

Permits plan left in limbo by Coalition and independents



Above: Traditional owner Jacob Nayinggul, of Gunbalanya with a permit sign on his land

The Federal Government says it will decide in the New Year what to do with its legislation that would partially re-instate the permits system in Aboriginal communities.

The legislation was knocked back by the Coalition and independent senators Nick Xenaphon and Michael Fielding in the Senate recently.

That's left the Federal Government to decide whether to scrap its plans to reintroduce the permits system or return it to the Senate in the New Year.

CLC director David Ross said the Senate's rejection of the legislation is a setback but all hope isn't lost.

"We are awfully disappointed with this outcome and look forward to meeting with senators Fielding and Xenaphon and hope to convince them to support the changes when the government puts them forward again," he said.

Northern Land Council chairman Wali Wunungmurra said per-

mits were about cultural survival and the right of Aboriginal people to control their own futures.

"Aboriginal land is private property and just like every other Australian, Aboriginal people have the right to permit who comes onto their land," Mr Wunungmurra said.

Indigenous Affairs Minister Jenny Macklin said it is important that Indigenous people are able to have right of access on their private property.

"The permit system is an important one for Aboriginal people in the Northern Territory and we'll consider this further in the new year," she said.

The CLC and NLC's constituents in bush communities have repeatedly sent them

resounding messages emphasising their wishes to have some say over who visits their land owned under Aboriginal freehold title.

The latest was in a CLC survey of the Federal intervention into Aboriginal communities.

While some of the intervention's measures received mixed support or opposition, the permits system received almost 100 per cent backing.

"Aboriginal land is private property and just like every other Australian, Aboriginal people have the right to permit who comes onto their land."

NLC Chairman Wali Wunungmurra

Racist measures continue under intervention plans

The Northern Territory's two major land councils and the Australian Human Rights Commission have all expressed concern at the Federal Government's failure to immediately end racist policies under its intervention into Aboriginal communities.

The previous Coalition government suspended the Racial Discrimination Act to allow the government to dictate how Aboriginal people in the Northern Territory spend their welfare payments.

The new Labor Government committed to a review of the intervention, which found that the Racial Discrimination Act should be re-instated, but the Indigenous Affairs Minister Jenny Macklin's response was to delay the full reinstatement of the Act for at least 12 months.

"Effectively we've ended up with a situation where it took two weeks to design a suite of discriminatory measures, but will end up taking more than two years to remove them," Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma said.

"This is despite the Minister for Indigenous Affairs having the ability to exercise her administrative powers to remove substantial elements of the discrimination with immediate effect.

"While I applaud the government for announcing that the NTER measures cannot rely on the suspension of the Racial Discrimination Act in the long-term, the delays involved in moving to this arrangement will continue what the NTER Review Board described as the 'sense of betrayal and disbelief' among Indigenous peoples and will continue to 'undercut

the potential effectiveness of its substantive measures'," Mr Calma said.

"No one wants to see children abused, families destroyed and communities ripped apart, so I welcome this ongoing commitment to protecting women and children. But I do not, and never have, accepted that we need to resort to discrimination in order to achieve this protection."

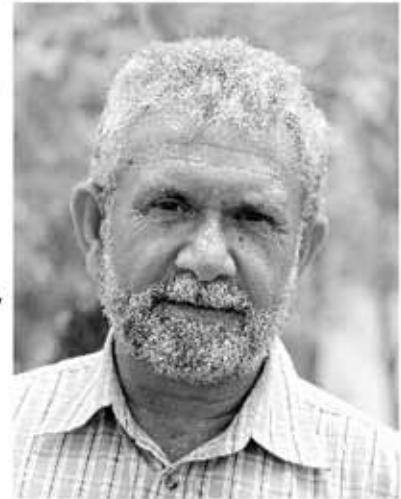
Central Land Council director David Ross said his organisation supports the report's recommendation that income management should be voluntary or only compulsory when in the interests of child protection and school attendance.

He said the CLC supports that recommendation or income quarantining becoming a national measure.

"The Australian Government should take this on board very seriously," he said. "Pushing measures on people, which they do not want is counter-productive.

"We strongly urge the Minister to take these recommendations on board and let's try again to have a new beginning.

"As we have said, and the report reiterates, unless there is participation and engagement by the Aboriginal people it purports to help, then change will



Above: CLC Director David Ross

not occur.

"This is fundamental to community development and something the Minister herself articulated in a speech at the Press Club on 27 February this year," Mr Ross said.

The Northern Land Council described the Australian Government's response to the review's report as confused and needing meaningful Aboriginal input.

"While the NLC welcomes the government flagging that it will reinstate the Racial Discrimination Act and the acknowledgement that it must pay reasonable rent for its five-year leases, we are disappointed that blanket compulsory income management will remain," chief executive Kim Hill said.

"It's reminiscent of the old mission days where every aspect of our lives was controlled, from whom we could marry, where we could live, with whom we could congregate, and how we spent our money. Frankly, we are sick and tired of being experimented on."