



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

TENNANT CREEK

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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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.



[3.55 p.m.]

### **PARTICIPANTS**

**BARCLAY, Neville**

**BROWN, Ronald**

**FRANK, Jimmy**

**HAYES, Noel**

**JABANUNGA, Murphy**

**JACKSON, Adrian**

**JAMES, Lionel**

**KERIN, Kevin**

**KELLY, Doris**

**LAWLER, Amy**

**LIMBERICK, Angus**

**McCARTHY, Francine**

**MORRISON, Kevin, Principal Interpreter**

**PHILLIPS, May**

**SMITH, Graeme**

**STOKES, Diane**

**WALKER, Matthew**

**CHAIR**— Thank you for joining us today at this public meeting on the Reeves report, which, as you know, recommends a number of changes to the Aboriginal Land Rights (Northern Territory) Act. Before I proceed to tell you something about the inquiry, I would like to introduce you all to my colleagues at the table. We have on my left Daryl Melham. Daryl is a member of the Australian Labor Party in the House of Representatives in the Commonwealth parliament. We are all members of the House of Representatives. He also holds the office of shadow minister for Aboriginal and Torres Strait Islander Affairs in the opposition and is a member from the Sydney area. Next to Daryl we have Kelly Hoare. Kelly is from New South Wales. She is a member of the Australian Labor Party.

My deputy chairman—on my left—is Harry Quick. He is a member of the Australian Labor Party and represents a seat in Tasmania. My name is Lou Lieberman. I am a Victorian. I am the chairman of the committee and I am a member of the coalition government. I am a member of the Liberal Party. On my right is James Catchpole, whom some of you have met before. James is the hardworking secretary of our committee. We have other staff here today also helping us and, of course, Hansard, whom we could not do without. Next to James we have Jim Lloyd, who is also a member of the House of Representatives representing a Sydney seat. He is a member of the Liberal Party and a member of the coalition government.

Barry Wakelin is a member from South Australia. He is also a member of the Liberal Party and part of the coalition government. Last, but not least, we have your local federal member of parliament, Warren Snowdon, whom we are very fortunate to have on our committee so as to have his local knowledge and expertise. We thank Warren for his help. Warren, of course, is a member of the Australian Labor Party. We are being assisted today by Kevin Morrison, who is an interpreter and will be helping us today with the proceedings.

Ladies and gentlemen, let me briefly tell you something about what we are on about today. I would like today's meeting to be an informal, friendly discussion. Please relax and do not be nervous. I am a little nervous but that is only because I have not met you before. Please relax and feel free to talk frankly to us. I want you to know that we are here today because the Minister for Aboriginal and Torres Strait Islander Affairs, Senator John Herron, has asked us to find out what people are thinking and what they want in relation to the Reeves report. I will invite Kevin to make some comments and to give a translation.

**KEVIN MORRISON**—Hello, everybody. Most of you people know me. I am here to interpret for you.

**CHAIR**—Thank you, Kevin. I want to let you know that everyone at this table has an open mind about the Reeves recommendations. We have not made up our mind on what we should recommend, but we want to hear your advice and your opinion before we make our mind up. That is why we are here today—to listen to you and to get your advice.

We will be visiting a lot of communities. We have already visited communities to listen to people. We want you to know that today's proceedings will be recorded by Hansard and we will be sending a copy back here for you to have.

If everybody is happy and relaxed, let us start. We have a microphone if anyone would like to come up and speak. When you do, would you please make sure you say your name and where you have come from so that Hansard can get that on the record.

**NOEL HAYES**—I am an ATSIC chair. I went to talk to them up in Darwin, on ATSIC's behalf, about this Reeves report. If you people here have heard the story about the Reeves report and what it is going to do and what it is not going to do, talk about what you think of this law that they are going to change, if they change it, to these people who have kindly spent the time to come and talk to you today. It will be a new law for you people. I cannot speak for your country. This is your country. So I want you people to get up here and

talk about your country and tell these people what is wrong with that law. Someone come up here now and say something. Do not be ashamed.

**RONALD BROWN**—I am a local here from Tennant Creek. I have a homeland on the land trust. The last time that John Reeves came down here, we told him that we did not want him to take our northern and southern land councils away or ATSIC. They are our service and our political arena where we can voice our opinions, which is our voice. They are a service to try and make our lifestyle better. That is what we told him. We want our land rights act to be reinstated. We want it for the next 10 or 20 years.

