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QUESTION TIME

Member for Arnhem –Call for Inquiry

Ms LEE to CHIEF MINISTER

Chief Minister, you are the chair of the Cabinet which appointed Peter Maley as a magistrate. You are aware that on Saturday 23 February 2014 he called me and offered me an inducement. He stated I would have my own cheque book. Further, there was also an implied threat that if I left the CLP I would no longer be protected. Shortly after that I was called by the Attorney-General, who also tried to stop me leaving the CLP and repeated I would no longer be protected if I left. I seek leave to table all the relevant documents ...

Mr ELFERINK: A point of order, Madam Speaker.

Madam SPEAKER: Order! It is not a point of order, sit down!

Leave denied.

Ms LEE: Chief Minister, will you now act to stand these two men aside pending a full, independent investigation?

ANSWER

Madam Speaker, I thank the member for Arnhem for her question. No, not at all; I do not know what you are talking about. I do not know that Peter Maley gave you a call, and if he did, how am I to know what he spoke to you about? That is ridiculous. I will not be doing that.

MOTION

Proposed Censure of Chief Minister and Government

Ms LEE (Arnhem): Madam Speaker, I rise to speak to the censure and seek leave to table all the documents in the best interest of the public.

Leave denied.

Ms LEE: Obviously there is no due justice. You want transparency? You want to look at what I have if you want to accuse me that I cannot do it outside?

Madam SPEAKER: Leave is not granted, member for Arnhem.

Ms LEE: I will speak to the censure and read into *Hansard* all this evidence.

Mr Tollner: Coward.

Mr McCARTHY: A point of order, Madam Speaker!

Madam SPEAKER: Yes I heard it. Withdraw, member for Fong Lim.

Mr Tollner: What?

Madam SPEAKER: Coward.

Mr TOLLNER: Sorry, I withdraw the fact.

Madam SPEAKER: Member for Arnhem.

Ms LEE: Thank you. The member for Fong Lim just called me a coward.

Madam SPEAKER: He withdrew the comment, member for Arnhem.

Ms LEE: And he withdrew it. I think the people of Gapuwiyak would like to know that. Trying to stand over a woman, a cultural one too. The Madayin law.

File note Sunday 23 February 2014: phone conversation with Peter Maley, magistrate. I missed a call from Peter Maley at 11.27 am in the morning. I returned his call at 11.37 am.

That was during the weekend of Central Council in Alice Springs. He stated he had a discussion with Norman Fry and others about my intention of becoming an independent. He advised me to stay away from my colleague, the member for Namatjira, Alison Anderson MLA. 'Do not listen to her, let her go off on her own' he stated. 'Stay put with the CLP because something very good is coming your way soon'. He stated if I go independent I will not be protected by the CLP and everything will come out against me. He stated he loved me and I am a good person and good things will come to me if I stay with the CLP. He stated I would have my own cheque book. He stated Matt Conlan was basically a no brainer and he wanted to catch up again.

File note number two, Sunday 23 February 2014. Phone conversation with John Elferink MLA, Attorney-General. I missed a call from Mr Elferink, the member for Port Darwin, at 8.16 pm. I called him back at 8.50 pm. He stated he also heard rumours about me being upset with the party and wanting to walk out. He stated he heard the conversation that my colleague, Francis, member for Arafura MLA, had with Tollner, member for Fong Lim, during Central Council in Alice Springs. That was on 21 March 2014 and 23 March 2014.

He stated that Francis was asked a question by the member for Fong Lim, Dave Tollner whether the rumours were true that the member for Namatjira, Alison Anderson, and myself, the member for Arnhem, were walking out of the party and that Francis MLA, member for Arafura, stated yes, and he was also walking out.

I stated to the member for Port Darwin that we were upset about the bush being neglected and that more representatives from the bush need to be in Cabinet. He then asked me whether I wanted a ministry and I said no ...

Mr Elferink: Not true.

Ms LEE: True, true. I continued to say the bush needed a stronger voice, representation and thought this was especially the case when implementing policies and legislation. I have a rough copy of my file notes of that night.

