

From: chris tangey
Sent: Wednesday, 8 August 2007 12:05 PM
To: Legal and Constitutional, Committee (SEN)
Subject: submission for enquiry Friday August 10 2007

Dear Jackie,

Could you please submit the following to the above mentioned hearing?

Feel free to contact me if you need to.

Thank you

Chris Tangey

The Chairman and fellow Senators,

A recent media release from the Central Land Council (CLC) quoted Director David Ross:

"Removing permits from major communities could provide a free-for-all peddling of alcohol and marijuana and pornography or the inflicting of further sexual or physical abuse on children"

So what exactly but a "free-for-all" does Mr. Ross call the situation which exists in the current CLC-administered communities? All of those things are rife on communities and have been for decades. But the permit system hasn't stopped them from happening. It has just made it harder, or even impossible, for those problems to become public knowledge.

In the past, "Investigative reporting" has been an oxymoron when dealing with remote Aboriginal issues. You must show your hand up front to the CLC to apply for the permit, which if you are truly honest will be refused. If you tell them a fib to get the permit you risk being found out and then having CLC use that as an excuse to refuse permits in the future. There are any number of organisations, businesses and individuals who know they must tow the line and keep silent on what they have seen or heard while on permitted land, lest they are refused a permit next time. This is particularly worrying for people whose livelihood depends on servicing or in other ways supporting remote communities.

I have travelled extensively on Aboriginal communities in the past and have been simply amazed at some of the situations I have come across, in my view all bred from a lawless "wild-west" mentality. For a couple of years I worked as a BRACS Co-Coordinator which meant I had to travel to many communities almost constantly. BRACS was a government scheme purportedly to help protect Aboriginal culture from the worst of Western culture, by allowing community intervention at the local TV transmitter. In other words, culturally-relevant programs would be played in their stead. Ironically many of those TV programs considered the worst emanated from (and still do) the Aboriginal-owned Imparja Television, but I digress.

One night I walked into the BRACS room at a desert community to find a group of drunken men watching R and X rated pornography on the "monitor" TV. Because this was the BRACS room the films were being re-broadcast to the entire community, little kids and all. I

was told this was a regular occurrence. Did the media hear about it? Of course not, can you imagine them applying to CLC to report it? Even if they got the permit it could be delayed for any length of time for any reason, and the CLC could simply say the Traditional owners had refused it.

Very convenient for all. CLC pretends all is "hunky dory" on communities and yet another community keeps its dirty laundry covered up.

I arrived at a community one day to be told in hushed tones by some senior ladies that a girl had just been murdered on a back track heading South by the "Red Law" men. Reportedly these men travel vast distances during "ceremony-time" picking up young boys on their travels to initiate them. This girl had the misfortune of being in the wrong place at the wrong time.

Apparently, in their law, any woman who sees the men "painted-up" must be killed, I was told she was shot through the head and most of the men were drunk. I was also told that they weren't expected through till November, but she had been caught out as they had come much earlier, in August. I reported it to the Police, but did the media know it about it? Could they have realistically have investigated it anyway if CLC didn't immediately issue a permit? If it was reported would public opinion be influenced in some way on, say, the use of traditional law in sentencing?

Another time I woke up in a community to find that one of my teenage BRACS trainees, who was a petrol sniffer, had hung himself overnight from a tankstand. I was understandably upset to see yet another of my trainees from the year before deteriorate from a bright happy kid to sniffing and despair, let alone to take his own life as so many others had. I was soon to see what sort of community could create such feelings in a young person. In this community there were sniffers as young as 8 years of age.

I approached a senior community man (former Council President) who I had known for some years and pleaded with him to call a community meeting to stop this madness. After a considerable amount of time he agreed to call a meeting to discuss the whole petrol sniffing issue, there followed a silence. Then: " You give me \$300?" "sorry!?", again he said "you give me \$300" "What for??" I asked "so I can get fuel for my car to pick up the sniffers" From where he was standing he would not have had to travel more than 1 km in any direction to pick the kids up. It was all I could do not to strangle him where he stood.

