

10 August 2007

Jack Morris
Committee Secretary
Senate Legal and Constitutional
Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Sent by e-mail legcon.sen@aph.gov.au

Dear Mr Morris

**Re: Inquiry into the Northern Territory National Emergency Response Bill 2007
and Related Bills**

I strongly object to the above named Emergency Response Bill on the following grounds:

1. It is an abuse of the trust of the Australian people to rush such a significant piece of legislation through the Parliament without consultation with the indigenous people who will be affected and without providing the Australian people with the proper time for public debate and proper scrutiny.
2. The proposed Legislation is exempt from the Racial Discrimination Act. Any legislation must include protection from racial discrimination.
3. Some of the initiatives in the proposed intervention which relate to the urgent need to address welfare issues which result in child abuse are supported in principle. However the lack of consultation and the haste with which the intervention is taking place without consideration of all the issues involved and the development of appropriate policies, strategies and outcomes will impact negatively on any chance of success. Enormous distrust has already been created in indigenous communities.
4. The proposed suspension of the Permit System and the compulsory acquisition of 5 year leases over prescribed communities with minimal or non compensation, as the acquisition is in terms of unimproved value of the land, are both totally unacceptable and abhorrent. The suspension of Native Title in this manner could

lead to its permanent extinguishment. The Government cannot explain what these proposals have to do with child welfare. The Minister for Aboriginal Affairs in particular can give no explanation. The Aboriginal people see the intervention as a 'land grab'.

5. The removal of Permits has multiple risks which will diminish Aboriginal rights and further marginalize Aboriginal communities while exacerbating the problems of drugs, alcohol and child abuse. The proposed changes to the Aboriginal Land Rights Act are detrimental to the development of Aboriginal communities and will jeopardize any of the welfare measures which might be of merit.
6. The legislation creates a number of new criminal offences with the potential to dramatically increase the rate of imprisonment of indigenous Australians.
7. There has been no time for the detail of the Bill to be properly examined to determine its impact on the welfare system generally.

The outcry throughout the Australian community is real and big. Proper time must be allowed for the Bill to be scrutinized and debated. To do otherwise is undemocratic and discriminatory with the already severely disadvantaged indigenous communities the losers in so many ways.

Yours faithfully

Susan Cleary