, if you have a family you have a responsibility to those kids. Personal responsibility and family responsibility have been removed under the Labor system of government over the last eight years. It is worse than that because in 19 of the last 23 years—over the last two decades—it has been an ingrained system where there was no personal responsibility under Labor; something is everyone else's fault. Of course, a system can never be as good a parent as a good parent.

The reality is that there are people in this world who have different levels of ability to deliver care, and there is no typical good parent. It is a bloody hard gig; we all know that. In the best of circumstances, it is hard to be a parent, so in difficult circumstances—in low socioeconomic circumstances and poverty—it is even harder. There is no questioning any that.

At the end of the day we must decide as a community, as a parliament and as a people who we will stand by going forward. Will we stand by people who neglect their children or systems that do not work and support this idea that no-one is responsible? Or will we stand by the child who cannot stand up for themselves? That is the side of history that we have decided to take and that is the side of history that Territorians have elected us to be on.

No child deserves to be subjected to whatever traumas they might be subjected to, to end up as a 10-year-old kid committing multiple offences.

I reiterate that this is not about a hungry 10-year-old kid going to a supermarket and trying to stuff a loaf of bread under their shirt because they are starving and trying to feed their family. As tragic as that is, it is not the situation we are talking about. We are talking about serious, dangerous, violent and sexual crime levels of offending. If it was about a loaf of bread, we would be the first government to go out and buy every child all the food they needed, but it is not that simple.

We have this obligation to the child who has been let down in several ways over a long time, and we have the people who just want to be safe and do not want to live in fear anymore.

Not all crime is youth crime; this is just one component of a package. It has been a focus, but not all crime is youth crime. It would be ridiculous to suggest that it is, but it is a component that we can take proactive action on.

By reversing what Labor did not that long ago, we can put the power back in the hands of judges to make these decisions. The same dissenters to this legislation are the same people who say that judges should be the ones with all the discretion. The people in this parliament today who oppose this legislation which gives

the courts the discretion to decide are the same people who will argue against mandatory sentencing because it takes discretion away from the courts.

We have an opportunity to do things differently, and that is what my government is doing.

Along with lowering the age, we are bringing in the new offence for ram raids. As the Police minister as well as the Chief Minister, I cannot believe that in the last seven weeks I have had to make phone calls on multiple occasions to police whose police vehicle during a pursuit was rammed by youths in stolen cars. If you had have told me seven weeks ago that they were the phone calls I would be making I would not have believed you, but it is the truth.

This is incredibly dangerous behaviour for not only these young people but also any other road user—the innocent nurse driving home from work and the police just trying to do their job are becoming victims of crime with a projectile as lethal as a car.

Going back to Declan's law, let us not forget that it was the CLP which tried to get lethal weapons like vehicles recognised as part of the bail reform that Labor did after Declan died. Labor refused to do that. It refused to acknowledge the harm and destruction that offensive weapons can cause. They knowingly and willingly stopped offensive weapons from triggering a presumption against bail, despite knowing that a smashed bottle of rum, golf club, star picket or a stolen vehicle is as dangerous as a knife. We are righting that wrong in the parliament over the next two weeks because it does not pass any standard test that the community will accept. That is what are here to do as policymakers and lawmakers. We are here to create laws for the Northern Territory that meet the expectations of our community.

It is then the judge's responsibility to implement the laws that have been put in place. It is for the police to enforce the law. Everyone has a role to play in this chain, and our role is to make sure that the rules we set for our community—which are set in this room—are the rules that our community expect everyone in the community to play by. That is how rules work.

Along with the ram raids and lowering the age, we have an opportunity to have a new offence of posting and boasting. I did not hear this myself, but it was mentioned to me. Member for Johnston, you commented about 10-year-old kids posting on social media. I believe the rules are that they should not have a social media account at that age, but I have photos in front of me that are horrific in the notoriety that people are trying to claim with their crimes. Whilst it is resource-intensive for our police, we want to give them every opportunity to take the action they need to keep our community safe.

We know we are not alone on this. It is a shame that the opposition cannot heed the message of our community in the way that some would argue that they should at this point in the electoral cycle. Marion Scrymgour has been clear about her views, as has former Minister Kon Vatskalis, the Lord Mayor of Darwin. We see senior Labor figures go on the record recognising that Labor has lost its way. If anything, the election result would indicate that is true.

Whilst we accept wholeheartedly the role of opposition, crossbench and independent members to hold us to account—we embrace and need that level of scrutiny—there is a level of the opposition that needs to understand where the Territory is at right now. Where Labor was trying to take the Territory and, in fact, took the Territory, was in the wrong direction. We have not only the mandate, but the obligation to deliver on that change of direction through the plan that we took to the people. The people spoke clearly.

I am proud to lead a team that understands what the job ahead is. This is the start of the work to come. This reducing-crime package is not the total answer; it is a part and a start. I can tell you from being on the ground with the police that they are already thankful for the changes we have made and the support we have provided them as it makes a real difference in their lives. These are the men and women who wake up every day, put on a blue uniform and leave their families to protect ours and our community. That is not lost on me for one moment. Every day these people run into the fire, violent situation and car crash, despite all of the risks to them and their families and the impact on their loved ones.

We must treat those who are pulling on the uniforms with respect they deserve and give them the opportunity to do their job. With police and judicial discretion I know that the right decisions will be made. I know that as long as we stay the course and see through our commitments to the community, as people have asked us to do, we will turn the tide on the Territory. We will turn things around, reduce crime and rebuild the economy. Until we reduce crime, how can we have a thriving business sector? How can we encourage retailers to trade with their doors unlocked? How can we have more staff going to work if they do not feel safe? Everything stems from that most important task of our government; that is, to make people feel safe and be safe no

matter where they live in the Northern Territory. We have received overwhelming support for that, no matter where we go.

I did not have the opportunity to attend the mall today, but some of the team held our standard mobile office there, as we have done for many years on a Thursday of parliament. We pop up the tent and stand in the mall out the front of Galleria. If people want to talk to us, they can do so; if they do not want to, they go have their lunch. It is a great way for us to engage with the community and be available to Territorians. All reports came back to me that people were happy and thankful. There was lots of positive feedback about Declan's law.

As far as I am aware, no-one came up to us worried about raising the age of criminal responsibility, giving police better powers to deal with knife crime, strengthening the provisions in regard to ram raids or any other legislation. In fact, the overwhelming response we get from our community is, 'Don't stop; keep going.' People are scared that, like Labor, we will cave into the pressure of special interest groups, but we will not cave in. We will not give up. We will not pander. We will stay the course because Territorians have put us here for an important reason, and we will not leave the government benches until that job is done.

Mr GUYULA (Mulka): [By leave the member spoke in Yolngu Matha and self-interpreted in English.]

Madam Speaker, I am from a country, the land of Australia, East Arnhem. I have come to fix the crime we are talking about in this Chamber. I left my job as a senior Yolngu Matha lecturer at Charles Darwin University, teaching balanda and people from other places about Yolngu *rom*.

This is the Yolngu *rom*. You see this dillybag here; this is *dhulmu-mulka bathi* which maintains and contains Yolngu *rom*. This is the constitution that holds the law of the land. This is what I brought here, not to show off but to show that we have law and constitution on land. A lot of people on country have used the law, just like everyone else around the country and the world misused it for their own purposes, but it is about peacekeeping, looking after family and welcoming people from around the country who are coming from other places.

I have spoken to people in the last eight years. This will be my ninth year in the Chamber. I kept being sent to go back to explain to the government that there is an issue in the communities. All of a sudden, the crime we are talking about and whatever is happening around the country is happening in communities. We are wondering what this is. These are not the children of the land we have disciplined. These are not the children we taught. What has happened?

Now a lot of people come in, and there is crime running around the place. People are creating problems—newcomers from overseas and down south. I remember in 1971, I walked and stood in the middle of the street in Brisbane on an excursion. A little white kid came along, held my hand and said, 'You are black'. I did not get angry at him; he just wanted to learn and find out whether I was painted or if that was my original skin. He was about nine years old—a little boy. The parents came around and pulled him away, and I said, 'No, bring him here. I want to talk to him.'

That is how we started to try to find out what is happening now. I will go back to sharing more about how this is our law. We have changed and used it so it can stand—I walked in the Chamber when I could have been welcomed. 'Okay, you are the man who will help us on how we work for the Aboriginal communities'—instead, they walked away from me and created organisations. When organisations went to communities, people there said, 'No. There is a man there in the parliament already; we sent him to talk to you to fix these issues'. Our people are not surprised about these laws coming in. We want safe communities. I walk with everyone who wants a safe community, but how can we actually make it? Enough is enough with saying, 'We know what is best for you'. I know what is best for us; this is our law and contribution to tell that if we work together to make a pathway, we will create a better society.

This will all fail. If my people wanted to create a pathway and say, 'Balanda, you go and make your community over there, and we will serve and look after and tell you what to do. We can do everything we want to do for you, according to what we know.'—no; we welcome you. This is what Larrakia have done. They call the people to come here, and there is always an acknowledgement in the morning. I hear it; it is powerful. Our prayer in the morning is powerful. I am a Christian man, and I strongly believe in God. The prayer in the morning, read by our Speaker, lifts me up. I say to myself, 'I hope this will be working all day', then all of a sudden, we start arguing with one another. But that is all right.

In Yolngu *rom,* the law says we do not argue about—'No, no, you are wrong; you are the opposition, and we are the people in power here.' No; we all work together. Come and stand and create pathways together. This is what our law is.

I have learned, and I can tell you that the crime that is happening is targeting the Indigenous children. We understand; we can see that. We see from Darwin. We have been disempowered by a foreign law and system that thinks it knows what is best for us.

We are experiencing the children of the intervention. I hear bad stories about Palmerston—someone sharpening knives and trying to chase people around the country. That is not how Yolngu *rom* works.

Our children are confused; they are lost about what they want to do. We want to bring them back. We keep asking. I came here to ask to give us back our power so that we can look after our children. We will discipline them. We will take them on to *raypirri* camps to discipline and tell them the stories about who they are.

I do not know how long I have to speak, but I want to make sure that when I walk out of here we are all in this together. We want to create a pathway to live together in a safe and harmonious way. Believe me, let us be part of it as well; let us work together. If we work together, we will fix the problem. That is resourcing camps that we need to work together so that the children are happy and surviving.

At the moment the prisons are full. I would not be surprised if it is 99% Indigenous people. In Don Dale it is bad as well, and it is building. These people are not like this because of Yolngu law. We have never had this big crime happening. They are confused.

I was at Milingimbi when the intervention was introduced. They came in, and I was there to meet them. I worked as a leader there. We saw a front line of Army and police. I said, 'What is this? Where are we? What will happen here?' They came in by force and built a shelter—a tent—and started calling for the children. They said, 'Bring the children here. We want to wake them up and ask them questions. Do this, that and the other.' I said, 'I am one of the leaders here. Can I be an interpreter?'

I have been an interpreter, and I am still an interpreter. I interpret in the Chamber and in the courts.

That is what happened. This is how I know that these are the children of the intervention. This is what I know; I have seen and heard it.

When I was trying to teach non-Indigenous people about Yolngu culture and *rom*, I went online through Skype around Australia. I had about 50 students at the Tokyo University of Foreign Studies in Japan, Germany and California who wanted to learn about this.

After the intervention came through we left our children back there. I went back to work at CDU. When I went back home it did not take too long—about six months or so—before I heard children swearing at parents and throwing things at their leaders. I said, 'There is something wrong here. These children are not the children who had discipline and respect. Something has turned us wrong. Something has taken our power from us, and now children are swearing.'