**CHAIR**—That is pretty clear, isn't it? No change. As you know, Mr Reeves recommended that there be—I think, from memory—18 land councils rather than the four that you have now. If I understand what you are saying, Ronald, you are saying that you want to keep the four. Is that what you are saying?

**RONALD BROWN**—Yes.

**CHAIR**—So you feel happy with the four you have. That is what I heard you say.

**DIANE STOKES**—When I went to the meeting up at the civic centre, all of the Aboriginal people at that meeting said clearly to Mr Reeves that we do not want any changes to the way we are living. Today is good. We need to go out bush. We need to go out hunting. We need to go and do a lot of things in our own communities. We have to talk up really strongly because when Mr Reeves came here he did not take any notice of our words. When we had a talk to him over there, we told him clearly all the things that we wanted and that we wanted things to stay the way they were going. That is still true. The way I feel is that, with our kids coming up, we need our future for our kids.

**CHAIR**—You have possibly noticed that I have been given a scone, and I ask you all to get a cup of tea and a scone. On behalf of the committee I would like to thank the Jilalikari Homemakers Group for going to all the trouble of making all of these scones for us. Are there any other comments or advice that you would like to give us?

**JIMMY FRANK**—I am from Tennant Creek. I am one of the Waramunga tribespeople. I would like to talk about John Reeves weakening our sacred site laws. We believe in our sacred site laws. We want the sites to be protected because they have a lot of meaning for us—for ceremonies and all of that. We have got a lot of different ways to do ceremonies. We do not get things from another ceremony and put them into a different ceremony—songs, actions or marks, we leave them on one side for one ceremony. We want those things to be protected the way we want. They are trying to destroy our sacred sites with no protection. We still want our land rights. What other things were we thinking about on what John Reeves said?

**CHAIR**—Have you got anything to say about the royalty money?

**JIMMY FRANK**—Yes. I do not blame Aborigines for getting royalties because we have been tied up for 200 years. We have only had land rights for 22 years and 22 years is a lot different from 200 years. Before those 22 years, we did not even look like humans. We were

just like something else. We worked on cattle stations. I was a kid then. We did not even work for money; we were just working for tucker. So we find that things are different now and we would like to stick to the law we have. The younger people do not know what we used to feel like in the 1950s. It was really bad then. We were not allowed to eat amongst white people. They used to give us a dish of tucker, one big bucket of tea for 10 or 12 people, for the men out in the stock camps and that on the stations. It was pretty hard.

**NEVILLE BARCLAY**—I am not from this area, I am from the Gulf of Carpentaria. I am here with the Nicholson River Land Trust. That is my people up there, the Waanyi. This is the only opportunity for me to speak here. I do not feel the strongest when I am speaking here but I will speak my mind anyway.

With this permit system that they want to take away with the Reeves report, it has to stay, for one clear reason. Aboriginal people in the Northern Territory have been able to hold on to money here in the Territory and in Australia. We have a lot of mining companies coming here from overseas and they take the money back to where they came from. Only a little bit of benefit is left here—jobs and this and that. The rest of the profit goes overseas. Aboriginal people have been able to negotiate and get their mining royalties so they can buy vehicles and things. I think the permit system has really got to stay inside that.

Also, Aboriginal people—I think it is the same down this way—up in my area just do not go trespassing, not even into another Aboriginal area and not even from our own tribal areas. We have to have respect. We have to ask for permission. We have to ask permission from those people. They can say yes or no or, ‘You can go there but don’t do this.’ I am quite sure that that law should also stand for mining companies or anybody coming onto that land.

For those people up there, like with those around here, it was only in the last 60 or 70 years that there was real development or the frontier was broken and the whitefella really set up his ways here. It is not all that long ago. Even my grandmother’s brothers have told me a lot of stories about before the white men came and about them hiding in caves and seeing their own family getting massacred, shot to death. They are very sad stories to listen to.

I reckon that the permit system has got to stay, and everything else that goes with it. Without that permit system—and without the other things that go with the permit system—it would really be breaking down what Aboriginal people are about. The way that people are being killed these days is not with a gun anymore, with people running and hiding in caves or on top of hills; they are killing people inside with words. They are erasing them from history. They could not do it with a gun, they could not poison people out, they could not assimilate them by turning them into white people, so now they are going to try to choke them out through words. That is what the battle comes down to—pen and paper. In that book that law has to stay. You cannot change it.