I said the bush members are isolated in government and we needed to be respected more. We felt we were being left out. He stated if I leave I will lose all support from the CLP and the government - no protection from the CLP government. He stated he wanted to work more with me to help me play this game better on how to achieve these demands. He stated we needed to meet regularly and I need to lead and meet him halfway, which we did. He stated there was no use being angry or irritated with the government, it would not get me anywhere.

He stated he would work with me closely and guide me to become a better MLA.

I have the phone records from my phone, e-mailed, of a conversation I had with Peter Maley and you. The timing is there. Would you accept this? I seek leave to table this and my file notes. I seek leave to table all relevant documents.

Mr ELFERINK: A point of order, Madam Speaker! She has sought leave to table her file notes and her telephone records. I ask she be restricted to her file notes and telephone records not the second component of her seeking leave, which was all relevant documents.

Leave granted.

Ms LEE: I sent an e-mail on Thursday 27 February 2014 at 10.30 am to Kezia Purick, Speaker of the House. On the cover of the e-mail note I put:

Dear Madam Speaker

For your information I am forwarding you this complaint.

Thank you

Larisa Lee MLA.

As members of parliament we have to follow laws, I thought approaching Madam Speaker would be the best place to do it.

In the letter I said:

Dear Madam Speaker

I write to lodge a formal complaint against what I regard as a clear breach of parliamentary privilege by the Magistrate Peter Maley and, potentially, associated actions by the Attorney-General John Elferink.

I base my complaints on the definitions of parliamentary privileges that refer to the special rights and immunities which belong to members of the Legislative Assembly, and which I considered essential for the proper operations of the Assembly. These rights and immunities allow the Assembly to meet and carry out their proper constitutional roles, for committees to operate effectively, and for members to discharge their responsibilities to their constituents and to carry out their duties and responsibilities without obstruction or fear or intimidation or bribery.

On Sunday the 23rd of February 2014 I received a telephone call from Mr Maley at 11:27 am and I returned this call at 11:37am.

Mr Maley stated he had a discussion with my advisor, who at the time was employed under the Chief Minister's Office, Norman Fry, and other members of the CLP about what he regarded, quite incorrectly, were my intentions about becoming an Independent member of parliament. He advised me not to communicate at all with my colleague, the member for Namatjira Alison Anderson MLA, who he inferred should be let go of on her own. I was also unaware that Ms Anderson was considering at this stage to become an Independent member of the Legislative Assembly.

He stated, 'Something very good is coming your way soon'. I would have my own cheque book. He further stated that if I were to become an independent, the Country Liberal government would attack me. He indicated that he wished to catch up again in the near future.

As Mr Maley is a Magistrate and a member of the judiciary, I found this discussion most

inappropriate. I could only conclude that he was acting on behalf of the Country Liberals executives in government. On the one hand I felt that I was being intimidated if I did not follow what he regarded as the established directions of the party. On the other hand, I believe there was a clear attempt to bribe me with an offer of a future senior government position and a high level of associated resources.

Further, on Sunday 23rd of February 2014, I missed a call from Attorney-General Elferink at 8:16 pm. I returned his call at 8:50 pm. The Attorney-General stated that he had heard rumours that I was upset with the Country Liberals government and that I intended to leave the party. He stated that he had overheard a conversation that Francis, the member for Arafura, had with minister Tollner, the member for Fong Lim. He stated that Francis was asked the question by minister Tollner whether rumours that Alison Anderson, the member for Namatjira, and myself, Larisa Lee member for Arnhem, were leaving the party. He indicated that Francis said yes to this question and stated that he was also leaving the party.

I explained that while we did not at this stage wish to leave the party, we were upset about the bush being neglected by the government and that we needed more bush representation in Cabinet. Attorney-General Elferink then asked me if I wanted a ministry. When I said no to the question, Attorney-General Elferink stated that if I were to leave the party I would lose all support and protection from the Country Liberal government.

You should be honest.

Given the judicial linkages between the Attorney-General and magistrate Maley, and the published available information that Mr Maley had made a substantial donation to the election campaign of Mr Elferink, I felt that I was being intimidated in a potentially improper manner, and the fact that I was rung by both individuals, who had similar points to make, that such telephone calls were not likely to be a simple coincidence.