We tried to yell at kids to come back home—this, that and the other—and all they said was, 'If you smack me, I will call the police. If you tell me to go back home, I will call the police.' That is the impression they got 17 years ago in 2007 and 2008. They are now the people who are running around here. This is not the only place they run around creating crimes and committing break-ins; they are doing it to us as well in communities.

This is why I came in. I did not want to be a politician. I started working as a CDU lecturer, and before that I wanted to be an aeroplane mechanic. Then I started to learn to fly aeroplanes. Then I started learning to get a commercial licence, but flight planning in that gave me a big fright. I had a map to see where I could fly for my next test, and it was across the world—to fly from Sydney to London and to New York. It would take me away from my home and family. I was 19 then. All of a sudden a phone call came and I was told that my family wanted me back home to learn to be a leader and to go through ceremony which is where you learn.

I was left like a dog between two masters—one going this way and one going the other way—and the gap was getting wider and wider. I said, 'It is too hard for me. I will give it away. I will leave this plane, and I will go home to learn.' That is how I gained my leadership. That is the gap we need to close.

Let us work together and listen to one another. Let us work together, and we will make things better.

When I was a 10-year-old child we used to walk along and climb rocks. Our parents used to say, ‘Wait. Run away from there.’ But it was the good part, and I wanted to play on those rocks or break the branches of those trees. They would say, ‘No, do not break that’.

When I was nine to 11 years old they would say, ‘That is a significant tree; the spirits of your fathers, grandfathers, grandparents are in that tree.’ I said, ‘No, what are they talking about? This is only a tree, and this is only a rock.’ Because I was only trying to discover and learn, and I did not know what it was. I did not know what I was doing.

Later on, when I got older—around 16 to 17 years old—my father came along again and told me, ‘These rocks you used to play around with are the image of your totem—the green turtle. That tree you were breaking—our spirit is in that rock.’ That is when I started to learn when I was 16, 17 or 18 years old. Before that I was just trying to find out what they were. That is how children are. That is why I am begging and asking. Our younger children are still trying to experience and learn.

In balanda school you learn by questions and answers. In Yolngu *rom*, we learn by observation and participation. You see, watch, and then you try.

When children walk around camp and people are playing cards, they want to do the same thing because their family members may be doing that too. Everybody has been brought into communities. If their parents are going fishing, they go along, take a spear and go fishing too. They are only learning, and we will call them troublemakers and lock them up or take them away.

I have a letter—I think the Member for Daly has already read it out, so I will only read a couple of lines.

This 11-year-old boy said:

> *I don’t have anyone to talk to in my cell. I can’t shower.*
>
> *I miss my mum and dad and nanna and brothers. I love them a lot. Sometimes they miss my calls and I’m not allowed to call back.*

He said that he was just wondering what would happen to him.

I will not agree with this Bill. I want us to find a solution together. I am bitterly disappointed to be here as I watch the newly elected government demonise Aboriginal people and children.

I will talk mainly about the lowering of the age section of this Bill, but I will say that the posting and boasting part of this legislation could have unintentional consequences for people who share posts. Much more consultation is needed for this Bill. I agree that social media and boasting and children playing around with using social media should not be happening. We can work together to solve that issue. The ramraid part of the legislation already exists through property damage laws, so I am unsure why it is needed urgently.

Yesterday we had a briefing from the department on this issue, and I sat quietly until the end, even though I felt unhappy about the content of the briefing. I thank the department staff who respectfully listened to me at the end of the briefing. I was feeling that this is bursting young people’s law. We have to try to work together so that we can create a pathway together. Let us be part of it. Let our Indigenous law and our children be taught by and looked after by the government, as well as the leaders of the community.

I told them I found it hard to believe we were talking about criminalising and locking up 10 and 11-year-old children—Aboriginal children, my people. I told them that, as children, we are playing and experiencing and experimenting. At the ages of eight, nine, 10, 11 and 12 children are still learning and often do not know the consequences of what they are doing.

When I was that age, my elders would take me back to the rock and the tree and would tell me the secret of that rock. After I learned more about what the rock and the image of the tree was—I remember during work one time, back in the 1970s, I heard Queensland Premier Joh Bjelke-Petersen say, ‘How do you find the spirit in a goanna?’ I said, ‘You’ve got the wrong spectacles; try to use the Yolngu eyes, and you will see what we mean.’

Mr PAECH: A point of order, Madam Speaker! Pursuant to Standing Order 43, I move that an extension of time be granted to the member.

Motion agreed to.

Mr GUYULA: There is a spirit in a goanna. That is a part of me; that is my totem. My spirit is in that.

I learned slang language when I worked with balanda in the workshops here, there and everywhere as a motor mechanic. I worked in essential services, working on power and stuff. A balanda friend said to me, 'Why is there no money here in the pocket or no water? You can't get anything out of it.' They used the term, 'You can't get blood out of a rock'. When he said that I said, 'Excuse me? Blood out of a rock? I can see there is blood in that rock. If you put on these spectacles, you will see.'

One leader from Larrakia Nation told us a story a few years ago at CDU. He told us the story after smoking the spirits so that we are accepted. He said, 'Do you people know the rocks out there, between Brinkin and Nightcliff, the Nungalinya rock? A lot of people who live around here do not know that rock can move. That rock moves around and faces the other way. We talk to that rock because we come from that; it is part of us.' I believed him.

Some people would ask, 'How can that rock move around?' That is what I would have said when I was a little boy. Now I am a leader, so when he said that I understood exactly what he was saying. That is what we want to teach and explain. Rocks, trees, mountains and plants are ancestors, creators and spirits on that land.

There is no boundless possible. There is no empty land. The place is like New York. I jumped on the monorail to catch a ride to Brooklyn, and they said to me, 'There is another rail that runs this way'. I looked around and said, 'Where is it?' They said, 'It is underground. If you want to go across to Brooklyn, you can go underground.' I jumped onto the train and went under it. 'Where am I now?' I asked. 'You are under where you were before upstairs', they said. There are rails crossing the water.

It is like that on our country. There are underground pathways. Our creators have serpents, water that runs through, along the country and land and along the air—the clouds that come along. I sang about the clouds yesterday and told us that this is what it was. This is where we are.

This Bill, balanda law, is a whitefella law. It is not our elders or our system. Our elders want to say to the government: stay away from our children because governments created this mess. The Howard government and Mal Brough created the intervention—the Northern Territory National Emergency Response—for nothing. There was nothing wrong in our communities. They caused it, and this is the big mess that is from the intervention. I can go to the United Nations and proclaim that this is what has happened here because they do not know what they are doing.

I will be ready if they speak back. I am telling the truth. I am not playing politics. I am talking about trying to create a pathway so that our children live peacefully. That is all I want to do. The government has created this mess.

These are children who bear the generational pain of colonisation and disempowerment. Why does the government here and governments everywhere not turn around and lock up Mal Brough and John Howard? This is their mess. Send the police over. They said it was the sunset of the intervention—just words. We want to see the blanket rolled back and authority given back to Indigenous people. We need to see it in action.

It was the same with Stronger Futures. Both governments were still there—the federal CLP government and the Labor government.

When I walked in here, I was frightened. Where am I in this area? I look at this area as if I am in a glasshouse. I find that this community around the Northern Territory is being run by a Westminster system. That is why we are missing out. The government needs to walk out so that we create a pathway together for exactly what needs to happen for that side of the community—the Northern Territory—to the centre and the west. That is how we will peacefully work together. I want to see that. I am saying that, and a lot of people are listening. There are people saying they have found the system does not work when some foreign system of law tries to take over and says, 'We know what is best for you'. I would not say that; I would not want to do that to you.

The interpretation for Yolngu people and balanda system of law—we might have the same statement or story on a paper, but we see it differently. There is the pathway I want to see, and when you read it, we feel offended. When the government creates a pathway for Indigenous people, we look and listen and feel offended. It is not about arguing, but that is why we need to be careful and work together.

It has been 17 years since the start of the intervention. Aboriginal people recall that back then they grew up with a BasicsCard signed inside their community, with their elders being disempowered …

Madam SPEAKER: Member for Mulka, your time has expired. I am sorry.

Mr MULKA: *Yow.* That is all I wanted to do. As long as I said my story. Thank you for accepting.

Members: *Yow.*

Dr RAHMAN (Fong Lim): Madam Speaker, I thank the Member for Mulka for sharing his story. We all appreciate hearing from a diversity of perspectives. I recognise that this has been a long debate and do not wish to unduly belabour points that have already been made, but I wish to respect all who have preceded me on both sides of the House and try, in earnest, to make a unique contribution. I ask for the latitude of the House in that regard, in the spirit of the discussion we are having about what has been identified as extremely important legislation. We all recognise the gravity of what we are discussing today.

The question was raised by the Member for Johnston, 'What on Earth are we doing?' It is a valid question; I find the answer, of all places, in what the Leader of the Opposition said at the top of the morning: seeking to break the cycle of crime. On my first day here I said that we would differ in our prescriptions for progress; that remains the case, but we have a prescription for crime that we are pursuing being circumvented here.

I commend the Leader of the Opposition on providing robust opposition, but I refer to our discussions yesterday about the fact that there is a totality of legal reform being advocated for to create a cumulative deterrent effect at a time when we all acknowledge the Northern Territory is experiencing a socioeconomic crisis. Deterrence and diversion, not detention, are the goals and the reason many of us who are new to this House wholeheartedly support this package of reform.

Earlier in the day it was raised that we should be mindful of the perspectives and concerns of the legal fraternity. The Leader of the Opposition raised that there were several of us with legal backgrounds who should be mindful of the gravity of the legislation we are considering and the impacts intended and unintended. I am happy to tell the opposition that the legal fraternity reached out to me—as I imagine it has to a number of my colleagues—as have others in academia, because it is fair to question why these measures are necessary, if they are necessary, and to speak in defence of them.

I had interactions with people in my electorate and beyond this place, nationally and even internationally, who questioned whether these are fair and just and necessary measures. My answer is yes, they are. One of those people is someone who guided me and was mentioned in my maiden speech because she was a guiding light in my life, Professor Mary Crock. She has worked in immigration and refugee law since 1985. She is a Professor of Public Law at the University of Sydney Law School, a co-founder in 1989 of the specialist community legal service known as Refugee Legal in Melbourne, Victoria, and she is an accredited specialist in immigration law. Professor Crock served on a variety of national, state and NGO bodies relating to immigration, refugees, disability and child protection. She has written extensively on immigration and refugee law, with many books, chapters and refereed articles.

I owe it to people like Professor Crock to explain why I stand behind this Bill. More to the point, I owe it to the people in the Fong Lim electorate, many of whom are previous supporters of the past government and its policies and have concerns, to explain why this is a justifiable and necessary Bill and measure.

I am not a legal scholar; I am an applied economic geographer. What I say in that regard is despite the aspersions from the opposition, we are not all a Johnny-come-lately to matters pertaining to Indigenous affairs. Some of us are deeply invested in the issues and have been for a long time. We appreciate that within the Bill there are consequences for Indigenous children, as there are for all children. My testimony to that work, and I do not want to labour it, is 20 years' worth of writing about it, which changed federal government policy. It was looking at a piece of work called Australians Working Together—to reference the Member for Mulka—welfare state restructuring and its impact on people in north Australia, and specifically its impact on Indigenous people within this polity.

My work is not unique; everyone here has in some capacity had professional lived experience in encountering Indigenous disadvantage, the criminal justice system and crime. We are here to collectively find a pathway forward at this juncture. We cannot rewrite the past, but I think it is fair to say that we all deserve a bit more credit in respect of being mindful of who these measures will impact and what the consequences might be.