Did the media know about the hanging? About the councillors response? Of course not, they were hundreds of kilometres and a CLC permit away from it all. They may have well been on another planet.

I have come to forgive him though, it is not his fault. He is the product of a community and a system that has gone as low as humans can go i.e. every person for themselves. Peoples completely hidden from view from the average Australian and, often, its governments.

The following is a letter I had published in the "Centralian Advocate" in October last year that encapsulates my thoughts on permits:

"Dear Sir,

It's not often that I've been in entire agreement with an "Advocate" editorial on Aboriginal issues.

The balanced view presented on Friday October 6, however, is hard to argue with.

For roughly 20 years I have worked with, and for, Aboriginal people over a vast area of the Australian outback and in my view the permit system is a total failure. Instead of protecting traditional cultures, in many cases it has bred hybrid, dysfunctional and even sick communities hidden from the checks and balances of a normal society.

It has built a wall, at a time when we need to be tearing walls down. It has hidden terrible crimes against the most vulnerable in remote communities, the women and the kids. It has prevented the media freely reporting what the rest of Australia needs to know.

But the permit system has been used to exclude not just the defacto eyes of the average Australian but, in fact , the average Australian.

Nothing will really change for Aboriginal people until they are given the tools to do the job, and those resources can only come from our politicians in Canberra. Like it or not, until Mr and Mrs Smith from Subiaco and Randwick and Glen Waverly , the voters of Australia, can see what's going on for themselves the issue can safely remain where it has for decades, out of sight and out of mind.

So, as the Central Advocate editorial proposes, lets not have a "free for all" opening up of Aboriginal land but at least open up the main roads to these Aboriginal towns and let's make those roads connectable to other towns and communities, not dead ends. In a country where 90% of people have never even spoken with an Aboriginal person it has to be a positive for both societies. Sorry did I say BOTH societies?

Sounds a little like apartheid really, then again, so has the permit system for the last few decades.

Chris Tangey

Alice Springs"

I would also like to quote from another Alice Springs paper, the "Alice Springs News" of July 12 this year. I concur entirely with the view of the Writer, Managing Editor, Erwin Chlanda:

"the people who think the permit system has nothing to do with the misery so long shielded from view are either kidding themselves or have something to hide.

If your council doesn't fix your footpath you urge the local newspaper to do a story. You give them an interview. You get them to publish a picture. A key element of democracy is launched into action.

The incompetent official or elected member is shamed and the job gets done.

That is not a privilege enjoyed by people on Aboriginal land, enduring far greater troubles than a hole outside their front gate.

This is how it works for those citizens of Australia: A reporter needs a permit. It takes time to get it and it can be refused. There is no appeal. Traditional owners can issue permits but – wait for it – they can be revoked by the land councils, no matter how senior that traditional owner may be."

I would suggest that Senators very carefully consider other submissions you will hear today. Perhaps your test should be the following question:
Does the person or organisation making the submission want the status quo to continue to ensure their lack of effectiveness in the past is not brought into the cold, hard light of day in the future? The CLC is a case in point, in effect they are self-reporting, but at the same time as the sole issuers of permits they hold the keys to any independent analysis of their function as an organisation.

Surely this is a conflict of interest. The CLC is responsible for translating all sorts of issues in both directions. How does anybody really know what CLC is actually telling community leaders and what their actual reply is to any matter? Surely it is tempting for the organisation to run its own agenda without independent checks and balances in place. They are the ultimate gatekeepers to remote Central Australia, and look what has been allowed to happen under their watch.

Does the Committee really know if a given community leader is vehemently against permits being revoked to protect their own interests, or to cover their activities, rather than defending their stated altruistic goals?

Apart from all of the above there is a principle here. Australia prides itself in having free and equal status for all its citizens. Currently those who live in "permitted" towns may freely travel to any other "un-permitted" town or city in Australia for all manner of reasons. The reverse is not the case. While the permit system exists we are not together as one, but apart as Australians. Objectively, is there any tangible difference between this system and the insidious, and thankfully defunct, South African system of Apartheid?. I think not.

I would be happy to appear at the hearing by telephone if required.

Yours sincerely

Chris Tangey