



Dr. Ian Holland,  
Committee Secretary.  
Committee on Environment, Communications and the Arts.  
P.O.Box 6100.  
PARLIAMENT HOUSE.  
CANBERRA. ACT 2600.

Dear Dr. Holland,

#### **INQUIRY INTO FORESTRY AND MINING ON THE TIWI ISLANDS.**

***Re: Response to submissions and "evidence" of:  
Marion Scrymgour MLA of 15 June 2009.***

Thank you for your letter of 2 July 2009 enclosing copies of the above submission and "evidence", and seeking our response, if any, prior to 23<sup>rd</sup> July 2009. The Land Council, at our meeting 250 of 20<sup>th</sup> July tabled these documents and has been pleased to respond as follows:

#### **Scrymgour submission 16 June 2009.**

1. The Tiwi Land Council originating submission of 13<sup>th</sup> March 2009 provides a plethora of evidence refuting various allegations related to independent and thorough capacity and environmental enquiry of Great Southern, and the continuing integration of Tiwi landowner land management, stimulated, and largely funded, through private investment for Forestry Project outcomes.
2. The Land Council has welcomed the Senate Committee opportunity to visit and discuss the Forestry Project. A recent outline of our Tiwi Carbon Study research with CSIRO is attached.
3. The Land Council has also rejected various "Green Anarchy" propositions in our responses to adverse comments of 9<sup>th</sup> May 2009. The patronage of primitivists concepts seeking to expose and challenge both individual and social relations and interrelations in an aboriginal traditional society are deplored. Issues of patriarchy and gender distinctions, rather than a "grossly discriminatory" governance issue claimed

in the submission, are matters of traditional transition and evolution, wholly within the province of Tiwi society itself.

4. To suggest it is the province of a Minister of the Crown is extraordinary. Requesting the Minister for Aboriginal Affairs to appoint “two women” for each of the eight land groups, begs the question:- why not three, or one?
5. The particular legislation available to the Minister is that referring to aboriginal TRADITION and to “that body of traditions, observances, customs and beliefs... as applied to persons, sites, areas of land, things or relationship.” (ALRA definition). Inviting the Minister to breach the Act (Aboriginal Land Rights (NT) Act 1976, on the basis of NON-traditional gender preferences has surprised our Land Council members, particularly that the invitation is extended by the Member for Arafura.
6. Evidence provided to the Committee supports the detailed minutes of Land Council meetings over 30 years, that women are in fact actively encouraged to attend and speak at, or contribute to Land Council and Land Council Committee meetings. And they do so, often in large numbers. Their social inclusion matters, and is encouraged and welcomed.
7. The Tiwi Land Council appointed Marjorie (Dunn) Liddy as a member in 1987. Her evidence before the Committee includes her reluctance to accept this position.
8. The Tiwi Land Council appointed Michaela Tipungwuti to the Land Council in 2002. Having attended two meetings, Michaela resigned her membership after three months.
9. Attachments provided in your letter include an edited version by the late Jane Goodale of Hart and Pilling work, titled “The Tiwi of North Australia.” circa 1965.
10. The fundamental criteria of Land Council membership is ownership of land. The Land Council is not a body that can either legally or politically or socially ignore or compromise the very basis for its existence.
11. We are pleased to attach a detailed summary of the Tiwi anthropological literature submitted and accepted by Mr. Justice Olney as part of the “Vernon Islands Land Claim” 2009. “Supplementary Anthropological Report – Vernon Islands Land Claim” is the work of the senior NLC anthropologist Robert Graham.
12. This summary reviews the contributions of all Tiwi anthropological literature through the past century:- Hart, Pilling, Stanner, Berndt, Goodale, Spencer, Brandl, Venbrux and others. The significant and unequivocal conclusions reached through all this literature is “Tiwi membership (of their groups) is by virtue of their descent from a paternal grandfather, via a father, or fathers.” (p.18 ). “Country groups are real Tiwi social units.. that have shown a great deal of stability over time.” p.28.

13. There is nothing in the literature to suggest any conclusion in support of "having two women from each group on the Land Council."
14. Through evolving and transitions of Tiwi traditions there is in fact an interest for women to join their menfolk on the Land Council as demonstrated in 1987 and again in 2002. The Land Council meeting of 20 July 2009 also noted; "We will have women on the Land Council. But let us decide how and when we do that."
15. We also refer the Committee to evidence provided to the hearing about the issue of "women on the Land Council" on Melville Island (19<sup>th</sup> May 2009) by senior Tiwi traditional land owning elders.

Yours sincerely,

Robert Tipungwuti.  
Chairman  
21<sup>st</sup> July 2009.

John.S.Hicks  
Secretary.