**CHAIR**—I have a question for anyone who would like to offer a comment. Have you heard any criticism from anyone about the permit system? Has there ever been any problem that you are aware of with the permit system? Let us talk about this, because we want to clear the air on it. May I just say that no-one walks on my land without my permission, so I do not see why you should not be able to have the same rights. I am very sympathetic to



what you are saying but we have been asked by the government to ask people what their experience is with the permit system—good and bad—and if there is some way of improving it. Since we are all here to talk frankly, is there any comment that anyone could make about that? Is there any way that you think it might be improved? That is if you think it needs improvement; you might feel it does not.

**RONALD BROWN**—There are two cultures with that. We have the cultural side and we have the permit side. When you talk about a permit, it is only for Europeans. But we have another permit which is on the cultural side, which we do locally with each traditional owner.

What we are doing is this: if we keep our permit system strong, it will be so for both sides. It does not affect only the European, it does affect us too. We have two permits—one for Europeans and one for ourselves, each one of us—so we have our own cultural boundaries too. Thank you.

**MATTHEW WALKER**—I am a local. We do not want this thing to go backwards. We want to look to the future instead of the past. With recent governments we have gone backwards instead of going forward. Our resting days are all gone and so is the generation that we want to live and be like us. We want to be Australians and to share our own country with the whites. Okay? Thank you very much.

**CHAIR**—Would anyone else like to make a comment? Otherwise we might all be eating scones sooner than we thought. Just for the record while you are thinking: I think it is important to note that what we are saying today will be recorded for history in the records of the Australian parliament, so I would like to have an accurate recording of today's proceedings.

If I were to say that there were at least 100 people here, would I be right? Do you agree with me on that—at least 100 people in this room today? So it is a yes. I wonder if three, four, five or six of you could tell us from where your group comes from, so we have that on the record. Would someone like to try and do that? Grab the microphone, because I would like that to be on the record.

**ADRIAN JACKSON**—I am the chairperson for Jilalikari in Tennant Creek. I have lived here for probably about 80 years now. I am a Warlpiri man. I am from Ali Curung. As for this thing that we are talking about—this review and all that—I think we should leave it and not keep going further and further on. We should stop it there and just say no; leave it the same way so it will be easy for us, not have things changing all the time. As for that Reeves fella, I was not at that meeting when they had it two years back—or one year back, as I am not too sure. I probably would say no to it. We have a lot of families coming behind—a generation of kids and all that—and I think we should say no to this thing. Thank you.

**MURPHY JABANUNGA**—I am from a place called Ngurraminyi, straight out east from Tennant Creek. I am living there. I have been living there for a long time in my country. I like to live out there—no kind change out there. I like to live in that country. Mr Reeves went through my country. I have been living there for a long time. There are sacred

sites all around the place there and we look after them. I do not want change for all of that. That is all I have to say. Thank you.

**Mr QUICK**—It is really important that as many people as possible have their say because, when we go back to Canberra, we do not want people in the Northern Territory to say, ‘We didn’t have a chance to have our say.’ Even if it is only half a dozen words, get up and have your say so it is on the record and so that, when we stand up in parliament in Canberra, we can say, ‘We have spoken to hundreds and hundreds of Aboriginal people and this is what they say.’ If you do not want the Reeves proposal, if you want to keep your permit system, if the royalty system is working fine and if the Northern and Central Land Councils do represent you, get up and tell us. We want to know. Even if it is only in six or seven words, have a say.

**ADRIAN JACKSON**—People, they have come to listen to us and what we have to say. We all have to get up and speak. It has to go on the record so that, when they go back to the government, it will have to listen to what we have to say. Let’s all get up and say something. All of us are involved. Get up and say something so that those people can listen to us.

**MATTHEW WALKER**—We really want the Northern Land Council and the Central Land Council to work for us, please. They are really strong to us so we do not want any changes. Thank you.

**LIONEL JAMES**—I am from Ali Curung. I want to say that whites have been here for 200 years. We have been here for more than that—40,000—and they did not recognise us until 1967 when they gave us the right to be recognised as Australians. Now, when we ask them for recognition, because this is our country, they come, they are here for a little while at our place and they go. We are still left here. We did not move out from the country, but now they change the rules for us. This is our country, and we are here all the time. But they want to change the law this way and that way. They change government every time. The government changes every time. Our government—the Aboriginal law—is straight. It never changes. We are still traditional.