Further, on 24 February 2014, I received a voice mail message from Mr Maley, requesting that the telephone number of my brother, Preston Lee - Mr Maley, when a barrister had previously represented my brother in a family matter. I did not understand why Mr Maley, who was now a magistrate, was unable to discuss such matters with my brother, given his position as a magistrate - would wish to try to contact him at this time. I can only conclude that this request was associated with the telephone conversation he had with me the previous day, and that he was trying to further influence and pressure me, through family members of my family. I regarded this telephone call as threatening and intimidating. I know of no reason why my brother would wish, at this stage, to talk to Mr Maley.

Any act which obstructs or impedes a member of the Legislative Assembly in the importance of their functions or which has a tendency, directly or indirectly, to produce such results needs to be treated as either contempt of the Legislative Assembly or a breach of parliamentary privileges. Provisions such as those to be found in Division 3 of the Criminal Code of the Northern Territory, concerning offences against executive and legislative power, are designed to deter people from interfering in the free exercise, by the parliament or its authority, or intimidating members or attempting to bribe members in order to influence them. I am particularly concerned about what I perceive as attempts to intimidate and bribe me and wish, given the potential serious legal implications of such approaches to me, that these matters be thoroughly examined.

Regards Larisa Lee, member for Arnhem, 27 February 2014.

That was sent to Madam Speaker. I seek leave to table this letter.

Leave not granted.

Ms LEE: This is from Madam Speaker, Kezia Purick, and was sent to me on Thursday, 27 February

2014 at 5:31 pm, cc Michael Tatham. This was in reply to my letter. Attached was:

Hello Larisa

Attached is a copy of my letter in reply to your letter of complaint. Do you agree for me to release your letter to Mr Elferink as a person of complaint? If you agree could you advise me accordingly? Thank you and regards.

The letter says:

Dear Ms Lee

I refer to your letter dated 27 February 2014, concerning a claim of a matter of privilege. Your letter raises very serious concerns. Should you wish to pursue your allegations they may only be addressed by way of proceeding in the Assembly, seeking to refer the allegations to the committee of Privileges. Both the Assembly and the committee, should the matter be referred, will expect substantial arguments to be made to support any allegations, and I anticipate a very robust debate would ensue.

As Speaker, it is my responsibility to consider a matter raised to me in writing, pursuant to Standing Order 83. On that basis I seek clarification that you have written to me seeking to reply upon that standing order. Is the intention of your correspondence to ask me to determine whether precedence should be given to the member raising the matter to move a motion which would take precedence over all other business at the next sitting of the Assembly?

Should you wish to clarify this process prior to responding to me I suggest you contact the Clerk to discuss procedures. The Clerk can be contacted on a confidential basis, and he will assist you in respect of understanding the procedural requirements of Standing Order 83. The Clerk can also provide advice and guidance on the operation of Standing Order 84, concerning a contempt motion should you so require.

If you decide that it is your intention to move a motion in the Assembly to refer the matter to the Committee of Privileges, then the next step for me is to consider the request pursuant to the rules of Standing Order 83, in conjunction with the Order's continuing effect, made by the Assembly, to 23 May 2016. Once I have given such a request for consideration then I would respond in writing to advise whether the matter will have precedence over all other business on the next sitting day.

I await your advance in this regard. In order to assist you, I have enclosed a copy of Standing Order 83 for your consideration.

*Sincerely
Honourable Kezia Purick, MLA.*

From Madam Speaker again, Kezia Purick on Friday 28 February 2014 at 11:44 am to me, cc to my electoral office and the Clerk.

Good morning Larisa,

*If I could get a response to my letter today please, because if you wish to proceed with the complaint as detailed in my letter, I need to make arrangements for the next sittings and to inform Mr Elferink of the complaint. Thank you.
Regards.*

And the same letter was attached to that, that I read out just before.

From Linda Heidstra sent on Monday 3 March 2014 at 9:49 am to me: correspondence from minister Elferink.

Good morning Larisa, please find attached correspondence from Minister Elferink. The original will be sent in the mail today.

That is the personal assistant to Honourable John Elferink.

