

From: Simon Gillespie-Jones

Sent: Friday, 10 August 2007 8:54 AM

To: Legal and Constitutional, Committee (SEN)

Subject: Northern Territory Intervention bills

To Members of the Senate

I wish to register my concerns about key elements of the Northern Territory National Emergency Response Bill 2007 & Related Bills.

The evidence is overwhelming that action needs to be taken to address the chronic dysfunction which blights so many Aboriginal communities to improve the lives of the people generally and to ensure that children grow up in safe and nurturing environments, which gives them the chance to realise their full potential as individuals and as part of society generally. It is a damning indictment on our society that so many Aboriginal people have miserable lives, less opportunity, poorer health and life expectancies far lower than other Australians. The sheer number of reports over the past 10 years or more have highlighted the need for urgent action, on living conditions, education, health and child abuse. Yet it comes now in the form of an emergency intervention that casts dispersions on all Aboriginal people: all who live in such communities are to be subject to a scrutiny and actions by fact of their race and place of residency alone.

What self-esteem would be left for any young person from these communities to be so singled out by Government and media in such a negative manner? All males, cast as pariahs? Surely all people in these communities matter.

These bills have been rushed into parliament and do not allow for thought and due consideration. It is an absolute abuse of parliamentary democracy that so little time has been allowed for thorough discussion and analysis of such wide ranging actions.

These bills override the *Racial Discrimination Act*. Aboriginal people alone are the subject of these bills. No rights of appeal- which other sector of society would accept such conditions? It is a measure to the extent to which people in these communities are marginalised and powerless that our Government and Parliament should even contemplate imposing such punitive regimes on all, not some whose behaviour alone would govern whether such restrictions are applied, not their race or location. This goes well beyond the pilot projects in Cape York.

The authors of the *Little Children Are Sacred* report make the point that none of their 97 recommendations have been adopted, yet ostensibly this report provided the trigger for action.

As such, it casts doubt on the reasoning for such wide sweeping changes that allow the Government to seize Aboriginal land, remove Aboriginal communities' ability to have a say on who can come onto their land, force Aboriginal boards of directors to accept Canberra bureaucrats into their board rooms and make Aboriginal people more dependent on the bureaucracy. Permits under the current Act allow Traditional Owners to control who comes onto their land, not just have a say: no permit, no entry.

By ignoring the key recommendations of this and previous reports it is likely the changes will do little ultimately to protect Northern Territory Aboriginal children from abuse. Community consultation and community commitment to change is surely crucial to any lasting changes

to outcomes in these communities. The failure to even attempt to bring on board respected community leaders other than the favoured few is evidence of a lack of respect for the people and individuals who are supposed to be the beneficiaries of these measures. It would seem this government speaks only to those who might support not critically analyse their proposals. This is despite the first recommendation of the *Little Children Are Sacred* report being for governments and Indigenous community leaders to get together to come with a comprehensive plan to deal with issues of child abuse in Indigenous communities. The Federal Government has ignored this advice.

Any serious action on Aboriginal child abuse should draw on the Emergency Response and Development Plan developed by the Combined Aboriginal Organisations of the Northern Territory, the expertise of organizations like the Secretariat for National Aboriginal and Islander Child Care and Aboriginal professionals like Professor Judy Atkinson.

Such actions breed suspicion and resentment and highlight the racially discriminatory nature of these Bills. It also suggests other agendas are at play. Why is land in this mix of responses?

I would therefore ask you to take a principled stand and vote against these bills. At the very least the bills should be amended to ensure they are consistent with the treatment and level of intervention other Australians would be prepared to accept.

Yours sincerely
Kathryn Jeffery