**MAY PHILLIPS**—I come from Phillip Creek. What that young fella said is true. Governments today have law books and they change them every time but we Aboriginal people never change our law. We have our law one way. We keep it strongly. We never change it from generation to generation. It is still there. We will never change it—no way. We want our rights and the Land Rights Act has to go on. We do not want it changed. That is the only way we get help for our Aboriginal mob. We have never got help from other people in government before now so we have to keep it strong. We all have to talk strongly with one voice because our law never changes. It is still there, it is strong and it is has to stay like that. That is all I can say.

**AMY LAWLER**—Good afternoon, family, friends and countrymen. I am living out at Elliott and I am a Waramunga woman. I would like to follow up what my cousin said. She just spoke about the law, where the difference stands, where white governments have their law in a book in writing, whereas with our way we have a law on the ground. In our culture the law stays with us all the time; it does not change at all from generation to generation.

I am one of the ladies in our regional council. I would like to talk about one of Reeves's recommendations. He is saying something about the land council. He is saying something about our royalties. I disagree with that recommendation. Our ABR royalty and other royalties do not come from the white man's book; it comes from our sacred sites. We are getting the ABTA money from our land and we would like it to stay there and to distribute it our way, not in the way the government wants it but the land council's.

We do not want our land councils to be broken up. We want our land councils to stay as they are and we just want them to get stronger and stronger. The government must realise that we have been fighting for our land for years and years, for more than they have been talking about in writings in their book. The only people that help us out are land councils—to get our lands back and get our ABTA money back. We do not want our land councils to break away. We want them to stay as they are and we just want them to get stronger and stronger. Thank you.

**CHAIR**—Is there anyone else?

**NEVILLE BARCLAY**—I would like to put a little bit more on the end of that one, especially about breaking up the land councils. We hear that in the Reeves report they want to break them up and make a lot more. I think the Aboriginal people in the areas of the Northern Land Council are already doing that anyway. I do not want to speak so much about the CLC side. I do not have that knowledge or authority as I do about the NLC side. We have been regionalising for the past eight years and we have seven regions, which is exactly half of what the Reeves recommendation is. That is without counting what CLC has done and that is without the other two land councils.

So, effectively, we have in our own cultural regions more than 14 regional councils, which is more than enough to represent each regional Aboriginal cultural group and area. I think what has happened is that in the Reeves report he has taken the skeleton from that and put it into the report and beefed it up the way he wants to put it in his own terms, in his own way. I do not think that is right. We already have that

structure and it is getting well developed and it is developing more and more.

In our region, the Borroloola-Barkly region, we are starting to pick up real authority and powers through our land rights act and through our resolutions, so I think an attack on the land councils is unjustified and it is not fair; especially to come from such a paramount force as the Commonwealth government, amalgamating with the Northern Territory government to crush our people in the cultural areas. I do not think that is right.

I think Australia had better watch itself for a little while because the United Nations mob are starting to look our way a little bit, and with the year 2000 coming up with the Olympics they will see all these things going wrong for Aboriginal people. We got axed—I don't know—\$400 million two years ago and we are still feeling and getting over those effects. Every time they change something, it seems like we are getting a little bit dusty and we have got to get up and dust ourselves again because we hit the ground really hard and then get up again. If they do this thing and take away what we have got today, people are going to be lost. They will not know where they are. We are just starting to work out where we stand

with each other. I have been witnessing this through our regionalisation through the Northern Land Council. We are starting to become really responsible for our people in our areas now. If that is played with then I do not see that Aboriginal people will be able to pull out from this for maybe another 100 years after this.

With the course we are on now, we might be able to eliminate the problems we have today in our community within 30 to 40 years. That is just an estimate from my side of where I see things today. People are starting to get up now and they are starting to move forward, and that is through the might and strength of the land councils. That is not individuals getting up and rising up, it is because of the work that the land councils have done. I think that the Commonwealth government and the Northern Territory government, which is the main one—the CLP government we are talking about; let us not hide it—are throwing this one at us all the time, ramming it down our throats. I think they had better think very hard first before they keep on doing these sorts of things.

**AMY LAWLER**—I would just like to ask a question. How many times has Reeves come around and explained to people what is going to happen in the future? I remember seeing him once at the civic centre. If he came around again and talked individually to our old people here, they would not bloody well know what he was talking about. They do not know what is the progress now. You know, he has not given us enough time. He did his recommendation; that is okay for him, but we have not got enough time to make our decision. That is very unfair. We have not had enough time to think about it or talk about it or sit down as tribal people, like the Warlpiri, Waramunga or anybody in communities tribally who should sit down and have a look at this report and what we think about it.