Dear Larisa

Yesterday, Kezia rang me about a letter that you have sent her as Speaker regarding my conduct and recommending that I be referred to the privileges committee. The letter, which I have seen, but have yet to be given a copy of, arises from my phone call to you on Sunday night. I have a clear recollection of the call and I am surprised that you now allege that I bullied or threatened you. The letter also asserts that I offered you inducements as part of a conspiracy between myself and Mr Maley to influence you in one fashion or another.

Mr GUNNER: A point of order, Madam Speaker! Standing Order 77: I seek an extension of time for the member.

Motion agreed to.

Ms LEE:

I am sure your memory of our phone conversation last Sunday is as fresh as mine. I have a comprehensive recollection of that conversation. Frankly, I am very surprised at the letter you have written. There is no conceivable way that any interpretation of bullying or inducement could be construed from our last or even any conversation. It was a cordial conversation that ended in a cheerful tone and fundamentally a genuine offer to appropriate assistance and personal support in making your role as a member easier and more fruitful.

As I recall, you agreed to take up my offer to help you promote issues of importance to you and your electorate with my ministerial colleagues. As always, when dealing with you I remain respectful, supportive and offered suitable counsel for you in my role, not only as the Leader of Government Business, but as your colleague and fellow party member.

During the conversation you acknowledged the efforts that I have gone to in the past to make certain that you felt like part of the team. To suddenly be confronted with a letter alleging some form of serious impropriety on my part and recommending a referral to the privileges committee is, to say the least, disappointing.

This deliberate misrepresentation of our conversation and our relationship generally is hard to understand. It is even harder since my conversations with you have always been conducted in the most proper and appropriate fashion, motivated only by a sincere desire on my part to offer assistance.

Our relationship is important to me. I would like to move forward in the spirit of trust and respect. I remain available to you, should you wish to discuss these matters further.

*Yours sincerely
John Elferink*

It is dated at 16.10 pm on 28 February 2014.

From Larisa Lee on Tuesday 4 March 2014 at 2.06 pm to Kezia Purick

Dear Madam Speaker

Attached is my letter in response to your letter dated 24 February and your e-mail dated 27 February 2014.

Dear Madam Speaker, thank you for your formal of 24 February 2014 reference 1433.3 and your covering note sent by e-mail of 27 February 2014. I note that your letter to me is dated 24 February 2014 even though I did not send my letter of complaint to you until 27 February 2014. Following the matters raised in your correspondence I intend to seek further advice.

Thank you for bringing to my attention the opportunity to discuss the required procedure with the Clerk of the Legislative Assembly. I intend to take up this valuable suggestion with respect to your request and your covering e-mail of 27 February 2014 regarding the Attorney-General. I do not wish my letter to be released to Mr Elferink at this stage.

As soon as I have received the additional advice I am seeking I will write further to you.

*Yours sincerely
Larisa Lee*

It is dated 4 March 2014.

From Kezia Purick, Tuesday 4 March 2014 at 2.52 pm to me.

Thank you Larisa, I will let the Clerk know you will be in touch with him in due course on this matter. Regards.

From myself to Madam Speaker, Friday 7 March 2014 at 8.39 am

Dear Madam Speaker

I requested confirmation that you had received my correspondence to you of 4 March 2014 in an e-mail to you on 6 March 2014. As I have not received an answer from you I would be most grateful if you could confirm receipt of this correspondence.

From Kezia Purick, Friday, 7 March 2014 at 9.50 am.

Hello, I acknowledge receipt of your letter of 5 March from myself Wednesday 5 March 2014 at 9.01 am. Dear Madam Speaker, please find attached my letter concerning a letter to me from Attorney-General and Minister for Justice, John Elferink. I look forward to your response to these serious matters.

Regards.

I will read out the letter.

Dear Madam Speaker

I have received a letter from the Attorney- General and Minister for Justice, John Elferink dated 28 February 2014 in which he states he has seen a copy of my letter to you of 27 February 2014.

You asked me in your e-mail covering note to me of 27 February 2014 whether I would approve release of my letter to Mr Elferink as a personal complaint. I advised in my correspondence to you on 4 March 2014 that following matters raised in your correspondence dated 24 February 2014 that it was necessary for me to seek further advice. This included

confidential advice from the Clerk on appropriate procedures with respect to your request in your covering e-mail of 27 February 2014 regarding releasing my letter of complaint on 27 February 2014 to Mr Elferink.