As a government we have taken a considered position to back this package of legislation to try to deter, divert and break the cycle of dysfunction we are currently in. As the Chief Minister pointed out, this is a beginning not an end point for legislative and socioeconomic reform.

The work I was involved with, which I will not refer to exhaustively, involved contributions from a lot of people you will recognise, including Marion Scrymgour, but also LGANT, FaCS, Workplace Relations, the land councils, the Social Security Appeals Tribunal, the CDEP and Aboriginal community groups. I mention these is because the cumulative wisdom of these people, through this and other expressions of work, is that spatial uniqueness and scale matter. Place matters; our place is different, which is why we must be mindful of the differences of this place.

A primary objective of looking at things through a geographic lens has to be to demonstrate the difference the place makes in what we do and in public policy. It is a central tenet of forays into understanding the significance of spatial uniqueness and place contingency in moderating policy. My commitment as a geographer is to bring a spatial perspective to this debate because context matters. What works in one place will not necessarily work in another place. We all in this House know that. We are offering a solution that we believe will work in this place.

What then is happening in the real places I represent? I will not belabour the point; countless examples have been given. Ruddick Circuit in Stuart Park is riddled with antisocial behaviour, loitering, attempted break-ins and, worse—documented by my constituents and confirmed in police reports, with similar concerns across Fong Lim—Berrimah businesses I represent have been subject to ram raids just this year, including incidents with the theft of large quantities of weapons. These are not small problems; these are real issues.

Sadly, unduly, young people are involved in a disproportionate number of these incidents. That is why we are seeking to intervene earlier in ways that are novel for this House and polity. The reality is that the attributes and complexities of service and welfare provision in north Australia require sensitivity to the uniqueness of this place if we are to reach any potential in acting as agents of change and empowering individuals and communities.

Public figures from all sides of politics who have represented our polity have made clear that policymakers seldom incorporate place specificity in policy creation when it comes to north Australia. Some of them have been highlighted from the recent past, but here are three short quotes from 20 years ago.

‘Having clowns in Canberra making policy decisions about Port Keats is ridiculous’. That quote is from Hon Warren Snowdon.

‘The number of politicians in Canberra who actually understand Mutitjulu circumstances number less than 10’. That quote is from Senator Trish Crossin.

‘Any policy that comes out of Canberra has a one-size-fits-all mentality, given that only five out of the 150 electorates in the House of Representatives have constituents in remote Indigenous communities, and the other 145 could not care less’. That quote is from Senator Grant Tambling.

Those are harsh words delivered in the context of other policies that were one-size-fits-all. I can speak to my electorate until the cows come home, but I do not need to provide the incidence of dysfunction in my own electorate when everyone in this House can articulate it so forensically.

The research I was referring to is 20 years old—Northern Territory Labor governments have run this place for the best part of the last 20 years, and I am sad to say that the problems articulated remain and have deepened. That is the empiric reality. Problem-solving is my priority; I have made that clear. Inaction is its own form of negligence. We are seeking to act—not ill advisedly or wantonly, but holistically in a considered manner—with six Bills that collectively have the capacity to create a deterrent effect.

This Bill and associated Bills provide pathways for early intervention. I said and maintain that I come not as an evangelist but an empiricist and social scientist driven by data and not dogma. Our team is seeking to provide a pathway to early intervention. We have had 20 years of a controlled experiment, if you want to talk about data. We had 20 years of the prior government, give or take a couple, trying to reduce crime, rebuild the economy and improve our lifestyle, and we are where we are today. Being influenced by singular subject matter specialist narratives in isolation carries its own risk of evidentiary bias. There are groups across the spectrum that will indicate they have the solution to a part of the problem. We are seeking to zoom out and think more holistically about what we can do to try to stem the problem in time.

The Member for Blain made a salient point about conflating causation and correlation; they are extremely important differences to take heed of when we are putting matters of this gravity before the House. As a social scientist, I say to you that the stories my colleagues are telling you are not fairytales; they are horror stories. More significantly in the context of what I am trying to say, they are qualitative evidence that in totality have cumulative weight of their own. Each one of these incidents can be verified by a police report, a media release and statistical proof that we are in the middle of socio-economic dysfunction and crime, the magnitude of which is threatening the social fabric of the Northern Territory.

I do not want to isolate individual examples, and I do not consider myself as an advocate for any one group or cause, but I come from the original Bangladeshi community of the Northern Territory and a young gentleman who shares my last name, Sifat Rahman, died here as well in the midst of a crime crisis, as a consequence of the kind of violent random act that we frankly are shocked to associate with the Northern Territory. My community knows that young man and the many students associated in the Bangladeshi community at Charles Darwin University who have been seriously affected and traumatised and moved.

As I say, I do not want to highlight any single example, but Declan Laverty and Sifat Rahman are indicative of the scale of the problem we are dealing with here. They are the tip of the iceberg. The enormous iceberg underneath the water is the crime crisis and it will not be resolved unless we think holistically about how to chip away at the iceberg from underneath.

These six pieces of legislation in totality do something about that. They genuinely are an attempt to try to do something about it, and to create a pathway to early intervention.

I respect robust opposition. It is in fact why I returned to the Northern Territory, to be a part of robust opposition. The members across represent the opposition now. I respect your right to question the legislation we put forward in this House, but I also ask you to respect the overwhelming empirical, electoral and qualitative data that the election of a 17-member-strong government testifies to.

I have limited sympathy for those who have squandered the opportunity over two decades to demonstrate good leadership to provide the preconditions for better public health, housing, education and infrastructure. The CLP government is committed to addressing all those things in time and appreciates, as the Treasurer pointed out, that to do so will require courage, fiscal discipline and a range of initiatives that will be forthcoming.

Today is not the end of the discussion or the matter for us. Today is a beginning to try to stem the tide of what is otherwise an inevitable crime crisis that will roll even further out of control.

I add to the Member for Drysdale's sentiment, albeit in a different manner, that it is Labor's negligence that has led us to where we are now. It gives me no great pride to say that. Labor's negligence, specifically on economic policy, has led to the socioeconomic dysfunction that we are facing at this point. It failed to create viable economic and social opportunities to give young children options other than diversionary programs.

We will address all of that with time, but I ask all of you who doubt those of us who are supporting this Bill to give us a bit more credit. We know that there are challenges ahead and that this is not the finished article, but we know that this is a step in the right direction.

Based on all of that, I commend the Criminal Code Amendment Bill to this House as part of the overarching package of legislation the CLP is offering, aimed at deterrence, diversion and the reduction of crime in our Northern Territory.

Mr MALEY (Corrections)(in reply): Madam Speaker, I acknowledge the contribution we have all made to this debate, from either side of the House, the crossbench and the Member for Mulka, who gave us a unique perspective on this and lots of other issues. I thank him for making his contribution and felt it was touching, but we need to look, as the Member for Fong Lim said, at the bigger picture. We want to make the Territory a safer place. We think that this Bill is a drive to do that.

We will deal with other Bills, but this is our first sitting of parliament and, as the Member for Karama has said many times, we took this plan to the election, so it is not new. I thank the opposition for holding us to account on our policies. This is a promise. I do not know any Territorian I have spoken to over the last few months who does not know about our plan for community safety. In fact, they raise community safety with me and with my colleagues, as we have said.

I have also been in this Chamber before. When I was sitting on the other side of the Chamber we said that we were sure that people were coming into your offices and telling you about the crime crisis you caused. You had the opportunity to do something about it and actively chose not to. The crisis just got deeper and deeper, to a point where people lost their lives.

We have made it clear to the community that safety is our top priority. We will make changes. This is an important agenda today, with more to come. We know that the Labor government was in power for 19 of the last 23 years and failed Territorians. That is why we are here today. We are not just making this up; rather, we are here to fix a problem caused by inaction over the last eight years specifically, but over 19. The children we are talking about, the youth offenders, were not even born when Labor came to power. I have heard the opposition say many times that this is intergenerational and will take time, but these children were not even born when the Labor government came to power and look where it got us.

The Member for Fong Lim spoke yesterday about the patient on the table, saying that when you have a patient on the table, you do not treat just one part of them—I am sure the doctors and nurses here would agree; you treat all of the symptoms together. You do not say, 'I will stop the bleeding here and let that broken leg heal over there and then put the eyeball in over here'; rather, you do it all together to make sure the person gets better as quickly as possible. Then you continue the treatment.

That is what we will do. We will fix these issues immediately. We will stop the bleeding, but we will not let the patient walk out the door. We will keep treating the patient and make them a better person. The patient is the Northern Territory.

Like many, I was born here and love the Territory, which is why I am here today to fight for the Territory. It is a land of opportunity and, more importantly, it is a land worth fighting for, and I intend to do that.

We promised Territorians that we would introduce this legislation, make ram raids a standalone offence, give the police greater powers and lower the age of criminal responsibility. We did a little of that yesterday, will do more today and will continue next week.

We will deliver on our promises, unlike Labor members who talk, talk, talk and do not act. Over the last eight years Labor promised a lot and delivered not much. As the Chief Minister said, I hope that Territorians judge us on our actions not our words. Along with my colleagues I will do whatever I can to make the Territory a safer place, rebuild the economy and restore our lifestyle.

I will start by talking about ram raids and posting and boasting because that seems to be less controversial, then I will move onto lowering the age. This Bill introduces the new ramraid offence, targeting those who use vehicles to damage property or gain entry to a building. It is a new offence and attracts up to 10 years' imprisonment. We want to send a message if you use a vehicle to ramraid. The Chief Minister said that a vehicle can be as dangerous as a broken bottle or a screwdriver; in fact, it is probably more dangerous because it is a one or two-tonne vehicle speeding and damaging property, but lives can also be hurt. If you have a small crash in a vehicle, you will probably be severely hurt. We want to make sure that the people who use these vehicles in this way know that it is not on; it is unacceptable.

On the weekend in Alice Springs two police cars were rammed by offenders in stolen vehicles. Yesterday a bus stolen from a school in Adelaide River was driven into Darwin with 10 or 15 youths in that vehicle. They used it to steal more vehicles. We want to make sure that this action stops because people deserve to be safe in the Northern Territory in their own businesses and at home.

A vehicle is probably one of the major assets people buy. They have a house, which will be there for a while, and then a vehicle. I love my car. If someone steals it, I will be deeply upset. Many of my friends virtually live in their vehicles they love them so much.

The Member for Port Darwin spoke about someone in their house being a victim of crime. This is how vehicles are stolen. These days vehicles are pretty well advanced; gone are the days when you would tap a couple of wires together and drive off with the vehicle. You physically need the keys to steal it. These young offenders know that, so they will break into your home.

On the weekend one of my friends told me he was asleep on the couch when the offenders broke in and reached over him whilst he was asleep to take his personal possessions. He woke up later when he heard the door shut in the kitchen.

We will draw the line in the sand and say that enough is enough. People need to know that it is just not on.

We have also introduced the offence of posting and boasting which targets people who want to glorify their actions and gain notoriety on social media to say, 'Look at what I am doing'. We want to send a message that doing the crime is bad enough, but boasting about it is even worse.

It is important that we deal with this to send a message to the would-be criminals that enough is enough. It is time to make the Territory safe. This small package today and next week will make the Territory a safer place. We are not just making this stuff up. We do not just throw up ideas and make laws for the sake of it. We do this because it does not matter where you live—there are 25 members here representing people across the Territory—crime has been at the front of mind for a long time.

The steps that the Labor government took over the last eight years made it worse. Domestic violence is up by 85%, which is high. The steps taken by the Labor government are not working. The Member for Barkly in the last term said that there were 500% increases in property offences. Territorians have asked us to do something. We had an election 50 days ago which give us a mandate to say enough is enough. We cannot have these 500% increases in domestic violence and people stealing cars, so we need to deal with it. We intend to do that over this week and next week.