It happened very suddenly, and I think that is not right. He should negotiate properly and the government should negotiate properly with the people before going back to Canberra and making this thick book of recommendations of what they would like to see happen in the future. That is nothing; that is not the decision made by us. People in the government should respect our aboriginality. They have got to respect our culture and tradition and our way of living. Thank you.

**CHAIR**—In response to that, can I just say that this committee here is from the Commonwealth parliament, and that is because the Commonwealth government has said, 'No, we don't want to make a decision on Reeves's recommendation until the committee has asked for your opinion.' So the Commonwealth government is not asking you to accept the Reeves report. It is in fact saying, 'Please tell us what you think about the Reeves report.' That is a very positive thing, and I think your minister, Senator John Herron, has assured you of the opportunity to do that. We have not made our decisions as a committee. We are listening to you. We will go back to Canberra and we will write a report which will be given to the government and to the parliament, and the government then has to make its mind up after that.

**DORIS KELLY**—I am a local person from Tennant Creek. My homeland is north Kurlayinta. I am going to talk about these two books. We need these two books to go back to Canberra. We do not want it in the Northern Territory government. This one here is our book. This is the one we made. We want this book. These two books, we do not want them.

They are false writing. None of our people said anything. They only said they want it to be as it is, what they are now. Thank you.

**ANGUS LIMBERICK**—I am from the Barkly area. In most of our places we live on pastoral areas. This Reeves report is saying that he is not giving us the right to go hunting on pastoral areas. He has taken our rights away. The Reeves report is saying that, if we live in an area like this, we cannot even get out and do a bit of hunting. You cannot go and get a kangaroo or you cannot get a goanna like that. You cannot leave your place. This is what the law is saying for pastoral areas. A lot of people live in pastoral areas. This Reeves report is saying that we cannot hunt in pastoral areas. He has taken our rights away from our homeland, even though we live on that pastoral area. He has taken our rights away. Most of the pastoral areas where we live have the most important places too. We are looking after important places. This Reeves report is saying that he is taking it away from us. He has taken all our rights. It is not fair for all of us.

It is pretty hard for people to live on pastoral areas, most of us. You cannot even go through a gate sometimes and go hunting at another place where you come from. Most of the pastoral areas are tribal country. They belonged to Aboriginal people but they have been taken away from us a long time ago. This is where the Reeves report has taken our rights away, that we cannot go hunting on our pastoral areas. That is all I have to say.

**DIANE STOKES**—Just going back, I have been listening to a few of these mob talking about permits. You think about all the elders who have been living before, you think about what your elders told you before. Think about if they are going to take our permits away from us. This time now, if they are going to take that away from me, that is where people are going to miss them.

You are making me think back now. In the olden days our people were escaping from places to other places—from waterhole to waterhole. Europeans invaded their waterholes with rifles, shooting them and that. There was the biggest massacre all along here, going up to Attack Creek. Think about other places too.

If this permit is going to be taken away, you think about what is going to happen to people now. You people sitting back there do not know about what is going on here. There will be people creeping into that community and standing way behind with a sniper shot. You never know what people will be doing to them. That is what I am putting towards my families, my people, and I am here talking because you never know I might be going out to my own community soon.

The other thing I want to tell you mob here is: do not just sit and look. It does not matter what your tribe, you mob talk anyway. This is our chance to talk to this mob from Canberra so they can hear what we are talking about.

**CHAIR**—Are there any comments on that?

**JIMMY FRANK**—One thing I would like to say is that white men change legislation every six or 12 months, but in our Aborigine law we do not change our legislation. We keep our legislation in our brains. We do not change our legislation. That has been going on from

generation to generation before the whites ever got into Australia. That is what I mean about legislation. We do not change our legislation. We keep it in our brains for ceremonies or sacred sites. That has a lot of meaning to us. Sacred sites are involved in ceremonies and in our songs. I am talking about the legislation. We keep those things in our minds. We do not have a book.

**CHAIR**—We will have to ask you how you get elected. We have to face an election every three years, sometimes less.

**JIMMY FRANK**—There are Aboriginal owners for each area.

**CHAIR**—I would like to ask a question. It is a bit cheeky of me, but it is question that some people down south from here ask. They say, ‘You know all those royalties that the Aboriginal people get on their land, the money is not going to the Aboriginal people. It is not reaching them, it is not getting to them. Their families are not getting any benefit.’ We have not made that decision, but people say that to us sometimes. What do you think about that? Do you think the royalties are reaching you? Do you think they could be spent in an improved way? Do you understand what I mean? It is a very important question, so please give me your advice on that.