I stated in my correspondence to you on 4 March 2014 that I do not wish my letter to be released. Given that I have replied to your initial request with respect to the release of my complaint within three working days, I cannot understand how my letter could have been seen by the Attorney-General. I would be most grateful if you could kindly please explain the situation to me, as I was of the view that my correspondence to you would be treated with the utmost confidentiality and that this was a matter for discussion at this important time between myself and the Office of the Speaker.

I am most concerned that there appears to have been an important breakdown of appropriate process and confidentiality essential to the proper and impartial consideration of my complaint and to the proper functioning of the roles of the members within the Legislative Assembly. I sincerely trust that such a precedent has not been extended to Magistrate Maley.

I intend to write to the Attorney-General expressing my concerns that he appears to have been a party to this situation. One would have thought, given his role as the Attorney-General, he would have a keen interest in protecting and preserving the rights and obligations of all members of parliament.

*Yours sincerely,
Larisa Lee
Member for Arnhem
5 March 2014.*

From Kezia Purick, Madam Speaker, sent on Wednesday 5 March 2014, at 2.12 pm:

Hello Larisa,

I acknowledge receipt of your letter today's date being 5 March 2014 and a reply will be sent to you in due course.

From Madam Speaker, Kezia Purick, Saturday 8 March 2014, at 11.42 am:

Hello Larisa,

Here is a copy of my letter to you dated today's date.

Regards.

Dear Ms Lee,

Thank you for your letter dated 5 March 2014, asking me about the status of your correspondence dated 27 February between us in my role as the Speaker.

Upon receipt of your letter I had an informal conversation with the Leader of Government Business, who is also the Chair of the Privileges Committee, about a possible reference to his committee and the related procedural matters. During that meeting, the Leader of Government Business asked for a copy of your letter and I undertook to advise him whether a copy could be provided, thus I wrote to you seeking your approval to release the letter. I note you have requested the letter not to be released. I understand you have provided the signed original to the Clerk who has retained the letter on file.

Yours sincerely,
Hon Kezia Purick
That was on 8 March 2014.

Ms ANDERSON (Namatjira): Madam Speaker, I support this censure motion, because it is done in the best interest of the public. This government has always come out and said it is about honesty, transparency and real leadership, and that takes people to be honest and allow other members to put documentation before the House. You calling for people to go outside and say it is irrelevant. This is, as you call it, a coward's castle, and you have used it on many occasions, when in opposition, and we will use it. You have used, in opposition, the names of bureaucrats and other stuff, and you are protecting them now. The member for Blain, quite rightly, walks out because he knows he could not call the CLP ...

Madam SPEAKER: Member for Namatjira, withdraw that comment.

Ms ANDERSON: I withdraw. He did not ask the CLP whispering campaign - his own team that was whispering bad things about him during his campaign did not say to them 'Go in front of the camera and say that about me'. He allowed that process to go on, but he is denying us that process, and we will use parliamentary privilege to make sure there is no transparency. There is cover up, and this motion is, quite rightly, a broad motion that allows journalists and members of the public to understand how you operate.

I will go on, after I put my colleague's letters on record - because we cannot table them - and I will read what is left over from those articles. I will make sure I talk about Foundation 51 because that is very important we link the Country Liberal Party to Foundation 51. There are certain questions you have to ask, as to whether people outside, who are members of Foundation 51, have gotten jobs through the Country Liberal Party? What about Nightcliff island? Did the person proposing that donate to Foundation 51? I believe so. We have to make sure we put all of those sorts of things out in the open, so you are accountable, transparent and people can see how you really operate.

This letter from my colleague is to the Attorney-General. It says:

Dear John

I refer to your letter to me of 28 February 2014. I am particularly concerned about your letter, given that it indicates a clear breach of confidentiality required in consideration of such a complaint to the Speaker by a member of the Legislative Assembly concerning potential breaches of privilege.

