

Committee Secretary
Senate Standing Committee on Community Affairs
PO Box 6100
Parliament House
Canberra ACT 2600
Email: community.affairs.sen@aph.gov.au

February 23, 2010

Re: Inquiry into the amending bills concerning the NT Intervention

Dear Senate Community Affairs Committee,

Bennelong & Surrounds Residents for Reconciliation are very concerned about the proposed new legislation of extending compulsory income management across the nation as well as the huge negative implications of the new legislation (which would massively change the nature of the Australian income security system) that many people in Australia may not very well be aware of.

The Northern Territory Emergency Response and associated measures contravene Australia's human rights obligations under both Australian and international law. They clearly fail to meet the necessary requirements in order to be classed as special measures.

In order to make the NT Intervention compliant with the Racial Discrimination Act 1975, the government is now proposing to extend income management nationally, claiming their policies to be "special measures" for the benefit of Aboriginal people thereby enabling them to continue their discriminatory policies. It will still be Aboriginal people who will be disproportionately affected. In addition income management will then also discriminate against class, i.e. affect only certain disadvantaged groups on social welfare payments. Non-Aboriginal people will only have their welfare payments quarantined if they are considered to be disadvantaged whereas everyone in the 73 Aboriginal communities in the NT has been deemed to be disadvantaged. According to international law Aboriginal people have the right to decide whether or not they accept any such special measures, but unfortunately most Aboriginal people are not properly consulted prior to the announcement of any policies like these.

Therefore *Bennelong & Surrounds Residents for Reconciliation* urges you to take action on the following points regarding the Northern Territory Emergency Response (NTER) legislation, also called NT Intervention:

- Immediate and unconditional reinstatement of the RDA 1975.
- No compulsory income management for Aboriginal peoples nor compulsory income management to be extended nationally. Rather provide the possibility for people who may wish to get on income management to be able to do so on a voluntary basis
- Instead provide financial counselling and other services where necessary
- Genuine and real consultations in partnership with Aboriginal peoples by respecting their wishes, observing international treaties including their "free, prior and informed consent"

- Allow and respect Aboriginal communities to come up with their own solutions, driven by their own communities
- Self-determination, not assimilation, the opportunity for Aboriginal peoples to make their own decisions
- No more defunding of successful Aboriginal community initiatives and programmes
- No further compulsory acquisition of Aboriginal land nor coercion of Aboriginal peoples into signing away their land for any amount of years
- Just terms compensation where land has been compulsorily acquired
- Recognition of Aboriginal peoples right to collectively own, occupy and enjoy their traditional territories as an inherent right arising from prior occupation – as has been recognized by the international community
- Instead of pushing Aboriginal people off their approximately 600 remote homeland communities in the NT (forcing them to move from their ancestral lands) by investing in and providing basic services for only up to 20 larger 'Territory Growth Towns', increase investment and services in homelands which create healthy lands, healthy communities and healthy people
- No radioactive nuclear waste to be dumped on Aboriginal land, including the NT, without the full consensus of all traditional owners
- Aboriginal controlled housing, jobs and services for all communities
- Equality and equal opportunities, services and human rights for all Aboriginal peoples as for any other Australian
- No phasing out of bilingual education in the NT, otherwise Aboriginal culture and identity will be destroyed
- Remove all signs regarding pornography and alcohol bans and no other signs to be publicly displayed without the explicit consent of the Aboriginal communities concerned
- Report specific objective improvements in health and education statistically, not just anecdotally, providing real evidence-based outcomes for any government initiative considered to be for the “benefit” of Aboriginal peoples
- Compulsory training by a recognised educational institution of all non-Aboriginal people working in remote Aboriginal communities in English as a Second Language, capacity building and cultural awareness

Thank you very much for your kind attention and consideration of our submission.

Sincerely,

Sabine Kacha

for *Bennelong & Surrounds Residents for Reconciliation*