**MATTHEW WALKER**—I can tell you that. I know about the royalty you are talking about because you have come up to our country and our land. We really want it. We do not want white men to spend it and the Senate to make missiles from it and all that; we just want it for ourselves. Money is distributed equally to our family—and each individual—that is true. That is what we want—our royalty.

**CHAIR**—So you are happy with the way the royalties are distributed?

**MATTHEW WALKER**—Yes.

**CHAIR**—I really want some comments from you on this. It is a very important issue and I want to hear from you all what you think about the royalties and whether they are coming to you fairly or not.

**ADRIAN JACKSON**—I get royalties and I spend my royalties the proper way. I just want to say about everybody’s royalties, if this thing goes on, our royalties will go straight up to the government at Darwin and, like when you go to the bank, you have to ask for it. You have to write and ask permission and you are given royalties when you go to the bank.

Our royalties will go the same way up there and you will not probably get them back. It is going to be really hard for our royalties if these things go ahead. I am saying, ‘No.’ We want to stay the way we are. I want to talk for land councils too. Our land council has been here for a long time and they have been helping people here around the Territory. They got a lot of country back for us. We wanted to get country back ourselves, but we had the land council there to help us. We want to keep our land council strong; that is what we want. We want our land council to be strong.

**RONALD BROWN**—You talk about royalties. What we do with royalties is try to build an economic base for each family group so they can survive and make a better future for their kids and pay their way through instead of living on handouts. That is what royalties are doing for our families here; each family group gets royalty.

I have a question for you now. I am the ABR committee member. I represent Barkly region. How come the Northern Territory government is living off Aboriginal land and they are getting royalty off our land? We are getting equivalent to what the NT government is getting through the Commonwealth Bank and that is public money. I want this question answered. Every time we wanted to get them to say that is ABTA money, they said, 'No, that's public money. You have to put in an application to get a grant.' It is silly. What we get off our land should come directly to us, not to the NT government. We get equivalent, dollar for dollar, what the NT government got off our land through the Commonwealth Bank, and they are saying it is taxpayers' money. We want our royalties to come directly to us. We will make the decision and we do not want it called public money or taxpayers' money.

**CHAIR**—When the lady held up the white book and you said that is what you want, that is your Northern Territory land act; you want that. That book was started by a man called Woodward. Mr Woodward recommended that the royalties be spread in the way that you have said. Do you understand?

**RONALD BROWN**—I am saying that the NT government gets royalties straight off our Aboriginal land. They get it straight off and we get equivalent, dollar for a dollar, off the Commonwealth Bank. That is public money. Why should we get the money off the Commonwealth Bank? We should get it straight off our land.

**CHAIR**—I understand. I think what you have just said is very important because this committee has been asked to—

**RONALD BROWN**—And we still want our ABTA to be there.

**CHAIR**—Yes, I understand that, but we have been asked whether or not the royalties should be paid to your people more directly. So, it is very helpful to hear what you have just said, but I want you to know that, in other states of Australia—for instance, where I come from in Victoria—the state gets a royalty in most mining operations. Do you understand what I mean? The state gets a royalty and the miner goes on and pays it. I think Woodward tried to preserve that same principle with your white book but he also said that the Aboriginal people should get royalties too. You see if I own land in Victoria where there is a mine—and there is not; I do not have a mine on my land—the royalties go to the government, to the Victorian parliament, but they do not go to me, the landowner. In your case in the Northern Territory, they go to the Northern Territory government and, hopefully, to the Aboriginal people. It is a difference that Woodward wanted to have.

**RONALD BROWN**—No. About 40 per cent goes to ATSIC or land council, 30 per cent for ABR and 30 per cent for traditional owners. We divide the money but that is public money. We are getting dollar for a dollar equivalent. What the government is getting is

untied; what we are getting is tied. We have our hands twisted behind our backs. It is not fair.

**CHAIR**—Thank you.

**NEVILLE BARCLAY**—Can we keep going on this royalty stuff? It stays the way it should stay. The way it is now is fairly good. We need that watchdog there to make sure the money goes back. But one thing about this royalty that I would like to add is that those people fortunate to have a mine on their country have been so generous to share that with the rest of the Aboriginal people in the Northern Territory. It goes to show just how genuine Aboriginal people really can be. They share that much, that they cannot handle, and they have put that into a fund. It is their money. That is what the gentleman was just trying to say. That money has been given voluntarily to be distributed to Aboriginal people. This has got nothing to do with public moneys. This is purely and solely out of the pockets of Aboriginal people themselves. I think that royalty has to stay the way it is right now. If there needs to be any changes, that can be done in the future, but right now it stays the way it should stay.