Upon receipt of my correspondence of 27 February 2014, concerning a claim of matter of privilege, the Speaker advised, amongst other things, that I contact the Clerk for further advice. She also asked me, in a covering email note to her letter to me of 27 February 2014, whether I could approve release of my letter to you. I replied to this request within three working days, on 4 March 2014, indicating that, as suggested by her, it was necessary that I receive further advice.

This included confidential advice from the Clerk on appropriate procedure. I further indicated in my letter to the Speaker on 4 March 2014 that I did not wish my correspondence released to you at this stage. I am therefore most concerned that you indicate in your letter to me of 28 February 2014 that Kezia rang me about a letter that you had sent her as the Speaker, regarding my conduct.

Further, in paragraph two, you state the letter, which I have seen. I am of the view that the important requirement to maintain confidentiality in this matter falls primarily on the Office of the Speaker. However as you currently hold the position of Attorney-General and the minister for Justice, one would have thought that you too would appreciate the gravity of this matter, and the utmost importance of confidentiality, if the rights and obligations of members are to receive appropriate and due protection before the law of the Northern Territory.

I remain, therefore, most concerned that you have seen fit to become a party to this breach of confidentiality.

*I look forward to an early response to my concerns.
Yours sincerely,*

Larisa Lee

There is an e-mail from the Attorney-General, John Elferink, to Larisa.

Dear Larisa

Thanks for your letter. If you have concerns, please contact me. I have offered polite and professional advice to you consistently since you entered parliament, something that you have acknowledged repeatedly. I do not know who is giving you advice now, but I do not believe that it is good advice. Whoever you turn to for guidance is your choice. In the meantime my door remains open to you and I encourage dialogue on all matters, as I have always done.

And that was on 11 March 2014, at 11.44 am.

And this one is to Madam Speaker from Larisa, Kezia Purick, Friday 14 March 2014 at 8.48 am.

Dear Madam Speaker,

See attached response to a letter of 8 March 2014 regarding Larisa Lee.

Dear Madam Speaker,

Thank you for your letter of 8 March 2014. I wrote to you on the 4 March 2014 indicating that I did not wish to have my letter to you of 27 February 2014 released to Mr Elferink at this stage. I have asked you to acknowledge receipt of this correspondence to you on 4 March on a number of occasions. I note that you have not done this.

You state in your letter of 8 March 2014, that on receipt of my letter to you of 27 February 2014, you had an informal conversation with the Leader of Government Business about a possible reference to the privileges committee on related procedural matters. I am most disturbed that such a conversation has taken place and regard it as clear breach of the level of confidentiality that needs to exist in such matters between the Speaker and members of parliament.

This is particularly the case, given your advice to me that it was necessary to secure additional confidential advice from officers, such as the Clerk, with respect to procedural issues. For example, it is clearly my decision following such advice as to when this matter should be taken forward and in what particular manner it should be taken forward.

It is not matter of private, informal conversation between the Speaker and the Leader of Government Business. When necessary, it is my right and responsibility to make the Leader of Government Business aware of my concerns, not the position of the Speaker.

In addition, I fail to understand how the Leader of Government Business has such a different view of what occurred in this discussion with you to the extent that he wrote to me on 28 February 2014, stating that he has seen a copy of my letter to you of 27 February 2014. I remain very concerned about the level of privacy accorded my concerns from both the position of Speaker and the Leader of Government Business in this serious matter.

Yours sincerely,

Larisa Lee

14 March 2014.

And this letter is from Madam Speaker, Kezia Purick.

Good morning Larisa,

Attached is a letter of today's date in reply to your letter of 14 March 2014. For your records, I acknowledge receipt of your letter of the following dates, 27 February 2014, 4 March 2014, 5 March 2014, 14 March 2014.

Regards

*Honourable Kezia Purick
MLA Member for Goyder*

Dear Ms Lee

Thank you for your further correspondence, dated 14 March, concerning my previous reply to you, dated 8 March 2014. My letter of 8 March states that I note you have requested the letter not to be released. I advise that I have not released a copy of the subject letter from you to me dated 27 February. The only copies of that letter are with me and the Clerk.