I move onto the more controversial one, which is about lowering the age of criminal responsibility. We have heard loud and clear from Territorians that something needs to be done. This has been part of our plan since before the election. The Member for Karama has read out the plan. That plan has gone across the Northern Territory from Alice Springs to Tennant Creek, Katherine and across the communities because we wanted to tell people up-front what we wanted to do to make the Territory a safer place.

They saw that, the people have spoken, and the CLP is now on this side of the Chamber with 17 members. That is why we think there was a mandate to deliver that. As the Leader of the Opposition said, they want to hold us to account and make sure we fulfil our promises. That is what we will do, and we thank the Leader of the Opposition for doing that.

We are not talking about every child; we are talking about a small percentage. Most of the children in the Northern Territory are great kids. They are growing up, having a good life, doing a bit of fishing, hunting and four-wheel driving, looking after their parents and, I hope, their grandparents. They are the kids who have family. The Chief Minister spoke about that, because the Opposition Leader blamed everyone else; she did not blame the family.

I do not want to demonise children across the Territory. We are talking about less than 1%. Most children are good kids, going to school and growing up to be good adults. Of course, some will go off track, but that is what the system is about, saying, 'You have done the wrong thing here, so get your life back on track'. That is what we aim to do. We want to capture these young children to make sure that they do not just wake up and decide to steal a car today, at 10 years old. You learn that behaviour. We want to make sure you can deal with that and learn how to be a good child and a good family person and make a positive contribution to the community.

We have spoken about Marion Scrymgour supporting us. She said that a bit of tough love never hurt anyone and is what needs to come into the equation. When he was asked about young children Kon Vatskalis said, 'Do not tell me that a 10-year-old does not know right or wrong. If they do not know what is wrong or right, why are they covering their face when they commit a crime?' Would that not be a classic example that you know what you are doing is wrong?

The former Attorney-General spoke about the onus. I want to clarify that the onus is on the prosecution to prove they knew right or wrong to a level beyond reasonable doubt, not just on the balance of probabilities. The former Attorney-General was a bit confused. It is not up to the children; it is the prosecution who must prove that. The onus is on them. It is a tough measure, and that is before they even prove the charge.

People across the Northern Territory support it. Unfortunately, only the people on the other side do not want to support it. They are just doing it to waste time, because I am sure people have come into their offices to say, 'Enough is enough. Fix the Northern Territory. It is broken, and we need to deal with that as soon as we can.'

Labor raising the age of criminal responsibility resulted in fewer consequences, not less crime. The crime rates have continued to go through the roof, but these children know there are no consequences. I have heard stories of groups of young children picking the youngest children to push them in first and see what happens, because they know they cannot get into trouble. Is that sending the right message? No, it is not. We need to send a message that if you do the wrong thing there will be a consequence.

It is not just about locking up children, which the fearmongering other side has tried to say. This is about providing services for these children to make them better people and enable them to make decisions as they move on in life not to be in the justice system. We are talking about 10 and 11-year-old kids, then there are 13, 14, 15, 16 and 17-year-old kids. We want to make sure, as early as possible, that we can teach these children that stealing someone's car or hitting someone over the head with a bat is the wrong thing to do. There are wraparound services we want to offer to these children.

The Attorney-General in the last term said that there would be voluntary diversion. We looked into that; no-one took it up. Zero people took up voluntary diversion. The programs that are meant to be in place to look after these children have not worked. We are making these laws and bringing the age back to 10 in order to give these children substance and opportunity because the policies of the previous Labor government failed them. Not only did it fail them; it failed the Territorians who are trying to go about their day-to-day business—the business owners, mums and dads and tourism operators. The flow-on effect is that tourists are not coming to the Territory because of the crime crisis, caused by the previous Labor government, which failed to act on it.

One thing I have learned from this side is that public servants give us so much information. I give them a big shout-out. They are fabulous. The give us good, accurate information and the facts, then it is up to the government to make decisions.

I can only assume that these government people who do a great job gave the same information to the previous Labor government which then chose not to act on the information to make decisions. The poor public servants did all the hard work, over and above, put up submissions and then the government said no. It ignored them and said, 'We know better'. Clearly on 24 August Territorians spoke and Labor was booted out of government and its numbers are down to four. It is important to mention that.

I took note of what opposition members said about it. The Leader of the Opposition talked about the ram raids. She said that it is unacceptable behaviour, and she will support our legislation. I thank her for that. She talked about her Labor team. I mentioned earlier that her team does not support her because the federal ministers do not. It is only this mob over here. They talked about a dark day. A dark day is when your house is broken into or your car is stolen.

They said that we should not lock up 10 and 11-year-old kids. They are right; we should not lock them up. However, we need to act because the Labor government did not act. It chose not to and put us in the situation of needing to make the Territory safe, which we intend to do. We will deliver. We want to give these children an opportunity to make their lives better.

The Opposition Leader talked about facts and evidence. The rest of Australia is talking about 14, but no-one has done it except the ACT. Everyone else has 10. Maybe they are watching to see what is going on …

Ms Uibo: They are not no-one. Come on now! The ACT …

Madam SPEAKER: Opposition Leader, please stop interjecting.

Mr MALEY: Maybe they are looking to see what a failure and disaster it was in the Northern Territory and how it increased crime and gave these children fewer consequences. The kids knew that they would get away with it and crime went through the roof. It will be interesting to see what happens as we move forward.

The Opposition Leader spoke about stepping back in time. The CLP government wants to step back in time and make the Territory a safer place than it used to be when I, the Attorney-General and the Chief Minister grew up. She was born here. We are doing that because the Labor government failed to act to look after these children and the community. Most importantly, it failed to help these children.

The Opposition Leader spoke about blaming education. The government was in charge, and it failed them. It is embarrassing. We are here now to fix the mess.

The opposition members talked about the CLP not having a plan. We have a plan. The Member for Karama has shown it to the Chamber many times. If you like I can post it to you or put one on your desk. It is interesting that all of the opposition members did not have any answers. They have had eight years to give answers, and they failed Territorians.

Their answers were, ‘It will be right. Let us have this voluntary diversion. These kids are nice little kids; they will go through it.’ The fact is no-one took it up—zero, zip, nothing. The children knew there were no consequences. We want to fix that to make the Territory a safer place.

A couple of the opposition members spoke about the On Track program. I looked into that as well. It seems that out of all the time it has been operating only 87 people have taken it up. I am not sure how many finished or how many of those were 10 or 11-year-olds. The government could not keep the figures because it knew the program was wishy-washy. It said, ‘No-one will check it; we will be fine. We will get into government next time and no-one will test what we have done.’

Remember, this is about spending taxpayers’ money wisely to make the Territory a safer place. The Chief Minister will make sure that taxpayers’ money is spent wisely. The Treasurer has been onto us that the hole in the budget is worse than you would ever imagine. We know that the Labor government put us into almost $12bn of debt. It rose from $1.9bn. It is a disgrace, and there is nothing to show for it.

We went out there and listened. Labor obviously did not speak to the victims of crime. I went to meetings in Karama with the Member for Karama and spoke to 20 to 25 people who told me their story of break-ins and antisocial behaviour. Enough was enough. They did not listen to that.

People on this side of the Chamber have had people come to their offices or heard stories when out in the community. We listened to that and are here to act to make the Territory a safer place.

The Member for Karama offered the opposition free hearing tests. Perhaps they should take up that offer because people out there are talking, and the Labor government did not listen. It paid the price. Labor has been whittled down to four members and is on the other side learning what it is like to be in opposition.

The Leader of the Opposition said, ‘There are no quick fixes’.

A member interjecting.

Mr MALEY: I pick up on that interjection.

She is right, there are none, but the Labor government had 19 years to fix the problem. I am not sure what your definition of a quick fix is, but 19 years is enough time to fix a problem.

Ultimately, the children we are talking about were not even born when Labor came into power. Therefore, when you talk about intergenerational changes and no quick fixes, I think that 19 years is way too long. It is not just my opinion that matters here; rather, on 24 August Territorians spoke and they think 19 years is too long. They think eight years is too long; that is why Lia Finocchiaro is now the Chief Minister, with a plan to make the Territory a safer place. We will not turn away from the crime. We will move into it and push forward to make the Territory a safer place.

I will touch on amendments circulated today. In relation to the first amendment by the Member for Johnston, who mentioned reviewing the age of criminal responsibility, there are already checks and balances to do that as that is what the Parliament does. If legislation is not working, we can listen to the community. We are here to make changes. We will not be supporting that amendment as we do not want to put the burden on the government department staff; rather, we want them to do their job to make the Territory a safer place and not go back to review things. Another thing Territorians told us on 24 August was, ‘No more reviews. We want action and decisions made.’ That is what we will do.

The next one is from the Member for Mulka. He talked about detaining people in detention, but, unfortunately, we are a bit confused. I think what he was trying to get at was that you cannot order detention, but there was nothing about amending the *Sentencing Act*. If in the courts—we do not want to take their power, they can do what they want because their discretion is important—someone is sentenced to a term of imprisonment, but they have to go to a watch house and not a detention centre, that is an unintended consequence. We want to make sure that does not happen, though.

When a child is ordered to detention, they will need to go to a detention centre because we want to offer rehabilitation services. Our plan is not just to get the children and ‘pack and stack’ like the Labor government did; we want to make sure the children have access to a rehabilitation program, like ‘Sentenced to a Skill’ so that they come out better people. We want to make sure they learn that their mistakes were wrong, and they can come out and be a family person, as the Member for Mulka spoke about, becoming leaders in their communities. We want to help them do that.

The third amendment is from the Member for Johnston about inserting the words 'the offence is an indictable offence'. I think that is confusing. I have been in the justice system and courts and spoken to advisers who do a great job. It is confusing; is it an indictable offence or a summary offence? We are talking about young children. If I am confused and have spent over 10 years working in the legal system, a 10 or 11-year-old kis will be confused about whether it is an indictable or a summary offence. We were elected on a mandate to lower the age of criminal responsibility with no caveats. There were none in our plan; we were out there to lower the age of criminal responsibility to make the Territory a safer place, so we will not be supporting that either.

I had more notes, but I have wrapped up what there is to talk about and answered queries.

Motion agreed to; Bill read a second time.

Consideration in detail

Clause 1, by leave, agreed to.

Clause 2:

Mr PAECH: I have a question in relation to the commencement. The legislation notes the Act commences the day after it has been assented to by the Administrator. I seek confirmation on when the government will be seeking to have it assented.

Mr MALEY: As soon as possible.

Mr PAECH: As soon as possible, meaning as soon as practicable, or will it be like the bail Bill and commence next year?

Mr MALEY: It depends on the Administrator's availability.

Mr PAECH: I understand that as soon as Cabinet meets and goes through its processes and things go over to the Administrator, that will be seeking the assent?

Mr MALEY: When the Administrator is available. A couple of weeks? I am not sure of his diary.

Mr PAECH: So the legislation to lower the age of criminal responsibility may commence in a couple of weeks, depending on the availability of the Administrator?

Mr MALEY: I have already answered the question.

Mr PAECH: So it could take as long as your bail Bill and commence next year?

Mr MALEY: I have answered the question.

Clause 2 agreed to.

Clause 3, by leave, agreed to.

Clause 4:

J DAVIS: Who has been consulted on this change, what legal advice has been received and from whom?

Mr MALEY: People of the Territory have been consulted in a general election. It was our plan, and it was broadcast before the election, so Territorians have been consulted.

J DAVIS: What legal advice has been received and from whom?

Mr MALEY: We sought the Solicitor-General's advice.

