

process. The proposed measures will promote certainty and stability, and should assist both the public and industry plan for the future.

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

Debate adjourned.

OMBUDSMAN BILL (Serial 25)

Bill presented and read a first time.

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

The primary purpose of the Ombudsman Bill is to establish a transparent, modern, best practice, and comprehensive scheme for the ongoing operation of the Ombudsman in the Northern Territory. The government commissioned a review of the *Ombudsman (Northern Territory) Act* as part of our commitment to strengthening the role of the Ombudsman. The review examined all aspects of the existing framework to ensure that Territorians have in place an accessible and comprehensive scheme for resolving complaints about administrative actions taken by public authorities and the conduct of police officers.

The review considered the Ombudsman's powers; existing practices and procedures; use of conciliation and mediation as an alternate dispute resolution mechanism; and involvement with the police complaints process with particular regard to best practice in the delivery of a more open and transparent complaints handling process.

The public discussion paper prepared for the review received over 30 submissions in addition to various verbal submissions, and a draft bill was released to targeted stakeholders in September 2004. The comments received through the consultation process, together with input from the new Ombudsman who commenced in August 2006, have all been taken into account in presenting honourable members with the Ombudsman Bill 2008.

As honourable members would be aware, the primary role of the Ombudsman is to investigate and deal with complaints. The Ombudsman's jurisdiction extends to administrative actions of public authorities and the conduct of police officers whilst on duty. As Chief Minister and Minister for Police, I wholly support these additional safeguards to the integrity of our police force. My government has complete confidence in our police force and the conduct of its officers. However, in the unlikely event that corruption was

ever suspected or detected, my government and the wider community must be confident that there is legislation in place that provides the Ombudsman with sufficient powers to conduct the necessary investigation.

In carrying out this role, the Ombudsman will proactively improve the quality of public administration through the development of complaints procedures and a resolution of disputes. I am confident that this new legislation will contribute significantly to the Ombudsman fulfilling that role.

Key inclusions of the bill that support the discharge of the Ombudsman's functions include:

- the creation of detailed legislation providing for a clearer and more transparent delivery of a complaints process;
- reinstating the Ombudsman's 'own initiative' power to investigate and deal with police conduct;
- codifying the range of options for dealing with complaints about the conduct of police officers whilst they are on duty;
- providing police officers with the ability to make a complaint to the Ombudsman about another police officer in defined circumstances. The purpose of this is to allow police officers access to the Ombudsman without comprising the Commissioner of Police's management responsibilities; and
- the introduction of alternate dispute resolution processes.

In addition, I draw honourable members' attention to one of the consequential amendments being made to the *Police Administration Act*. The Ethical and Professional Standards Command is, for the first time, established in legislation. This command conducts the preliminary inquiries and investigations into complaints regarding police conduct. As the command's name suggests, its role is to ensure the highest ethical and professional standards within our police force.

I now turn to specific elements of the bill.

Part 1 of the bill deals with preliminary matters, including objects upon which the bill is drafted. These objects are to give people a timely, effective, independent, impartial and fair way of investigating and dealing with complaints about administrative action of public authorities and conduct of police officers, and to improve the