

Dear Members of the Senate Finance and Public Administration Committees,

Regarding the Aboriginal Land Rights (Northern Territory) Amendment (Economic Empowerment Bill) 2021.

Thank you for this opportunity to write about my concerns regarding the above Bill.

I am particularly concerned that such a large and complex Bill concerning amendments to Aboriginal Land Rights, with promises of Economic Empowerment in the Northern Territory has not been very carefully considered and fully discussed extensively by a Select Senate Committee, empowered by the Government, to consult in depth with the primary stakeholders, ie. the Indigenous people of the Northern Territory, and with their independent legal, cultural and economic advocates.

There could undoubtedly be many far-reaching impacts made by these proposed changes on the Northern Territory's Indigenous people, as a consequence of this Bill. Therefore, in the interest of justice and fairness, very cautious, courteous and thorough consultations should be undertaken with the Indigenous Territorians, who are the primary stakeholders, before rushing this Bill through Federal Parliament, prior to an election.

It is our grave concern that this Bill may unintentionally, or perhaps intentionally, only serve to give 'Economic Empowerment' to Governments, and/or Mining Companies, by diluting the right of veto of the Indigenous stakeholders. The Beetaloo Basin development has demonstrated the need to strengthen and protect Aboriginal Land Rights, rather than legislating to dilute or remove a timely right of veto, from Aboriginal people.

Not only have Northern Territorian Indigenous people not been adequately consulted by Government, regarding the proposed changes to the Aboriginal Land Rights Act, but there are currently no fully independent consultative committees to be advocates for Aboriginal people, or to provide unbiased or unvested advice to Indigenous stakeholders. All Aboriginal Territorians should be fully informed and consulted (with interpreters available) regarding the detail of the above proposed Bill. Each Indigenous Community, both in remote and town communities, should be given the opportunity to be fully informed and given the opportunity to request positive improvements and to avoid any negative impacts by the proposed legislative changes concerning the Aboriginal Land Rights Act.

The exact purpose of Ninety Year Government Leases that are being offered to Aboriginal Communities should also be made transparent. On the surface, at least, these Ninety Year Government Leases offered to Aboriginal Communities seem only to facilitate mining companies, and the Leases may possibly extinguish Aboriginal Land Rights. Please explain.

It is not apparent or transparent, what the real intent of the above Bill is all about, or how it could actually benefit Indigenous Northern Territorians. What is the process that the Government will undertake to economically benefit all the Indigenous Territorians who live to this day in dire poverty? My husband, Dr David Gawler MB BS FRACS FRCS FICS and I, lived for many years in the Northern Territory, and we continue to have many Indigenous friends who are in frequent contact with us; moreover, we would like to see some actual 'economic empowerment' of our impoverished Indigenous friends. Surely, the Indigenous Custodians of vast tracts of land in the Northern Territory should be respectfully and individually consulted as to whether they would like to be 'economically empowered' (and in what way), rather than to be further disempowered, or never to be fully informed about the actual impact on them or on future generations, by legislative changes to the Aboriginal Land Rights Act.

It has been for example, our sad experience, that Indigenous people in the Northern Territory struggle financially, even to raise sufficient funds to bury their deceased family members. The NT Land Councils and the Aboriginal Benefit Fund have not been authorized by Government to provide sufficient funds to enable Aboriginal people to provide a timely funeral for their loved ones. It is on record that some deceased people may remain in a hospital mortuary for months, while relatives desperately struggle to raise sufficient funds to bury their family member. This is an urgent and practical concern that should be addressed, by the provision of adequate funds for funerals to show respect and give dignity in times of bereavement in the Northern Territory. For example, there is Government funding for a designated Funeral Service provided by the Victorian Aborigines Advancement League. Could not adequate funeral funding by the Aboriginal Benefit Fund be made available to Aboriginal people in the Northern Territory?

In regard to access and the management of the funds held by the Aboriginal Benefit Fund, should not the Federal Government urgently ensure that the funds are able to be invested effectively, in order to improve the present 1% per annum interest bearing investment of the One Billion dollars resting in the Aboriginal Benefit Fund?

It would be shameful if current NT Aboriginal Land Rights were further diminished by Government by using a 'sleight of hand' approach, through the construction of a confusing Land Rights Bill which could mostly benefit Government and mining companies, but worst of all, may ultimately disenfranchise Indigenous people. We owe our First Nations People better treatment.

Please do not rush the passage of this Bill, but please afford Indigenous people the right to fair and open debate of the Aboriginal Land Rights (Northern Territory) Amendment (Economic Empowerment) Bill 2021.

Yours sincerely,

Isobel Gawler