J DAVIS: Since August 2023, how many times have police been called and unable to act due to the perpetrators being under 12 years old?

Mr MALEY: I am willing to give the Member for Johnston leeway. Standing Order 109 is about talking to the clause, and it needs to be relevant. What the police do is not relevant in relation to a child's criminal responsibility.

Ms UIBO: A point of order, Mr Deputy Speaker! I believe that Standing Order 109 refers to questions asked during Question Time, not the scrutiny of legislation.

Mr DEPUTY SPEAKER: Minister, can you keep the answer relevant to the question, please.

Mr PAECH: The Member for Johnston has asked, and I will ask as well: what is the number of cases of children who would have been under the age of criminal responsibility had this law been changed earlier?

Let me repeat that for you because you might have trouble understanding. Since the law was changed and the age of criminal responsibility was raised, from that moment until today, what is the number of children who have been apprehended by police who would have been normally dealt with and held criminally responsible?

Mr MALEY: They cannot be because they were not criminally responsible.

Mr PAECH: As you keep reminding the Assembly, we keep statistics for everything. Police would have statistics for the number of young people they have dealt with and responded by taking them to a responsible adult. Can you provide those figures?

Mr MALEY: The Chief Minister spoke about it in her contribution. It was either 104 or 109, since 1 July. That is the best we can give you. We can go to *Hansard* because the Chief Minister was speaking about it, and we will try to get that for you.

Mr PAECH: I appreciate that, minister. What was the level of offence of those cases?

Mr MALEY: These children were not criminally responsible; we do not have that information.

Mr PAECH: You do not have that information available, so has it not been recorded?

Mr MALEY: We do not have that information here.

J DAVIS: What evaluation was done to assess the impact of raising the age in 2022, and where can this evaluation be found?

Mr MALEY: There was an evaluation, but it has not been released yet, so we are still waiting on the data to come in.

J DAVIS: Is there an evaluation but you are waiting for the data for the evaluation or are you waiting for the evaluation to be released?

Mr MALEY: The evaluation will run for two years, so we do not have the data.

J DAVIS: There is no evaluation because …

Mr DEPUTY SPEAKER: I believe the minister has answered that question.

Mr PAECH: Yes, and I am asking a new question, Mr Deputy Speaker, if you would indulge me.

Will that report be publicly released?

Mr MALEY: We are not in a position to answer that question because we have not seen the report, and we cannot comment on a report we have not seen. At the moment, we do not know what the result will be. That result will be given to Cabinet, and it will be a decision from Cabinet.

Mr PAECH: You are making a legal decision without having access to that data or information, which you state you cannot release?

Mr MALEY: I did not say that; I said the report is not done.

Mr PAECH: You have made a decision, again, on a report that was being compiled, that was being drafted, around the consequences of this change that is reverting. You have not seen it, but you have not committed, also, to making that publicly available?

Mr DEPUTY SPEAKER: Member for Gwoja, we are straying from the clause. Can we stay on it, please.

Mr PAECH: It is to the clause, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: I find not.

Mr PAECH: I do not find that is right.

Mr DEPUTY SPEAKER: Next question, please.

J DAVIS: You have repeatedly said, and I have repeatedly heard, that this law is not about locking up young children. What changes are being made to legislation to ensure young people do not get locked up?

Mr MALEY: We are talking about clause 4. That is not relevant to the clause.

J DAVIS: Where would it be relevant?

Mr DEPUTY SPEAKER: You need to stick to the clause, Member for Johnston.

Mr PAECH: A point of order!

Ms UIBO: She is asking you when to ask a question—at which clause.

Mr PAECH: She is entitled to do that.

J DAVIS: Which clause would that question be relevant for?

Mr MALEY: I will not give you advice.

J DAVIS: That is helpful, minister. Thank you. Can anyone else give me advice?

Mr DEPUTY SPEAKER: Are there any further questions?

J DAVIS: Yes, how can I do my job if I cannot know where to ask a question that I would like to know the answer to? What alternative programs are currently funded and what additional alternative programs will be funded by the CLP, and can you provide a timeline for that?

Mr MALEY: We are talking about clause 4. Standing Order 155; it is not relevant to the clause.

Mr DEPUTY SPEAKER: I agree. Move on.

J DAVIS: Given all prisons and watch houses are currently full, as we have heard in this Chamber, where will children who are detained be held?

Mr DEPUTY SPEAKER: Member for Johnston, this is not about debate, this is about the clause. Can we stick to clause 4 please?

J DAVIS: I believe this is a question about the clause. This is asking where will 10 or 11-year-olds be held. It is operational.

Mr MALEY: This clause is about children not being criminally responsible; it is nothing to do with where children are being held.

Mr DEPUTY SPEAKER: Can we move on please.

J DAVIS: Will spit hoods be used on 10-year-old kids?

Mr DEPUTY SPEAKER: Once again, I believe this is straying from the clause.

Mr MALEY: I can answer. It is an operational matter for Police or Corrections.

Mr PAECH: You highlighted and responded to the Member for Johnston on her questions about the consultation. You responded by saying you had a mandate as a result of the Territory election. I make the point that there are a number of members on the crossbench who are not part of the Country Liberal team who also received a mandate to represent their communities.

I am interested in what consultation has been done in those electoral districts and in remote areas of the Northern Territory about lowering the age of criminal responsibility.

Mr MALEY: This was a policy decision taken to the election by the CLP. All 25 candidates from the CLP had the information, and they took it to all communities and electorates within the Northern Territory.

Mr PAECH: Further to that question, am I right in understanding that your consultation was carried out by political candidates, not by any division within the Northern Territory Government, about the implications, impact or consultation of that? Normally it would have been the Attorney-General's Department.

Mr MALEY: The CLP was in opposition before the election. This was a policy decision by the Country Liberal Party taken to the election.

Mr PAECH: I acknowledge that you were in opposition for those eight years. Had any consultation been undertaken in the last seven weeks with any community group, association or union about the lowering of the age of criminal responsibility? I note that the Member for Nightcliff asked about the letter from the paediatricians as well.

Mr MALEY: We received lots of feedback from various groups in relation to this—for and against. We have taken that into consideration.

Mr PAECH: I again ascertain that there was no formal consultation process, acknowledging feedback from you and the Chief Minister that you had response, but there was no formal consultation organised?

Mr MALEY: There was a large formal consultation that was called the general election. This was a policy decision. When we were in opposition we said that we were against this and that we would reverse it. It has been our position from the beginning. We took it to the election and there is a clear mandate in relation to this. We are following through on our promise in relation to keeping the Territory safe.

Mr PAECH: We talked about the age of criminal responsibility and the evidence from experts across the field—particularly in the Northern Territory, nationally and internationally—about that data and the implications of criminalising a young person at a much younger age. We hear about the flow-on effects and the implications that has on a young person and that the earlier a young person is involved in the criminal justice system it embeds their relationship into that system.

We know that there will not be a review carried out or scheduled into the legislation. It is often up to the government to set the legislative reviews with the Office of the Parliamentary Counsel and the agencies. The Member for Johnston asked the question, and she got a response. If your party or if the government gets to a point where it is satisfied that they have responded to the needs and the wishes they feel are addressing the root causes of crime and that they no longer need to criminalise and jail 10 year olds, is that something the government would consider then raising the age?

Mr MALEY: That is a hypothetical question. We do not have a crystal ball and do not know what will happen in the future. We can say that we went to the election with a clear policy. The election ran, and now the CLP is in power. The answer is, we do not have a crystal ball.

Mr PAECH: I want to confirm that you are unwilling to have a review of the legislation at any point, and you believe that it is best left to the Legislative Assembly to do that?

Mr MALEY: It is up to the parliament to review legislation as it sees fit. The crossbench and opposition can do it during general business. We can do it during government business. It is up to the Assembly together, as a group, to review legislation and that is what this House does.

Mr PAECH: In relation to lowering the age of criminal responsibility, we have heard from several of your parliamentary colleagues and Cabinet members around the therapeutic programs, can you articulate or highlight the programs that will be used for responding to the 10-year-old children?

Mr MALEY: A point of order, Mr Deputy Speaker! Standing Order 155; we are talking about the age of criminal responsibility, not the programs into the future. This is the first week of parliament. We have had a clear mandate with a clear policy. To answer your question, that is not relevant to the clause.

Clause 4 agreed to.

Clause 5:

J DAVIS: I move amendment 1 of clause 5 to insert new subclause (3), which people will have in front of them. The intention of this clause is to support what I heard the Chief Minister say, which is that this Bill is not intended to lock up children who do things like steal a loaf of bread. In fact, I heard the Chief Minister say that, if that is what it took, they would be happy to provide every child in the Northern Territory with a loaf of bread. I just want to note that it could be a great thing to do. It is poverty week this week, and we have 40% Territorians experiencing extreme food insecurity. A third of kids are living in poverty. We want to address the root causes of crime; that could be a good start.

As I said in my speech earlier, I am opposing this Bill, but I will still do everything within my power to try to protect children where I can, and to that end I am proposing these amendments. To reiterate, this is bad law. I do not think it will achieve what we all want, and it will harm children.

In order to try to do whatever we can to protect children, this clause proposes that we have carve-out offences, so only the most serious offences will apply to children under 12. If they must be charged it will only be for serious offences. Children who are involved in minor offences should not be held criminally responsible unless it is a serious indictable offence. A 10 or 11-year-old should not have to go to court for stealing a loaf of bread.

I heard what the minister said about language being confusing. This is not language that children need to understand; this is language that the courts, lawyers and police can understand.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
Mx McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	Mrs Finocchiaro
	Mrs Hersey
	Mr Howe
	Mr Kerle
	Mr Mackay
	Mr Maley
	Mr O'Gallagher
	Mr Patel
	Dr Rahman
	Mr Yan
	Mrs Zio

Amendment not agreed to.

Clause 5 agreed to.

Clause 6, by leave, agreed to.

Clause 7:

J DAVIS: I move amendment 2 to clause 7 to insert new subclause (3). It is to ensure children are not locked up for a minor offence, such as stealing a can of Coke or swearing in public. Only the most serious indictable offences should apply to children under 12.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
Mx McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	Mrs Finocchiaro
	Mrs Hersey
	Mr Howe
	Mr Kerle
	Mr Mackay
	Mr Maley
	Mr O'Gallagher
	Mr Patel
	Dr Rahman
	Mr Yan
	Mrs Zio

Amendment not agreed to.

Clause 7 agreed to.

Clause 8, by leave, agreed to.

Clause 9:

Mr PAECH: I have questions in relation to Clause 9 at subsection (7)—when we get to social media and the means of digital technology. The definition is:

> *social media means digital technology that allows the sharing of ideas and information, including text, sound and images, through virtual networks, virtual communities or any service for carrying communications by means of guided or unguided electromagnetic energy.*

I am interested to understand if groups or individuals who have a Facebook Messenger account—not Facebook, the private Messenger. If those messages were shared, is that then considered under the post and boast laws and subject to criminal charges?

Mr MALEY: If you go back to the clause talking about publishing, you have to publish it for the intention of notoriety, boasting or glorifying; there is a range. If you share it in a group, you have to look at the whole clause, so the answer is no.

Mr PAECH: I appreciate that, Member for Nelson, but I want to understand it practically. Say there is a group of young people who are involved in a general Facebook, WhatsApp or TikTok group chat and one of the individuals posts in that group chat of an illegal activity happening, then someone has an altercation in that group, and they share it on social media; would that be considered?

Mr MALEY: It can be shared, but it goes back to clause 3, which discusses publishing. They have to publish the material with the intention of increasing reputation or notoriety of that person, boasting of the conduct, glorifying the conduct or encouraging others to engage in similar. Your scenario is that they have had a fight, and he is doing it as a grudge?

