



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

**HOUSE OF
REPRESENTATIVES**

STANDING COMMITTEE ON ABORIGINAL AND
TORRES STRAIT ISLANDER AFFAIRS

**Reference: Reeves report on the Aboriginal Land Rights (Northern
Territory) Act**

TUESDAY, 13 APRIL 1999

KALKARINDJI

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HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER
AFFAIRS

Tuesday, 13 April 1999

Members: Mr Lieberman (*Chair*), Mrs Draper, Mr Haase, Ms Hoare, Mr Katter, Mr Lloyd, Mr Melham, Mr Quick, Mr Snowdon and Mr Wakelin

Members in attendance: Ms Hoare, Mr Lieberman, Mr Lloyd, Mr Melham, Mr Quick, Mr Snowdon and Mr Wakelin

Terms of reference for the inquiry:

The Committee shall inquire into and report on the views of people who have an interest in the possible implementation of recommendations made in the Reeves Report. In particular the Committee will seek views on:

- (1) the proposed system of Regional Land Councils, including
 - (a) the extent to which they would provide a greater level of self-management for Aboriginal people, and
 - (b) the role of traditional owners in decision making in relation to Aboriginal land under that system;
- (2) the proposed structure and functions of the Northern Territory Aboriginal Council;
- (3) the proposed changes to the operations of the Aboriginals Benefit Reserve including the distribution of monies from the Reserve;
- (4) the proposed modifications to the mining provisions of the Act including the continuing role of government in the administration of these provisions;
- (5) proposals concerning access to Aboriginal land including the removal of the permit system and access to such land by the Northern Territory government; and
- (6) the proposed application of Northern Territory laws to Aboriginal land.

The Committee shall make recommendations on any desirable changes to the proposals made in the Reeves report in the light of the views obtained.

[10.35 a.m.]

PARTICIPANTS

ANDERSON, Henry

BANJO

BUNTER, Billy, Principal Interpreter

DUNCAN, Ray

GORDON, Smiler

HARGRAVES, Lily

HERBERT, Jeanie, Principal Interpreter

HERBERT, Lindsay

JOHNSON, Davy

JOHNSON, Doug

JOHNSON, Martin

KELLY, Jimmy

LONG, Joe

PEANUT, Ida

RAUGIARI, Mick

ROSS, Elizabeth

SAMBO, Stanley

SIMON, Victor

TURNER, Lindsay

VINCENT, Victor

YUNGA, Roy

CHAIR—I would like to say how glad we are—the members of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs—to be here in Kalkarindji today. We thank you very much for your warm welcome and for making the time to discuss with us today a very important matter that we know you want us to listen to. We will listen very carefully. Thank you very much for being here today. We look forward to learning a lot from you on what you want for the future based on the Reeves report.

Just a brief reminder that we are here today as a parliamentary committee. We are made up of all political parties. I have the honour of chairing the committee. We have members from both the Labor Party and the Liberal and National parties. The Minister for Aboriginal and Torres Strait Islander Affairs, Senator John Herron, has asked my committee to come up to the Northern Territory and to seek your views about the recommendations contained in a report that we all know is called the Reeves report, which has to do with the future of the administration of your land in this territory. The minister has asked us to consult and to listen very carefully to your views. Jeanie Herbert and Billy Bunter will now interpret what I have said in two languages.

The minister has asked this committee to make recommendations to him and to parliament. I want to emphasise and make clear that we have an open mind. We have not made up our minds on any part of the recommendations in the Reeves report. You have us here so that you can tell us what you think about it. You can tell us to recommend that it all be kicked out or that some of it be kept and some of it be changed. It is up to you and your people in the Northern Territory to give us your advice. We are moving around the Northern Territory. We have been here before and we have other trips in May and June. So we are doing our best to meet as many of your people as possible.

When you want to speak, it would help if you come up to the microphone so that everybody can hear what you say. Please do not feel shy about that. You are very welcome to come up and speak. When you do come up, we are fortunate to have two interpreters who will help with the interpretation of what you say. So bear that in mind as you talk, and perhaps you might speak a bit slower than normal so that we can keep up with you.

When you do come up to the microphone, can you please state your name because we are recording everything that we are saying today so that when we go back to Canberra we will be able to study and think about what you have told us today. So remember to state your name very clearly so that Hansard can pick it up. When we go back to Canberra and the recording is transcribed into a written document, we will send you a copy of everything that is said today so you will have your copy to read, to think about and to check as well.

Let us get started. Remember that we want to hear what you think because we have not made up our minds. We want to hear your advice so that we can take it on board and do a good job for you.

JOE LONG—I am from Lajamanu. You cannot change the acts. You cannot go in and set up another separate thing. We want it to stay as old. We want the old Aboriginal Land Rights Act.