As previously advised, unless you seek agreement for precedence to move a motion at the earliest opportunity, I have no formal role under Standing Orders to intervene, or investigate the matter you have raised.

The next letter is from the member for Arnhem, Larisa Lee, on Monday 31 March 2014, 3.18 pm to Madam Speaker.

Dear Madam Speaker,

See attached response to your letter which I received on 17 March 2014, but dated 18 March 2014.

Regards

Larisa Lee

*Dear Madam Speaker,
I refer to your correspondence to me reference 4 14-3312 which I received on 17 March 2014, dated 18 March 2014.*

I note to advise that a copy of the subject letter dated 27 February 2014 from me to you has not been released by you. How then is it possible for the Attorney-General and the Minister for Justice, John Elferink to be in a position to write to me in correspondence, dated 28 February 2014, in which he states that he has seen a copy of my letter to you of 27 February 2014.

If indeed Mr Elferink has seen a copy of this letter, then surely this involved the release of the letter to a third party without my permission. In a legal sense, the key issue is one of disclosure of the contents of a confidential document, whether there be a physical passing of a document to a third party, electronic transfer of such document or, indeed, displaying or reading the contents of the documents to a third party while maintaining possession of the original document.

I also note you state in your correspondence to me of 8 March 2014 reference 143310, that upon receipt of the letter I had an informal conversation with the Leader of Government

Business who is also the Chair of the Privileges Committee about a possible reference to his committee and related procedural matters.

I regard this also has a serious breach of the confidentiality I had requested that you maintain. This is particularly the case given Mr Elferink occupies the position of Leader of Government Business and Chair of Privileges Committee. This also constitutes, in a legal sense, a potential disclosure of important contents as well as overall trust and concerns outlined in my letter of 27 February 2014. I am not, therefore, currently in a position where I can feel any comfort or assurance from your correspondence to me dated 18 March 2014.

*Your sincerely
Larisa Lee*

There is an e-mail from Madam Speaker on Tuesday 1 April 2014 at 10.38 am:

Hello Larisa

I acknowledge receipt of your letter ... electorate office and Speaker's office ... and the mobile number ... on 31 March 2014 at 1.48 pm, Larisa Lee, Dear Madam Speaker, see attached response to your letter which I received on 17 March 2014 but dated 18 March 2014 regards, Larisa Lee.

There are e-mails from the member for Arnhem, Larisa Lee:

Good afternoon John, My response to your email of 11 March 2014.

Dear John, I refer to your e-mail response to me of 11 March 2014. Matters raised in my correspondence to you of 11 March 2014 are most important as they involve a possible breach of confidence in an important matter of privilege that I have brought to the attention of the Speaker in formal correspondence.

I do not regard private conversation as the means of answering my concerns given the serious nature of this matter. It is because the matter is so important that I have seen the need to bring this to your attention through formal correspondence. The manner in which you perceive the advice you proffered me previously has no bearing on important matters raised in my correspondence to you of 11 March 2014. As outlined in your previous correspondence to me of 28 February 2014, Kezia rang me about a letter that you had sent her as Speaker regarding my conduct. You also stated in this correspondence, 'The letter which I have seen'.

I would therefore be most grateful if you could please confirm me formally how such a breach of confidentiality could have occurred and how this is acceptable in any procedural sense involving what clearly should be a confidential exchange between myself and the Office of the Speaker. Yours sincerely Larisa Lee.

This was e-mail from Linda on behalf of the Attorney-General, Mr John Elferink to Larisa Lee - my letter of response to Attorney-General.

Larisa, your correspondence is more about politics and positioning than anything else. Real politics is about the art of communication for the benefit of the people of the Territory. That is all that should matter. That means talking, listening and cooperating. This is something I try to do with all members of parliament often and across the political spectrum. Whoever is advising you is not thinking about communication and that is sad because every day wasted manoeuvring is a day wasted for the good of the Territory, but it is all your choice. Good luck.

That is from the Attorney-General. Lastly, this is a letter from Madam Speaker:

Dear Ms Lee

Thank you for your letter dated 31 March 2014. I refer to my earlier response on the same subject. Given six sitting days have elapsed since your original correspondence and you did not seek precedents pursuant to Standing Order 83, nor did you give notice of a motion to refer the matter raised in your correspondence to the Committee of Privileges, I cannot see any further role for the Speaker.