Mr PAECH: Yes, he is doing it out of spite.

Mr MALEY: Ultimately it is an operational matter, but the police would be looking at those details and would have to prove beyond a reasonable doubt that those elements were satisfied. The answer is that you would need to look at each individual case to see what the reason was. If that person did not do any of these elements, he would not be charged.

Mr PAECH: Just to be clear, the intention of the government is purely of an individual sharing it for gratification. If it is shared in a private messenger group, then that is not considered because it is not shared or public.

Mr MALEY: Yes.

Mr PAECH: Thank you.

The Chief Minister spoke before about how this would work with the police. Can you confirm, does it need to be brought to the attention of the police? And does this mean the police will not be policing it? For example, an individual could call and report to the police, 'Hey, there is a Facebook post that is seeking gratification or glorifying antisocial behaviour or crime', and the police would then start an investigation.

Mr MALEY: That is right, just like you can ring up Crime Stoppers for an assault, murder or whatever. If you want to get intelligence to the police, the police will act on it in the way they see fit.

Ms UIBO: Under definitions, proposed subsection (7) says:

> *publish, in relation to the material, means to make the material available to the public by electronic means.*

Does that include closed Facebook groups, as opposed to open, public groups?

Mr MALEY: It has to be published.

Ms UIBO: There are open Facebook groups where anyone can see what the content is, and then there may be a closed Facebook group and only certain people are allowed to be part of that. I am asking whether publishing applies equally to the open Facebook group—such as a community group—versus a closed group which requires an admin to agree to the members of that closed group. Would it still be considered publishing in a public domain if it is a closed community on Facebook?

Mr MALEY: The definition uses the phrase 'available to the public' so if it is available to the public and it falls in the definition, and it also meets the elements of glorifying it, then the police …

Ms UIBO: Would anything that is published in a closed Facebook group be deemed publishing?

Mr MALEY: That is one part, but it needs to go to proposed paragraph (c), 'The person publishes the material with intention of any of the following'. So, you cannot just look at one aspect of it, each of those elements needs to be satisfied beyond reasonable doubt before the prosecution will be successful. It is too narrow to look at one word. We need to look at the section in its entirety. The general guideline is that if you publish something and you want to glorify it, that is when there will be a charge.

Ms UIBO: I just want to make sure that we do not have groups of people who think that because they have a closed group that they can still be part of that type of behaviour—of glorifying within their closed group but still using a social media platform that for the purpose of this bill and the definitions, would still be deemed as publishing and therefore they could then be considered under offence, even though they think that they have a closed group and not an openly available public group.

I want to make sure there are no loopholes around this. Social media is still new technology in many ways, and we want to make sure that this also covers that and that people will not be able to use new technology for the same type of posting and boasting within a small group, but not available to the public.

Mr MALEY: I understand what you are saying. Ultimately, it comes down to the court and the matter for the judge. I do not want to answer hypothetical questions, but if social media progresses and as things change, the court will look at what the definition of 'publish' is.

It is a hypothetical question. We need to see what happens. Like I said earlier, if a new social media pops up, we may need to come back and change the legislation across the board to deal with it. We do not know; we do not have a crystal ball.

Ms UIBO: I am aware of not being hypothetical. Some of the definitions are quite clear in your legislation. It clearly defines social media as often located on the internet, including the dark web and deep web. It clearly defines what social media platforms are available. It lists them, so I will not repeat what is in the legislation. I want to know the difference between a closed group and an open, public group. You have said it will be up to the judge to determine that, but it is not clear in the legislation. That is why I am asking the question.

Mr MALEY: Ultimately, it is a matter for the judge. We think that the legislation is clear. We are not the courts, and it will be up to the prosecution and the police when they deal with it. We think it is clear, but ultimately the separation of powers lets the judiciary do what they see fit.

Ms UIBO: I am sure you will recognise and attest to your time in opposition that when you create legislation, those definitions can be interpreted. This is a part of the legislation that I do not feel has a clear definition attached.

J DAVIS: Can you explain how boasting and glorifying are defined?

Mr MALEY: The answer would be the ordinary meaning of those words.

J DAVIS: Which is?

Mr MALEY: Again, the court will decide because it will take a literal approach. The *Interpretation Act* will guide the court in relation to the literal meaning of those words.

J DAVIS: I touched on this question earlier. It is a question from one of my constituents who is concerned about the potential public impact of the Bill. For example, in relation to protest, if someone videos something for the protest and is later charged for it or if someone gets caught up in a protest that turns violent and someone records this and posts it as a matter of public interest, would this fall under post and boast?

Mr MALEY: Again, it goes back to the intention of that person—why they published it. Paragraph (c) sets out the five points. If it falls within those five points, there would be an opportunity for the police to charge. Again, it is an operational matter, and the police would have to work out what the intention was and prove the elements beyond reasonable doubt in a court of law. It is a matter for the police and the court.

J DAVIS: I was concerned about the impact of this on a 10-year-old kid and the Chief Minister said that, as 10-year-old kids cannot have social media accounts, this would not apply to them. Is that correct?

Mr MALEY: That is not what she said, and ultimately the law applies to everyone in the Northern Territory.

J DAVIS: So this law could apply to 10-year-old kids?

Mr MALEY: This law applies to anyone in the Northern Territory.

J DAVIS: So, yes, this law could apply to 10 year olds.

Mr DEPUTY SPEAKER: The minister has answered the question, thank you.

Mr PAECH: After this Bill passes, Member for Johnston, it will apply.

Will there be an education campaign on the changes to do with post and post, particularly given that in parts of the Northern Territory literacy and numeracy is quite low. I appreciate it might be an operational decision. We see across the Territory people creating fake accounts in someone else's name. What's the verification process to understand?

Mr MALEY: A point of order, Mr Deputy Speaker! Standing Order 155; it does not go to the clause. However, I will answer it. It is an operational matter for the police. If there is a false account, the police will need to prove beyond reasonable doubt that you owned it, and it will go through the normal processes of any charge.

Mr PAECH: An account can be created and images can be shared on that account regardless of who the person in the footage is, the person who has posted it will be the liable person?

Mr MALEY: I cannot create an account because I am not good at it, but the answer is yes.

Mr PAECH: Yes, technology is a wonderful thing.

Do the post-and-boast laws apply to the person who has posted, not the person who is in the footage?

Mr MALEY: The person who posted it; that is correct.

Clause 9 agreed to.

After clause 9:

J DAVIS: I move an amendment to insert a new clause 9A. The amendment has been circulated, and the minister referred to it earlier. I am proposing we implement and commit to making sure that if we pass laws which experts have said will not work and will cause harm, we have the courage to check if they are right or not.

I propose the following amendment after section 443, Part X, Division 3 to insert Section 443A, Review of certain amendments made by *Criminal Code Amendment Act 2004*:

(1) The Minister must review the operation of the amendments to this Act by sections 4 to 7 and 11 to 17 of the Criminal Code Amendment Act 2024 to determine whether:

(a) the policy objectives of the amendments remain valid; and

(b) the amendments have led to any unintended consequences; and

(c) this Act, as amended, remains appropriate for securing the policy objectives of the amendments.

(2) The review must be undertaken as soon as possible after one year after the Criminal Code Amendment Act 2024 commences.

(3) The Minister must table a report on the review in the Legislative Assembly within 6 months after the expiry of the one-year period mentioned in subsection (2).

Mx McNAMARA: I support this amendment. If the CLP stands behind the effectiveness of their Bills, they should not have a problem with providing more accountability and mechanisms for review in their legislation. We have talked about what works, and this will ensure we can assess whether this amendment is doing what it intends to do. It is a simple amendment, and I urge those across the Chamber to accept this amendment in the best interest of all Territorians. To the Member for Nelson who said we could not put a review in because they needed to act instead, maybe the member can only do one thing at a time, but it is possible to act and review; they are not mutually exclusive.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
Mx McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	Mrs Finocchiaro
	Mrs Hersey
	Mr Howe
	Mr Kerle
	Mr Mackay
	Mr Maley
	Mr O'Gallagher
	Mr Patel
	Dr Rahman
	Mr Yan
	Mrs Zio

Amendment not agreed to.

Clauses 10 to 12, by leave, taken together and agreed to.

Clause 13:

Mr PAECH: I note that we are lowering the age of criminal responsibility back to 10, where it was prior to the legislation commencing. I am interested in understanding the government's rationale behind continuing to leave all previous conviction records expunged.

Mr MALEY: If someone commits a crime that was not a crime then—say a 10-year-old steals a car, they were not criminally responsible then so we cannot backdate it. Ultimately, you cannot say, 'Two years or a year ago you stole a car now, we will charge you with it and put it on your record'.

No, it is when kicks on; that is when …

Mr PAECH: No, I am interested in this area. I understand the convictions prior to the legislation commencing that have been on the individual's records that have been expunged. My understanding is that they will remain expunged when the legislation commences. Am I right?

Mr MALEY: Yes.

Mr PAECH: You do not have to answer, but was there any rationale behind leaving those record expunged?

Mrs FINOCCHIARO: It is an important legal principle that criminal law should not apply retrospectively unless it has to. We wanted to uphold that fundamental principle. The Member for Nelson is saying that, for us to say that is now a crime and judge people for the past when it was not, would not be upholding the dignity of that principle.

Mr PAECH: I appreciate that, Chief Minister. I have said I am thankful that the government has left those expunged. I wanted to understand if that was the case.

From the commencement in a few weeks, as the government has highlighted, individuals' criminal record in the past has been expunged and will commence a new file if they are before the courts and criminally charged under the age of 12. Is that correct?

Mr MALEY: Yes. Ultimately, it is a policy decision by us. We are moving forward. We are only talking about a small amount of people, and we are moving forward with the commencement of the Act. If you commit a crime and are charged and convicted, that is when your record kicks off.

Clause 13 agreed to.

Clause 14, by leave, agreed to.

Clause 15:

Mr PAECH: I am interested in understanding why the government has made the process of removing it to be deemed unlawful, around the disclosure provisions.

Mr MALEY: I will get advice, but ultimately it is an admin decision. Going back and unmarking those records would have been a big job. It would have had to be done manually. Effectively, we are trying to implement a policy decision to make it that you cannot disclose it, but the police can use it for intelligence if they need to. It cannot be disclosed to the courts or to anyone else.

We are trying to lighten the burden and make it easier for the young offenders, basically starting a new slate moving forward.

Mr PAECH: I appreciate and understand that. I am interested in understanding, under this provision—and I acknowledge there is a whole process regarding the files and the situation prior to where we are today, but this provision was brought in to make it unlawful for an individual to disclose information about a young person's criminal history. That would be considered unlawful. I am trying to understand why that has been taken away and the risk is opened up that someone might disclose to someone not appropriate, the nature of the prior convictions.

Mr MALEY: Ultimately it was a policy decision. Administratively it was difficult to go back and work out which were expunged and which were not, so we made a decision to give the young offenders a new start, and that information cannot be disclosed.

Mr PAECH: Am I correct in understanding that prior convictions that have been expunged or would have been deemed unlawful can be used to help gather intelligence or information, but it then cannot be disclosed how it is they have come to understand that circumstance?

Mr MALEY: Your answer is right. It is not an offence to be used by police internally, as intelligence or as an operational thing, but they cannot disclose it to anybody. They cannot give it to the courts, they cannot give it to people in the judicial system.

Mr PAECH: Police can use the information of the prior convictions that have been expunged, to gather intelligence, and that could potentially be used by police prosecutions, but they cannot disclose that the information has been gathered through that process?