**Mr SNOWDON**—Ronald, can I just clear something up: what you are saying is that you do not like the fact that there are rules for ABR, that the government is making those rules and telling you how you can spend that money, is that what you are saying?

**RONALD BROWN**—We get our money straight from the Commonwealth Bank.

**Mr SNOWDON**—The Commonwealth government.

**RONALD BROWN**—The Commonwealth government. We have about \$47 million invested. That is straight from the Commonwealth government.

**Mr SNOWDON**—Yes.

**RONALD BROWN**—The NT government is getting money straight off our Aboriginal land, untied and they can make their decision.

**Mr SNOWDON**—They can make their decision but you are saying—

**RONALD BROWN**—What I am trying to say is when we tap into the ABR through the Commonwealth that money is tied up. We have to go through bureaucratic stuff. We have to get an application; we have to go for a grant.

**Mr SNOWDON**—You are worried about the rules for ABR?

**RONALD BROWN**—Yes. They have rules for us. We got rules for ABR.

**Mr SNOWDON**—But there are no rules for the Northern Territory government?

**RONALD BROWN**—There are no rules for the Northern Territory government.



**Mr SNOWDON**—I got you.

**FRANCINE McCARTHY**—I work for the land council but, at the moment, I am going to be speaking on behalf of my family here in Tennant Creek. The Waramunga land claim took about 18 years to finally settle the majority of it. I know there are a few areas that are still going to be settled. It has not been decided yet. Since 1992, the Waramunga people around here decided that they did not want anything to happen on their land in terms of development—for instance, mining or any other type of economic development—until they actually looked after it a bit more since they have got it back.

Just last year, we signed five mining agreements for around this area for mining companies to be able to come in and start mining. That decision was made by the people themselves having control over what they really wanted. The distribution or the make-up of those moneys is also going to be controlled by the people. It is not going to be controlled by any government body or by one individual. That is something that this mob decided and others that have gone through the process before have made the decision by themselves. They have not had any enforced input by others, not only government, but also other individuals.

**NEVILLE BARCLAY**—Another thing about the Reeves report is the issue of the way people attack ATSIC and the NLC as a whole over the handling of the funds. ATSIC and the Northern Land Council have become very accountable and quite squeaky clean. When we look at the muck that has been run through some of the parliamentary members, these people can learn from the Aboriginal people and the management of their money is the envy of a lot of states, I reckon. I think they ought to start backing off from some of the Aboriginal organisations, the prominent ones like the ATSIC mob. They are managing their money fairly well, I reckon, and so is the NLC. I am quite sure that CLC is doing that also. That is the other thing that we have to think about. They keep on putting us down and saying we are not running our money properly. We are running our business properly, the book side of it. That is the other thing we have to think about here today.

**KEVIN KERIN**—I am the regional manager for ATSIC. I have grown up amongst all these people and gone to school with everybody in the last 40 years. I have been in Tennant Creek all my life. I would like Mr Lieberman to explain to these people how the Reeves recommendation is going to work regarding the royalties money.

**CHAIR**—I am not going to do that because my job here today is not to explain the Reeves report. Our job is to listen to you and to get your advice. If you believe it is not clear as to what Reeves recommended, that will be something that this committee will take into account and think about. But it is not for this committee today to persuade you to agree with what the Reeves report said. It is not our role. Our role is to listen and to ask you what you think.

If you do not understand part of Reeves report, that is fine. That is noted. We will consider that as part of our deliberations. For example, we might say that Reeves's recommendations should not be implemented, should not be agreed upon because the community does not have a good understanding of what they mean. Because of that, we might recommend that nothing happen, that more community work should be done over the

next five years. Do you understand what I mean? So we are listening very carefully to you. There is a summary of the Reeves report recommendations which I will read out.

**KEVIN KERIN**—What I am trying to say is that the community people here might not understand how the system is going to work with all the land councils being pooled together, with one organisation at the top managing all the land councils. I think that is not what people understand.

**CHAIR**—The committee has a summary from its secretary of something that was said by Reeves. It is not what I am saying because I am being very careful not to say to people, ‘This is what the Reeves report means’. That would be beyond my role as chairman. A note from the committee secretary says, ‘The Reeves report states that payments of mining royalty equivalents should not be made to individuals but they should be tied to a purpose such as ceremonies, scholarships, housing et cetera’. What do you think? That was one of the questions that the secretary thought we could ask the community.

