

Submission to the Inquiry into the Northern Territory Emergency Response Bill 2007 & Related Bills

The Australian Centre for Child Protection is deeply committed to developing knowledge-based strategies to prevent and respond to child abuse and neglect in our country. In relation to the protection of Aboriginal children, the Centre is actively engaged in a range of strategic research and development initiatives in order to achieve successful outcomes for vulnerable children. A significant proportion of the work of the Centre is devoted to improving the lives of Aboriginal children, both in prevention and treatment of neglect and abuse. We work closely with Aboriginal communities and organisations, other research bodies and with all levels of government to achieve this end.

As a result of its expertise, in 2006 the Centre was approached and accepted the invitation to assist the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse. This was a very comprehensive inquiry involving direct engagement with 45 remote aboriginal communities, 65 written submissions and 262 meetings with individuals, agencies and organisations. The Centre strongly endorsed the 97 recommendations of the Board of Inquiry outlined in the *"Little Children are Sacred Report"*. These recommendations provide a blueprint for effective short, medium and long-term interventions.

The Centre is supported by a National Advisory Council presently composed of the following persons:

The Honourable Justice Robyn Layton, Supreme Court of South Australia (Chairperson)
Professor Michael Rowan, Pro Vice Chancellor, University of South Australia
Professor Fiona Stanley, Director, Telethon Institute for Child Health Research
Ms Gillian Calvert, NSW Commission for Children and Young People
Professor Sue Richardson, Director National Institute of Labour Studies, Flinders University
Professor Mick Dodson, Institute for Indigenous Australia, Australian National University.

This submission is made by both the Centre and it also represents the views of the undersigned Members of the National Advisory Council who have been able to respond in the extremely short time frame available to comment on the proposed legislative changes.

We welcome the commitment of the Australian Government to protecting Aboriginal children in the Northern Territory. We agree that the serious nature of Aboriginal child abuse requires and an emergency response. To the extent that measures announced by the Prime Minister and the Minister for Families, Community Services and Indigenous Affairs on June 21 are in keeping with the Report, we support such actions. At the same time we point out that serious child abuse is not limited to Aboriginal rural communities, nor Aboriginal people, but is rife within the Australian Community as a whole.

We write to express our profound concern that significant aspects of the proposed legislative changes contained in the complex and lengthy Bill, are likely to have serious unintended consequences for vulnerable children, families and communities. Specifically, we are concerned that the proposed legislative changes which diminish Aboriginal land rights, notably the land acquisition scheme and permit system, strikes at the very heart of traditional Aboriginal culture. It is well recognised that taking away land rights has a deleterious effect on Aboriginal communities, which in

turn impacts upon their strength and ability to function as a community. History has shown that this leads to demoralisation and disempowerment of Aboriginal people; it affects their integrity, self identity and self esteem, and leads to drug and alcohol abuse, violence, as well as child neglect and abuse. In addition the haste and non-consultative manner, in which these changes are being made, are highly damaging and likely to compound the demoralisation and disempowerment of Aboriginal people. We further note that the Northern Territory Police have also recognised that the permit system will make it more difficult to protect vulnerable children.

In short, we fail to see how taking away these Aboriginal land rights will lead to improvements for the plight of Aboriginal children when all available evidence points in the opposite direction. We urge that this position be reconsidered. We also urge that the first recommendation of the “*Little Children are Sacred Report*”, that there be “genuine consultation with Aboriginal people in designing initiatives for Aboriginal communities” be the guiding principle in the Australian Government’s response to child sexual abuse.

The limited time frame does not allow us to be more comprehensive. We do however commend the response by the Combined Aboriginal Organisations of the Northern Territory “A proposed *Emergency Response and Development Plan* to protect Aboriginal children in the Northern Territory”, as a practical and realistic approach to an urgent situation.

We as a Centre and as individuals would be prepared to contribute to appropriate speedy and practical solutions.

The Honourable Justice Robyn Layton	Professor Dorothy Scott	Professor Fiona Stanley
Chair of the National Advisory Council of the Australian Centre for Child Protection	Director Australian Centre for Child Protection	Member of the National Advisory Council of the Australian Centre for Child Protection
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