Mr MALEY: The advice is that it was an admin thing and to make it easier for the prosecution to prosecute. The prosecutor has put weight on it as they see fit. I have been advised that they may be able to give it to the court, but the court would have absolute discretion what they would do with it. Again, it is the intel and up to them, and I use the word about what weight they would put on it, but it is a discretion of the court. It cannot be disclosed.

Mr PAECH: The court could not disclose or advise that it had access to those expungements to draw a conclusion at the time of sentencing.

Mr MALEY: It is a matter for the court what they do with that information.

Mr PAECH: But they have access to that information? Given that you are a government of consequences, what is the consequence for someone who discloses unlawfully that information to someone else?

Mr MALEY: It is an offence, and it is up to the prosecution and the court.

Mr PAECH: But it is not unlawful.

Mr MALEY: If you disclose that information outside your role—for example, if a police officer gave it to the bikies, and it was outside the realms of what they had information for—that would be an offence, but it is not an offence to disclose it inside your role as a police officer or prosecutor.

Mr PAECH: There would be no penalty for an individual who might have a disgruntled relationship with a young person to disclose that to someone else because it is not unlawful?

Mr MALEY: No, that is not correct. You cannot disclose information. A police officer cannot go to the bikies, if I use that as an example, and give information or intelligence. If you have access to the information, you must keep it within your remit of what your duties are. You cannot disclose that outside.

Mr PAECH: If the information remains within what is considered the environment or the workplace, that is not then unlawful?

Mr MALEY: I do not think workplace is the correct word; it is outside your role. The investigating police officer could give it to the sergeant. The sergeant could give it the superintendent. The superintendent may give it to the prosecution. If the prosecution gave it to someone outside that role, it is different. It is not unlawful to disclose the information within the remit of your duties as a police officer or a prosecutor. Ultimately it is up to the court to decide what weight they put on that information when they are looking at the big picture—the total conviction or charge or whatever or the diversion program, whatever they are doing in relation to it.

Mr PAECH: In the area of unlawful, are there any implications in this whereby the media may report on an individual who has had prior convictions, and they disclose that not knowing that process, is that then considered unlawful?

Mr MALEY: The Youth Justice Court—where we are talking about—is all in a closed court, so there will not be any media involved.

Mr PAECH: I am trying to ascertain if the media know about a young person who reaches the age when it is then reportable, and that young person disclosed that they may have had a history, is that unlawful?

Mr MALEY: If you want to disclose your personal information, you can do it yourself with no problem at all. If I want to disclose information about me on the front page, I can do whatever I want, but if you do it …

Mr PAECH: It is unlawful.

Mr MALEY: Yes.

Clause 15 agreed to.

Clauses 16 to 19, by leave, taken together and agreed to.

Mr GUYULA: Mr Deputy Speaker, I move amendment 1 to insert new clause 19A.

I will not support this Bill and do not want to be proposing amendments to this Bill, but I feel I must try to help the government to soften the impact this will have on children.

Yesterday I met with a grandmother whose grandchild is in Don Dale. She is worried about children who go through watch houses and police stations with adults. This should not be happening. The legislation currently says that children will be separated from adults, where practicable. This is not good enough. I propose this amendment to fix this problem. Children should always be separated from adults. If children will be detained by police, they must be held in places reserved only for children, so they are not subject to the trauma of being exposed to adult criminals. I ask the Assembly to support this amendment.

Mr MALEY: Ultimately, 'where practicable' is in there because the intention is that adults and youths cannot be together, but if there is a cultural reason where a father and a son or another family member are being charged together and they may want to, this gives them opportunity to be together for support. If you take those words out, then they would have to be separate. The intention is to keep youths away from adults, and that is how it operates, but that 'where practicable' is a circuit breaker to allow, for cultural reasons, a family to be together. We will not support the amendment.

Mr PAECH: That is the biggest load of crap I have ever heard. The assertion that family commit crime together is ridiculous. The government have just come in and said that this provision is important because when family commit a crime together, the government wants them to be together. What a load of crap.

Members interjecting.

Mr DEPUTY SPEAKER: Can we cease the interjections?

Mr PAECH: I have 10 minutes, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: I was asking the minister to cease the interjections.

Mr PAECH: That is not appropriate. That says that when we do not have anywhere to put a young person, we can put a young person into the cells with adults. That is what that is; do not try sugarcoat it. We support the Member for Mulka in this position, as it important. We do not want young people seeing the pathways into adult prisons or cells. They need to be kept away from the adult justice system. We will be supporting the Member for Mulka with this amendment.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
Mx McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	Mrs Finocchiaro
	Mrs Hersey
	Mr Howe
	Mr Kerle
	Mr Mackay
	Mr Maley
	Mr O'Gallagher
	Mr Patel
	Dr Rahman

Mr Yan
Mrs Zio

Amendment not agreed to.

Mr GUYULA: I move amendment 2 to insert new clause 19B.

The government has said that lowering the age of criminal responsibility is not about locking up kids. I am pleased to hear that. I am also pleased to hear that this government wants to create programs for children.

Please do not create programs, boot camps or otherwise without working with the elders and leaders of these children. We have our own culture, system and institutions that we can draw upon to create successful pathways for our children. This is important, even for older kids who go into Don Dale. When they come out, we must be able to provide healing camps on country that provide a pathway away from the criminal culture.

We need this government to work with us and not undermine our culture and authority such as elders who provide the answers. This is critical to changing children's lives.

Clause 19B states that the court must not order the detention of a youth under the age of 12 years old to a detention centre. This amendment supports the government discussion that it does not lock up children. I urge all members to support this amendment. I will be clear that if you do not support this amendment you are voting to lock up 10-year-old and 11-year-old children.

This amendment gives all members the opportunity to ensure that we do not lock up 10-year-old and 11-year-old children.

Mx McNAMARA: I support this amendment. We all heard many in the government say over and over today that the Bill is not about locking up children. If this is correct you should have no problem accepting this amendment.

Seriously, this amendment is what you guys want. They become criminally responsible; you can court order them to do stuff, but they are not locked up. That is what you keep saying. This amendment is exactly what you want. I urge the new members, many of whom I have heard say they do not want to lock up children, to agree.

Member for Fannie Bay, I heard you say on ABC radio that the CLP's proposal was not about locking up children. Member for Fong Lim, I heard you say pre-poll that you are not locking up children. Today we heard the Member for Port Darwin say, 'We will not be sending them to prison'. If this is true you will agree to this; it supports what you are saying.

I urge all the members of the CLP who hold any reservations about locking up children—those of you who have told the public this is not about lockup up kids—to stand by your words and convictions and vote for this amendment. You do not have to do what they say; you can do what you want.

Mr MALEY: I am not sure that the Member for Nightcliff was in the Chamber when I responded to this. This clause puts children in a worse situation because it says the court may not order detention of a youth less than 12 years of age at a detention centre. It does not go to the sentencing. If the court is to sentence a youth for a term of imprisonment, this clause would make that youth serve it at a watch house.

There would be unintended consequences of this clause which would put these children in a worse situation, and that is why we are not supporting it.

Mr PAECH: I love the sudden compassion from the Corrections minister about a less bad situation for the kids, acknowledging that children will be put it a terrible situation under the legislation that is before us.

The Member for Mulka's amendment goes to the heart of what numerous members said today. The Members for Namatjira, Katherine and Port Darwin said that this was not about locking up people. The Member for Mulka is trying to work with the Legislative Assembly to provide an alternative option where if these kids are to be held criminally responsible, that they are not sentenced to detention or a watch house, but rather in the spirit of understanding what the Member for Mulka is doing.

This is an important debate, and you are making a joke of it and diminishing the intention of what the Member for Mulka is putting forward.

Mr YOUNG: A point of order, Mr Deputy Speaker! Standing Order 20; the Deputy Chief Minister keeps interacting and laughing. I think this is an important part of scrutiny over the Bills, and I ask that you ask him to cease interjecting.

Mr DEPUTY SPEAKER: I asked the minister to cease interjecting.

Mr PAECH: Rather than dismiss that, you have the opportunity to reach out to the Member for Mulka—who is in this Chamber—and acknowledge that his intention in this motion is to ensure that 10, 11, 12 and 13 year olds are not detained and help put forward the amendment.

This is about making sure that when you want to lower the age of criminal responsibility, that these children younger than 12 years old do not go to an institutionalised facility, rather that they go somewhere like your boot camps that you have spoken about or a therapeutic program that you said was not mandated or mandatory.

The Member for Mulka is saying that the research and the evidence from experts, clinicians and tertiary qualified people all say that the earlier you put a young person into a custodial or criminalised environment, you are creating a lifelong relationship for that young person with the criminal justice system.

That is the intention of the Member for Mulka's amendment. We understand this government wants to make 12-year-olds and under criminally responsible. This amendment, if you choose—you have the numbers—makes it so the court can hold them criminally responsible but then choose to send them to your boot camps or another camp while not holding them in a custodial institutionalised facility where they will have a lifelong relationship with the criminal justice system and become career criminals. This is the opportunity to steer them away from that. The clearest advice from all of this has been around the interactions that young person has.

When we talked about *doli incapax* and the test, that is after the person has been in the system. It is the reason we are saying get the young people out so that they are not there. That is what the Member for Mulka is putting forward. It is simple and it goes to the heart of everyone saying that we do not want to lock up kids and we are not locking up kids.

You are locking up kids, let us be clear, because if you choose to ignore this and if the Member for Nelson chooses not to reach out in a bipartisan nature and say, 'We understand what you are trying to achieve. We want to hold them responsible and make them accountable'—that is what you have been saying—that is okay.

As the Member for Nightcliff has urged and the Members for Fannie Bay and Fong Lim have said outside that they do not want to lock kids up but are about to vote to lock kids up, this is an opportunity to hold those kids responsible, but not put them into a prison cell that experts have said, in front of Parliament House, is appalling conditions and is a form of child abuse. That is what the Member for Mulka is putting forward, and it is an important position.

Member for Nelson, as the relevant minister, you might reach out now to the Member for Mulka and suggest what you think would be agreeable to you. If you are so worried about it, you might want to do that.

J DAVIS: I wanted to clarify, minister, did you say the reason you are not supporting this amendment is that you fear it might put children in a worse position? If it was clear that the amendment was about making sure that children did not go into locked detention, would you support it?

Mr MALEY: No.

J DAVIS: Given what many members of your party in this Chamber have said about this Bill not being about locked detention and not wanting to lock up children, what would be appropriate? What would you support?

Mr MALEY: That is a hypothetical question, and the time for questions is over. You have missed your opportunity.

Mr PAECH: You have acknowledged that it would make …

Mr MALEY: Question Time is over.

Mr PAECH: No, I am asking you about this amendment, as I rightfully can. I am sorry that you are here past your bedtime. The Member for Mulka has moved an amendment. I am seeking the minister's clarification. Do you acknowledge that this puts Territory children in a bad situation, or a worse situation than they are today, given you said that these changes would put them in a worse position?

Mr MALEY: I have already answered the question.

The Assembly divided:

Ayes 7	Noes 17
Mr Brown	Ms Boothby
J Davis	Mr Burgoyne
Mr Guyula	Ms Cahill
Mx McNamara	Mrs Carlson
Mr Paech	Mr Charls
Ms Uibo	Mr Edgington
Mr Young	Mrs Finocchiaro
	Mrs Hersey
	Mr Howe
	Mr Kerle
	Mr Mackay
	Mr Maley
	Mr O'Gallagher
	Mr Patel
	Dr Rahman
	Mr Yan
	Mrs Zio

Amendment not agreed to.