MICK RAUGIARI—Local people, Aboriginal people, we walked off from Wave Hill. I am the only speaker from the Lajamanu. People walked here. Give this mob your name, who you are. You might as well talk. That is why they brought them up. Talk to the gentleman here. They are recording everything.

ELIZABETH ROSS—We should be really strong. We should hang on to that strong culture—our grandfathers, our fathers, our Dreaming. It is really important that we hang on to it and that we do not lose any of it.

BANJO—This is our land. Beneath is the Dreaming that will never be taken away. We feel that it is our Dreaming and that it is our land and we are part of it. Never will any part of it be taken away from the knowledge that we feel—that this land is beneath the Dreaming and it is our land that we are sitting on.

STANLEY SAMBO—We walked off the Wave Hill station. This land is our strength. We walked off and the government will never take it away. We are now sitting on top of our land and we are really strong.

JIMMY KELLY—We have one law. Our law is still the same. Government, when you have elections every three years, you change the laws. Our law is still the same since time began. We are not going to lose our grandfathers' Dreaming, our fathers' Dreaming, our mothers' Dreaming, our mother's grandfather's Dreaming—it is there forever; it never changes. Our law is still the same. You cannot take that away from us.

HENRY ANDERSON—We want only one law. What that law is is through the land rights act. When Gough Whitlam handed soil to the Gurindji people it started off a new movement for all of us. We are going to hang on to that. No-one is going to change it for us. No-one is going to control our lives. No-one is going to control our money from our land, our grandfathers' country, our fathers' country—no-one at all. We do not approve of any other inquiry or any other changes. We want it kept as it is. That is what we want.

IDA PEANUT—I came walking from Wave Hill station, carrying swag, to here. This is my father's country, my grandfather's country—that hill over there and the riverbed here and the permanent waterhole. When we came across I came across walking, carrying swag, with my son and with my husband. We followed our father, who took us out from Wave Hill station and led us to Daguragu, Wattie Creek. All my family there, we do not want any law changed. We want that law strong, the same way that we walked off for. It is sacred land. It is also the permanent waterhole that we walked off through. We stay at Daguragu now with my husband and with my children. The footsteps I take from my father. All of my family here are all dead and gone; they are all buried.

LILY HARGRAVES—We want our land, we want our law to be the same. Our laws are unchanged. They are always the same. Our grandfathers, our fathers, our Dreamings, our sacred sites, we want them left untouched. We do not want that changed. Some of our people are buried in those burial sites. We want to leave it untouched. Nobody is to go near it. We want to hang on to our Dreaming. We want to hang on to our law. We want to be strong. Our law is still the same. We want it to keep on going on and on for ever, since time began. No-one is going to change that.

ROY YUNGA—I feel unhappy because we have not seen those white people changing the law. This law has been given to us from above, from the gods, from the Dreamtime and we do not want change. We want to continue on carrying the same law like it is now. Our law is strong.

VICTOR VINCENT—Good morning. I am from Kalkarindji or Daguragu. I feel unhappy. We followed our fathers when they went on strike. When we came, we came across the sacred site into Daguragu. We feel that John Reeves has changed everything and we feel really sad. We are not happy. Our fathers led us to a promised land, to the sacred site. That will never change. We did make land rights. We are all really upset, not only me but everybody here, all people. We like to stay with the same strong land rights.

DOUG JOHNSON—Good morning, parliamentary members. Welcome to my land. I am from Lajamanu. I would like to talk about our land rights. I will tell you a bit of a story. In the past we had this welfare system and that was not good. We have been through that hardship before and it was not good. A lot of those things written in that Reeves review are taking away our rights and we are not happy with that review. A lot of our rights—like the permit system, the land system, royalty, negotiation and agreement—are taken away to weaken our land rights. When you look at 25 years ago, 30 years ago, we had no rights. When land rights came in 1976, that is when our rights came in. It is very important. You cannot take away our rights.

Right now, when we see that Reeves review it is not good for us. We are not happy about it because a lot of those things are going to weaken our land rights act. We are not supporting that Reeves review—all of us here. We like our land rights act. It is very strong. We have recognition and our rights in that one. Please do not step back. Consider that and look seriously, because a lot of our rights are going to be taken away. You cannot leave us with half of our rights in that land rights act. That is very important for us. We have been through that hardship before, with no rights. When land rights come up, a big land movement started and our rights started. We still want to go forward, not go back. Thank you very much.

RAY DUNCAN—I would never agree to give a government our land. I will sit because I believe what is beneath in the earth represents me and my people. I will never agree that the government take every right and the earth beneath that represents us and the earth that government does not know. I will never agree to give that land to our government.