Any dispute you may have with the Attorney-General of the government is a matter between you and them.

Sincerely
Kezia Purick

This is to Madam Speaker:

Dear Madam Speaker,

I refer to your correspondence to me, reference 143312, which I received on 17 March 2014, dated 18 March 2014. I note you advise that a copy of the subject letter dated 27 February 2014 from me to you has not been released by you. How then is it possible for the Attorney-General, the Minister for Justice, John Elferink, to be in a position to write to me in correspondence dated 28 February 2014, in which he states that he has seen a copy of my letter to you from 27 February 2014?

If indeed Mr Elferink has seen a copy of this letter then, surely, this involves the release of the letter to a third party without my permission.

In a legal sense, I think I have already put this letter on the public record. I go on to talk about transparency, open honesty, leadership and trust that the Country Liberal Party has always said.

Like I said to the member for Blain, he did not at any stage stand up and say to his own party members, when they were passing around all these allegations about him leading up to the Blain election, 'We will see you in front of the cameras', because there are certain journalists that were given a background on your past and that is not for me to judge you, but your party was doing that. I think if you have the guts to stand up in parliament and try to say the things you have said to my colleague, make sure you hold your party members accountable and act like a man - if you are a man.

I want to talk about Foundation 51, like I said earlier on in the introduction. People who are in Foundation 51 are being rewarded. One of the things we would like the Country Liberal Party to do, in their openness, transparency and honesty, is talk about Nightcliff Island. The contractor looking into Nightcliff Island, or whatever they are doing, has that person donated money to Foundation 51? If so, have they declared it to the tax office or has the Country Liberal Party put it down on their register?

Some of the things we have to put on record are things we were talking about all last week. I would like confirmation that my points raised during the meeting are formally requesting these people go through the proper processes. We are asking for an inquiry that can determine the honesty and transparency of this government. If you can call an inquiry under assumption on Stella Maris and the things that happened under the Labor Party, I am sure through your honesty and transparency you can call one upon yourself.

I have a couple of dot points and questions:

- provide a complete and transparent makeup of the CLP's banking and investment financial structure and the nominated signatories on the party's account

- explain why the CLP accounts have not been audited in the past five years to date
- provide a timeline of when the accounts will be in compliance and audited by a certified practising auditor/accountant
- What is the correct legal structure, and who are the directors or the office bearers of Foundation 51?
- What is the purpose of Foundation 51?
- What is the current balance of Foundation 51?
- When was this account established?
- What is the objective of this account?
- What disclosures are required to be made in line with current fiduciary requirements by law?
- What disclosures are required to be made in line with AEC and NTEC regarding Foundation 51?
- Provide evidence of our compliance to AEC and NTEC regarding Foundation 51, if applicable
- Has there ever been such an inquiry into this account? If so, why has this information not been made available?

If you are talking about a government that is on a journey with Territorians about transparency and openness, you need to make sure you answer some of these questions on behalf of Territorians who are asking these questions.

I thank the Opposition Leader for bringing this censure motion forward. These things are what we need to talk about. The water issue is another, in general business we spoke about that, the member for Nhulunbuy brought the motion forward. If you are talking about a journey of taking Territorians forward then you need to make sure you are inclusive. You need to make sure there are economic opportunities for Indigenous people, and they are involved in this journey with you, so we can take all Territorians forward. There is discussion with the NLC and the CLC, and there are discussions with NAILSMA. It is not about pushing one group of people aside, in order to give water rights and have benefits for your mates, but this opportunity – I take this opportunity to say thank you to the Leader of the Opposition for bringing this censure motion forward.

Madam SPEAKER: Member for Johnston, before you start, I would like to draw members' attention to Standing Order 62, 'offensive or unbecoming words', point three. The provision of the standing order relates to – sorry, it is point two. It is not so much words that I will be ruling offensive, but I will be having all mobile phone numbers and phone numbers you referenced in your speech, member for Namatjira, expunged from the *Hansard* record. These are not relevant, and do not need to be on the *Hansard* record, whatever phone numbers you used.