**KEVIN KERIN**—Thank you, Mr Lieberman. Do community people understand that?

**GRAEME SMITH**—I am an Aranda bloke from my grandmother’s country. I was going to wait until Friday but I will say a bit now. The money that you were just talking about—to buy houses and that stuff—is a government responsibility. People should not have to dip into their own back pockets, their own private royalty money, to pay for stuff that government is putting up all around these towns. If you look around town, there are nice houses, schools and health centres. That is a government responsibility. They do not do that in the communities. That is what the government should do. People should not have to dip into their royalties to pay for stuff that the government is providing elsewhere.

One other thing I wanted to mention was the regional land councils and NTAC and the membership of them. The Reeves report is wrong. The Aboriginal way is that the traditional owners are boss of a country, not who lives there. The traditional owners have the say. You cannot bring in people from different countries to sit in the same spot and say, ‘Rightoh, you’re a member there; you can make an agreement too. You can sit down and have one vote like a traditional owner person.’ That is wrong. In the regional land councils, moving up to NTAC—all the board members, the CEOs—that is all wrong. They cannot be appointed by a chief minister and Mr Herron.

At the moment, the CLC is made up of everyone in this room—the traditional owners. We choose our own delegates, executive, chairman and director. That is the way it has to be. We have the power from the start. We choose who we want to run our organisation. It is not for people in Darwin, where NTAC will be, to choose who is going to be the director of NTAC or the regional land council, who the board members are or to talk about all the royalty money. That goes straight through the regional land council up to NTAC. You should decide your own money. It should not be people appointed by white people. We like to choose our own delegates in our own way. The CLC has to stay the same as it is at the moment. We look after our own royalties. People talk about it and they spend it. The family splits that money up between themselves. You cannot have white people or people who are not from that country talking about how that money should be split up. That is wrong.

**CHAIR**—On that question, there is another comment that I would like to make about the meaning of some of Reeves's recommendations. ATSIC has been kind enough to prepare its own summary of what ATSIC believes the Reeves recommendations mean. It is a black book and it is available to anyone who wants it. There might be some here but, certainly, the ATSIC representatives are here. I recommend that you get it and there are an excellent two or three pages on the question of royalties that Reeves dealt with that I recommend you read. So it is for you to decide what you think it means, not for me. I want to know what you understand it means, how it affects you and whether you think it is a good thing or a bad thing.

**NEVILLE BARCLAY**—I would like to build on that membership rule that Smithy was talking about. For instance, I have been here for only eight years. I come from the Gulf. The report says that I can come in and make an agreement with this mob here. But that is wrong. What that Reeves report is really saying is that Aboriginal people do not identify with their own tribal groups from different areas and from their cultural regions. We have got our own cultural regions up there in the Gulf of Carpentaria and we have our own tribal lands. Inside our own tribal areas, we have our own skin group area or clan group areas, so what Aboriginal people are in our own terms in our own areas is really defined.

Up that way, we call ourselves boori or blackfella. That is it, straight out. That is what a Waanyi man is, a blackman. He is not an Aboriginal person; he is a boori. That is how he sees himself. So I think the Reeves report with this membership is not appropriate for Aboriginal people in Australia today and I do not think it is acceptable worldwide. In 2000 when the Olympics come up, all that Aboriginal people will be is just a painting on the wall. That is all they will be, just a symbol. Now that is wrong. How can they ride on the back of Aboriginal people and use them like a symbol but rubbish them at the same time, throwing shovel loads of dirt in their faces?

Australia is in a big state of confusion at this point in time as it moves into the world scene. A lot of people are looking at Australia and that is one thing that all Aboriginal people should be aware of. One day in the future, this government that is pushing this is going to be held responsible and accountable. But we do not want that. We want to stop that thing right now. The Reeves report does not have any effect on Aboriginal people. It is rubbish. The only thing they can do with that is light a fire with it. I think that is all it is good for.

**CHAIR**—I sense that we have reached the stage where you are happy that you have made your points to us. We have covered things pretty well. We have got a loud and clear message from you all that you want us to take back to Canberra to include in our report. That is good; we appreciate that. I confirm that is the feeling of the meeting. Thank you all for coming along and giving us the benefit of your advice. We appreciate that. We are going to mix and mingle after I close the formal part of the meeting.

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

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

**Committee adjourned at 5.09 p.m.**