SMILER GORDON—Don't take away, don't destroy our land. Our law is still the same, it is always there, it has been there unchanged. Government make laws every three years; at election time they are changing laws for us. We don't want that control. We don't want the Northern Territory government to come along and destroy our Dreaming sites and our permit system, which is really important. We do not want that trespassing act. That is making it more weak. We do not know who is going to come along there and desecrate our sacred sites and all that.

LINDSAY HERBERT—I am Lindsay Herbert of Lajamanu. I am Jungarri. I wanted to tell you something: it does not concern Aboriginal people. The Reeves report does not concern us. It is not written for us. He does not say anything about us. I would say it is

completely racist, because you will see there is nothing written for Aboriginal people in the Reeves report.

I want to say more concerning the land councils. Both the Northern Land Council and the Central Land Council are our supporters, because all of us sitting here have not been educated. We did not go to university. Therefore we look to the land councils for our support if we cannot understand your speech—that is, English. That is the reason we really support the two big land councils, the Northern Land Council and the Central Land Council.

We do not agree to the breaking up into all those small land councils. That is completely a no-no. We want to keep the land councils and stay within them. That is our belief and trust. We do not want to break up into little land councils. We want to keep the old land council support and what is written in that little one—not the Reeves one. The Reeves one needs to be burnt because he does not give us any right whatsoever. We are disappointed. That is what I wanted to finish on. Thank you.

CHAIR—Jeanie is going to have a turn now.

JEANIE HERBERT—I am Jeanie Jungarri Herbert. I just wanted to say a few things to this committee. It is really important that I say this. I know the government does not come and talk to us, all the Aboriginal people. It does not matter where we are—in remote areas and all that—they do not come and talk to us. The only time they come out is at election time or something to do with them. That is the only time they come.

We do not want to be controlled by them. We want to manage our own money, our own affairs. All the people out in the remote areas live in Third World poverty. We are suffering out there. I know that we need the land rights act in the Northern Territory, the Northern Land Council and the Central Land Council, but we need to make a few changes to them.

I am representing not just myself but I am representing all you mob. I am not just thinking about myself and lining my pocket with money from the mining company. I am thinking about all of us—our children and our culture. Don't rip our people up, please. We have to all work together as one. We need to get rid of those other people. You have got to give us time. Just don't give us such a little time as this. We need more consultations and negotiation with our people.

I say this to the parliamentary committee: we do not want our rights taken away; we do not want to be controlled by the government who does not listen to us and who always wants to control our lives. Let us manage our own lives, our destinies, our aspirations and our future. It is our future. We do not want our sacred sites dug up. Some of our fathers are out there in sacred sites. That is really important.

I know you people do not understand the Dreamings and all that, but it is really important to all of us. It is really important now. With a sacred site permit system we control who comes in and out of there. The sacred sites are really important. We care from the heart; we care. Do not control our lives. That is for us. Leave us alone, let us control our lives through trial and error. We can make ourselves better. Let us make mistakes like our forefathers have. They have made mistakes with medicine, with food. Let us control our own

lives, our own money from our own land, our country. We want to bituminise our roads with that money. We want to make everything better for our people and look after our old people. Old people have to teach us. We do not even know. Old people have to teach us and all our children. It always has to be there. Let us control our lives from our own land, from our own grandfathers' land, from our fathers' country, from our mothers' country. Let us control our lives.

BILLY BUNTER—I have been a spokesman since the land rights began 30 years ago. I walked up from the Wave Hill Station. I feel uncomfortable and unhappy about the way that the government is trying to change our lives. Why is the government trying to take our rights away? First of all we fought for our land rights, and now the government is trying to take our rights for the second time. We are relying on a federal government to listen to our people say that as from today we will never ever take anything out from John Reeves. I represent not only the Guridnji and Warlpiri people but I represent the Aboriginal people in the Northern Territory. I feel strongly. I feel uncomfortable because I was expecting the federal government to give us more time, more hours, so we could show the government what are the Aboriginal things we have got now. I believe there will be more things that will be shown by our people today, when we walk across to the Daguragu. I ask the committee to spare us more time. We will ask if they will give us pure time to take them across to our people sitting on the land. We will show you.

Aboriginal people do not change the law. We would never ever change the law until the world ends. Every Aboriginal person in the Northern Territory, whatever tribe they are, we do not change the law. Interpretation is made by lingo. But law and order, Dreaming—the things we do—are the same in the Territory or in Australia. We have walked away from the darkness, we walked into the light. We have looked for our right, and John Reeves is deducting our rights from us. Whatever is written in John Reeves's book is not concerning us. We just had a look at it. We feel like we want to burn that book and it will go into the fire. Thank you.