Clause 20:

Ms UIBO: For this definition—of course it is a reflection of the amendments made earlier in the legislation—for the purpose of the interstate detainees, does that mean to receive 10-year-old detainees interstate or to try request a transfer for 10-year-old interstate detainees?

Mr MALEY: It is going both ways.

Ms UIBO: That would mean through the *Youth Justice Act 2005*, if a transfer was being requested for a 10-year-old into the Northern Territory and vice versa, a transfer for a 10-year-old to another jurisdiction?

Mr MALEY: Correct. If the jurisdiction wanted to accept them.

Ms UIBO: Would this then transfer, with the changes of the Australian Capital Territory age of criminal responsibility being 14? How could that work operationally with the Northern Territory as a jurisdiction that has lowered the age?

Mr MALEY: It only works with jurisdictions of the same age. If there was a 10-year-old wanting to transfer to the ACT, they would not accept them.

Ms UIBO: Based on your answer, could a 10-year-old child from another jurisdiction then go into the Northern Territory, but they could not request 10, 11, 12 or 13-year-old children to the Australian Capital Territory?

Mr MALEY: That would depend on the detail in the ACT legislation. We do not know all the detail and without knowing, it would be a matter for the transfer application. It would have to comply with laws from both the Northern Territory and the ACT or any other state. It would have to be mutually allowable under all laws involved in it.

Ms UIBO: Would that sit through the administrative orders under you as the Corrections minister or would that be in part with the Child Protection minister? Would you have the authority for those transfers?

Mr MALEY: That sits with me.

Clause 20 agreed to.

Remainder of the Bill, by leave, taken as a whole and agreed to.

Bill agreed to.

Mr MALEY (Corrections): Mr Deputy Speaker, I move that the Bill be now read a third time.

The Assembly divided:

Ayes 17	Noes 7
Ms Boothby	Mr Brown
Mr Burgoyne	J Davis
Ms Cahill	Mr Guyula
Mrs Carlson	Mx McNamara
Mr Charls	Mr Paech
Mr Edgington	Ms Uibo
Mrs Finocchiaro	Mr Young
Mrs Hersey	
Mr Howe	
Mr Kerle	
Mr Mackay	
Mr Maley	
Mr O'Gallagher	
Mr Patel	
Dr Rahman	
Mr Yan	
Mrs Zio	

Motion agreed to; Bill read a third time.

PAPER TABLED
Quarterly Members' Fuel Transaction Report, Quarter 2, April to June 2024

Madam SPEAKER: Honourable members, I table a report of fuel use for quarter 2 April to June 2024 for members who had a government-supplied motor vehicle, pursuant to clause 8.1 of the Remuneration Tribunal Determination.

ADJOURNMENT

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

Mrs FINOCCHIARO (Spillett): Madam Speaker, the passing of Declan's law yesterday has been warmly welcomed by Territorians. It sends a powerful and important message to serious violent and repeat offenders that there will be consequences for their actions, we will hold people to account and give police the powers the need to do the job of keeping Territorians safe.

Yesterday we passed significant reform to strengthen bail and give police better powers to detect knives, therefore stopping knife crime before it happens. Tonight we passed legislation for people who post and boast about crimes on social media, a single offence of ramraid and, of course, lowering the age of criminal responsibility to 10. This is all part of our reducing-crime package, which, over the next two weeks, will also include better powers for police to deal with public drinking and problem drunks and, of course, important protections with new minimum mandatory sentencing for assaults on workers, everyday Territorians in any workplace and emergency workers. We are proud to be delivering on the commitments to Territorians that we took to the election.

What we also know, though, is that many Territorians have suffered under eight years of neglect by a Labor government. Yesterday we paid tribute to Declan Laverty and had Samara Laverty with us. Her loss is felt acutely by her and her family, as well as the community, but others have also had loss. I note that the Member for Braitling spoke of Mr Shane Powell, who lost his life, and how his family and community continue to suffer. I also pay tribute to the Bangladeshi community who are still grieving the tragic loss of Sifat, the 23-year-old Bangladeshi international student who lost his life in May 2023. I acknowledge that the Member for

Sanderson spoke about Sifat and Declan in his maiden speech and about how that was a pivotal moment for him to say, 'Enough is enough. I will be part of the solution.' He reflected in his maiden speech that is part of the reason why he put his hand up to run for parliament and acknowledged yesterday during Declan's law debate the tragic loss of a life taken too soon.

The Member for Fong Lim equally reflected on Sifat today in his contribution to debate. Like many of us, including the Bangladeshi community in the Northern Territory and back home, his family will be asking themselves why and how this happened.

When Sifat was killed the community came together, suffering this tremendous loss. Everyone who came together said that Sifat's death, like Declan's and all the others who came before them, could not be in vain. We supported these calls for change at that time.

The strong leadership of Chowdhury, Abdus and Eshan and all of the Bangladeshi community, including the leadership of the Bangladeshi Student Association at CDU, was incredible. We stood with that community and all Territorians at the vigil at Charles Darwin University and at the janaza, Sifat's funeral in Darwin at the mosque.

One moment in history I will reflect on was the fact that the community was so outraged and upset by the tragedy that a petition was put together. It was the then Multicultural Affairs minister, Ngaree Ah Kit, who tabled that petition. I sat in this Chamber and watched her fail deliberately, in my view, to send that to the Public Accounts Committee so that it could come back to the parliament for debate. She merely had it noted; she did not send it away so it could come back into this parliament for debate, despite the fact that the petition had 2,000 signatures. It was a horrible time. I remember speaking to Abdus and Chowdhury about how upsetting that was and it would have been for the entire community.

From that point on we were trying to change bail laws, only to be voted down by the Labor government and be continually silenced. We did not give up, just as Samara or anyone else fighting for someone in their community did not give up. The Bangladeshi community is no exception to that. Everyone continued to fight.

As part of our 17-strong team, I am proud to continue to deliver this reform. As the Member for Brennan said yesterday, what we did yesterday, today and what we do next week cannot bring back people who have lost their lives. However, what we are desperately trying to do is stop people from having to lose their lives going forward, and that no other community or family has to go through what people who have lost a loved one will continue to go through for the rest of their lives.

I place on the record my thanks to the Bangladeshi community of the Northern Territory and pay tribute to Sifat, a young man in his prime, taking the adventure of a lifetime to come to Darwin, on the other side of the world, to get an amazing education and start a new journey. He had his life ahead of him, but it was cut short.

We hope that our efforts over the next two weeks and for the next four years will make the Territory a safer place to live, work, go to school, visit and invest. That is our goal, and we are on the pathway to achieving it.

Mr HOWE (Drysdale): Madam Speaker, I will make a short statement and then discuss something else. Today I mentioned that I believe I would be the most experienced member when it comes to youths. I am corrected, and I acknowledge the Member for Johnston's long-serving career. I would like the *Parliamentary Record* to state that I acknowledge her service.

In my electorate, Gray Primary School celebrated its 40th birthday. Our Chief Minister, being a product of the school, was there in celebration. Gray Primary School is incredible. The success of the school grows from its community connectedness, its partnerships and the commitment from staff, students and families.

Many students are from families who have a parent or both parents who also attended Gray school. This keeps it a tightknit community. The school prides itself on the commitment and longevity of staff; several staff members have worked at the school for more than 20 years.

The breakfast program facilitated by two long-term Aboriginal and Torres Strait Islander education workers is supported by their partnerships with Foodbank and the Eat Up Program through the Rotary Club. A special mention goes to the Rotary Club Palmerston/Litchfield which a couple of weeks ago made over 15,000 sandwiches for local schools.

The Smith Family has a long-held partnership with Gray school and offers support for students and families through its leaning club, Learning for Life Scholarships, playground, Deadly Little Learners and yarn time.

Dymocks has also connected with Gray school to support quality literature in schools and home, providing a book per term for each student in Years 4 to 6.

Gray Primary School also manages the Palmerston Child and Family Centre, which runs the successful Families as First Teachers program, known as FaFT, and the equally successful Young Mums Strong Mums Program. I hope to be a part of growing a young dads' program at the school.

To everyone who works for Gray school, thank you. Donna, the principal, is outstanding. If anyone wants to look at how incredible her leadership is, her staff reporting on their wellbeing and how happy and supported they feel by leadership at the school was 99%—it may have been 100%—which is outstanding.

It is a welcoming school and has welcomed me. I look forward to working with Gray Primary over the next four years.

Mr O'GALLAGHER (Karama): Madam Speaker, this is short but sad. There was another death in a public housing property in Malak today. I believe it was a result of domestic violence. This is the third we have had, and it emphasises that we need to tackle these issues. People are relying on our government to reduce crime and get on top of the issue.

We had this discussion during Question Time, and I acknowledge the minister for Housing. It is not just Housing; all agencies need to be involved. I find it hard that this continues to go on and I hope as we get our strategies, these episodes will reduce and be eliminated.

Ms BOOTHBY (Brennan): Madam Speaker, I put on record that the Satellite City BMX Club in Palmerston had a heap of youngsters go to Perth to compete in the National BMX Championships at West Side BMX Club. I have not heard how they went as I believe they are still down there, but I shout out to the group that are competing in the championships: Jack Miller; Isabella Miller; Axel Lambourne; Braxton Johns; Declan Egan; Abigail Miller; Hayden Smith; Jaxon Johns; and Mason Auton. I give a big shout-out to Taylah Buganey who came off her bike in round six of the national series and has a fractured wrist and elbow, so she cannot participate for the rest of the championships. Well done to all those youngsters in the championships.

Before the election I was at Satellite City BMX with my colleagues, the now Member for Drysdale and Member for Blain. It is a great setup at Marlow Lagoon, just off Kirkland Drive. It is a huge shed, which I believe was built by a CLP government back in the day. It has everything for everyone. The night we were there—I think it was a Friday night, as the little tackers were riding around on their little trikes. I am not even sure what they were, but they did not have pedals and these kids were two and three, maybe four, and were just going hell for leather around the track, having the best time ever. It is a testament to that club. There were families there. We were talking to all of them about the club. They had so many great things to say; no-one could say a bad thing.

We spoke to some of the St John Ambulance volunteers that night; we had a great conversation with them about the things they love to do. They go through a bit of a hard time as paramedics. I think there were one or two paid paramedics there and the rest were volunteers. They were talking about some of the hard times they have to deal with when they are out doing their duties but, definitely attending those sporting events with those juniors at the BMX is one of the highlights for them.

I place on the record my admiration. I am a proud sponsor of the Satellite City BMX Club and have been for a number of years, along with Chief Minister Lia Finocchiaro. We try to get there from time to time. I wish we could get there more because it is a lot of fun. It is a great venue, and the families love it.

Mr KERLE (Blain): Madam Speaker, I will speak about a fantastic local group in Palmerston: the Palmerston 50+ Tuesday Club. The club is an amazing group that comes together every week on Tuesdays to share morning tea; fellowship; and play scrabble, card games and engage in crafts.

They make the best birthday and thank-you cards around, bar none. I source all my best cards from them, at a competitive price. The club had its AGM the other week, and I would like to honour the current committee members by reading their names into the record.

To amazing Coordinator, Mary Oliffe, thank you for all your hard work over the years with the club; you are appreciated. To Deputy Coordinator, Geraldine Crowhurst; Secretary and Public Officer, Jeanette Ashby—thank you Jeanette; you are awesome, and one day I will beat you at cards, but that day has not come yet—Treasurer, Jeanette Saunders; committee members Glenda Bradbury, Chris Murray, Annette Brown and Jenny Horn, thank you for all your hard work and service keeping the club going and growing it into the

amazing association that it is today. I encourage all Palmerstonians and rural residents who are 50 or older to come along and get involved.

Motion agreed to; the Assembly adjourned.