

SUBMISSION TO THE SENATE LEGAL AND CONSTITUTIONAL AFFAIRS  
COMMITTEE REGARDING THE INQUIRY INTO THE NORTHERN TERRITORY  
NATIONAL EMERGENCY RESPONSE

Dear Senator

I want to register my concerns regarding both the legislative process and parts of the content of this legislation that is currently before you ie the Northern Territory National Emergency Response.

Firstly, the haste with which this legislation is being rushed through Parliament is, in my opinion, an abuse of our democratic process. The legislation is complex involving changes to 5 different Acts and will have a huge impact on the Northern Territory Aboriginal people. There needs to be more time allowed for consultation with the communities and informed debate for all of us. I personally feel ashamed that our democratic institutions are being used to confuse and manipulate people who are already so severely disadvantaged.

In addition some of the changes to the Acts are unnecessary in achieving the stated goal of creating safe environments for Aboriginal children, and, more alarmingly, could in fact make matters worse.

**Some of my concerns in the legislation include the following:**

- 1) Changes to land tenure:
  - i) Compulsory acquisition of five-year leases over prescribed communities in the Northern Territory and
  - ii) The partial abolition of the permit system.

There is no evidence of any direct link between the issue of land tenure and the problems of child abuse and dysfunction in Aboriginal communities in the Northern Territory. Rather, the Northern Territory Police are of the opinion that such changes could exacerbate the problem, and make it harder to police.

***Acute housing and infrastructure shortages in prescribed communities should be addressed using existing provisions under sections 19 and 19A of the ALRA.***

- 2) The Racial Discrimination Act is superseded  
The legislation asserts that its provisions and acts are not discriminatory as they are “special measures” in line with the provisions of the Racial Discrimination Act ie done for the sole purpose of securing adequate advancement of a certain group, namely the safety of Aboriginal children.

Agreed factors in jeopardizing the safety of Aboriginal children have been cited as overcrowding in houses, and the abuse of alcohol and pornography. As stated above, the opinion of police is that changes to the permit system are likely to exacerbate the problem of child safety. Therefore these measures do not fall within the definition of “special measures” as described by the RDA.

- 3) Welfare payment reform  
Quarantining welfare payments to all members of a specific racial group within a specific geographical area without their consent is blatant discrimination and I ask that you oppose it.

Imagine if this were happening to all welfare recipients of British heritage in Australia. There'd be no question of its unacceptability.

***Using the justification of “special measures” in the legislation should be removed and the legislation explicitly brought into line with the RDA.***

The authors of “The Little Children are Sacred Report” gave 97 recommendations. At the GAMA Festival they said they felt betrayed by the strategies included in the legislation. Noel Pearson has said it's not his plan. Aboriginal leaders have criticized it. The Combined Aboriginal Organizations have put forward an alternate plan. These are not signals of adequate consultation and collaboration having happened.

Respectfully I ask you to oppose the discriminatory elements in the Emergency Response plan and put forward amendments that support just reform – ones we can all be proud of.

Yours faithfully

**SUBMITTORS**

Fran Reid  
Siobhan Mary Reid  
Ken McLeod  
Penny Watson  
Charlie Ward  
Belinda Back  
Penny Hayes  
Trevor van Weeren  
Katie Edmiston  
Particia Edmunds  
Vicki Henricks  
Katie Hollingsworth  
Frances Reid  
Barbara Radcliffe  
Maggie Lawlor  
Stephanie Edmunds