VICTOR SIMON JUPURRARLA—I was born in the desert, just like a dingo, but I can talk your talk. This book here is enough, but not this John Reeves one. We can draw on the right book any time we like. We want the law we have got now, this one on the land rights for our people. When we black people in Australia look back, most of our people have been sitting in the dark from the time when James Cook came into this land and walked and took our rights away. So from the dark this book brought us back to stand on our feet so we can talk face to face. We can understand your talk but you cannot understand my talk. You sit in the parliament, but we cannot sit with you and understand your way of life. Our lives are different.

In this book we believe is our life. In our life we look across the land to our motherland. We believe in the Dreaming that we had when James Cook came and seized our land and our assets. We were left alone in the dark. When the time came back in the 1970s, these laws were given through the parliament. We believe we own our life. We want to walk with the law we have got now. We do not want to go back. In this book, what is written in here, there has been no Aboriginal input. We want to keep our laws until the time the country might go somewhere when the war comes.

JEANIE HERBERT—How much further can we trust our Northern Territory government? Can we trust them? We cannot trust the Northern Territory government. They can mismanage our money the same way as everybody else does. We want to hang on to our old ways, not this new document that they have come up with. It is nothing. We want it burnt. We want it thrown away. It had no input from Aboriginal people. There was no consultation. They did this document up themselves, wherever they are.

We do not tell politicians and all those in Darwin and Canberra, in Parliament House, or in their own houses, how to spend their money and how to live their lives. But they are really good at telling us how to run our lives. How dare they!

MARTIN JOHNSON—Good morning. I am from Lajamanu. I just want to talk about what Jupurrarla mentioned. I speak for indigenous Aboriginal people of the Northern Territory. One thing I would like to mention to the committee is that Warlpiri people have a larger amount of land, a bigger area of land. The new land rights act, the one of Reeves, is going to affect the Warlpiri people. You have heard today that a lot of people, old and young, are saying that they do not agree with the Reeves review.

One of the things that we have learned from the past, as mentioned by Doug Johnson, is that we had a very hard time with the welfare system. We have been through that hardship before. Comparing that to the Reeves review, we are not going forward; it is taking us backwards to that old system. It clearly says in that cover that it is building for the new generation. I want to say something about that new generation.

We should act now. We should get support from government to help us get people to recognise our law, our culture. That is not happening—absolutely nothing. That is not recognised. Our legal system, our court system is not recognised in your legal system. It is not recognised, and I say that clearly. Looking at that Reeves review, there is absolutely nothing there for us.

There is one more thing, and it is the last thing I would like to say. We would like to hang on to that land rights act, the one that Gough Whitlam gave to the Aboriginal people. Aboriginal people strongly feel that we should stick to that one. The Reeves review, as far as I am concerned, can be put away. Thank you.

LINDSAY HERBERT—I think we want to finish here now. After Doug Johnson's speech we would like to take you down to the business camp. Doug Johnson would like to speak again.

DOUG JOHNSON—I just want to say one more thing. I am not happy about what happened when Reeves came and visited the people. I am not happy about the way he talked in his report about those people who work for the land council. He should not say that kind of thing in his report. Even though we were employed by the land council, we are the traditional owners and we were at that time giving our view on the Land Rights Act. I am not happy because on page 103 he wrote about some of the people. On page 104 of his report he said about the people who supported the land council and held positions on the land council. You cannot write things like that. Even though we were employed by the land council, we are the indigenous people of the Northern Territory having a view on our land

rights act. Look at that, too, please. It is insulting to the people. I am not happy about that at all.

JEANIE HERBERT—The chairperson is going to say something about Tennant Creek.

MICK RAUGIARI—Time is running out and it is time to go, but I want to thank you gentlemen for visiting us. Hopefully, we can take you to the business camp. Because we have run out of time, we want to be very quick.

CHAIR—Thank you very much, everybody. I would like to say a few words. First of all, to Mick, Billy and Jeanie, thank you for helping us today. You have been very good, and I think you have been powerful advocates for your people. We thank you very much. The next thing that I would like to say is that our committee will take what you have said back to the parliament, and we will make this part of the evidence of the committee.

All the words you have said will be part of the public record of Australia and part of our history. This committee will have a good look at what you have said. I will leave you with these thoughts: we have an open mind, because we still have to hear other people over the next two or three months, but I promise you that all the members of the committee will make sure that you keep your land, and we will take on board your advice. We hope to meet again soon, and we hope to bring you good news about the future of the land policy.

Resolved (on motion by **Mr Snowden**, seconded by **Mr Quick**):

That the committee authorise publication of the evidence given at public meeting this day.

Committee adjourned at 11.30 a.m.

