Stronger Futures in the Northern Territory Bill 2011 and Two Related Bills

The legislation should be withdrawn because,

NT intervention is racist and should be terminated. Legislation aimed at extending it should be withdrawn.

1. **NT community Elders have publicly stated that they will not support the extension of Intervention under any name. 'We will not support the extension of the Intervention legislation. We didn't ask for it. It was imposed on us.' Melbourne 4 November 2011**

2. **The proposed legislation undermines the demands by Aboriginal peoples in the NT for a return to control over their communities and the right to self—determination.**

   See United Nations Declaration on the Rights of Indigenous People (UNDRIP). Articles 3, 4, 18, 20, & 26.2 at http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

3. **The proposed legislation, rather than providing support and encouragement, focuses predominantly on punitive regulatory approaches such as cuts to family support payments, for example, when children don't attend school.**

   Read, ***"Cuts to Welfare Payments for School Non Attendance - Requested or Imposed?"*** **(October 2011)** http://www.concernedaustralians.com.au/media/Welfare-Cuts-Requested-or-Imposed.pdf

   Michael Brull, *"2012 or 1912? Stigmatising and humiliating Aboriginal parents,"* (27 December 2011) http://www.abc.net.au/unleashed/3747968.html

   UNDRIP Article 14 http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

4. **This blanket approach has failed to acknowledge the cultural strengths within the majority of communities. The NTER has been an exercise aimed at changing the behavior of Aboriginal people, which has proven to be damaging and unsuccessful as shown by the Government's own *Closing the Gap in the Northern Territory Monitoring Report January – June 2011***

   Professor Jon Altman summary, at http://tracker.org.au/2011/11/evidently-a-new-intervention/

5. **The proposed legislation is a further step towards total disempowerment. Decisions about every aspect of life are being taken over, formulated and implemented through the various arms of government. By undermining peoples' capacity to be actively engaged in initiating and planning the future direction of their lives, they are denied a normal healthy existence and the current disillusionment, depression and despair will only increase. According to Government statistics the incidence of suicide and self-harm in the NT have increased since the introduction of the Intervention in 2007**

   ***Closing the Gap in the Northern Territory Monitoring Report January – June 2011*,** http://www.facs.gov.au/sa/indigenous/pubs/nter_reports/ctg_nt_monitoring_rpt_janjun_2011/Documents/ctg_nt_monitoring_rpt_pt2_janjun11.pdf **, page 66**

6. **Repeal NTER laws and revert to already established laws that apply equally to all citizens to address dysfunctional behaviors across all parts of Australians. There are already laws that address social issues of domestic violence, drunkenness, truancy. The Australian law is written to be obeyed by all its citizens.**

7. **Food Security can't be achieved when people are unable to access fresh food because of the high costs involved. The legislation does not address this particular aspect of Food Security but prefers to focuses on ensuring that stores are monitored through a licensing process. Through the proposed legislation Government has failed to address ways of reducing**

costs, for example, freight subsidies, development of market gardens and distribution of local produce. The licensing of stores alone is inadequate. The legislation is not utilizing the extensive research undertaken by the Parliamentary committee review 2010, and should be withdrawn and reconsidered.

Parliamentary committee review 2010, *Everybody's Business: Remote Aboriginal and Torres Strait Community Stores*. See,
http://www.aph.gov.au/house/committee/atsia/communitystores/report/Everybody's%20Business%20Report.pdf

8. **Removal of customary law and cultural practice considerations from bail applications and sentencing within criminal proceedings has been in place in the NT since 2007. These restrictions do not apply to judges in cases involving Australians of other ethnicities e.g. Afghan, Chinese etc. and are clearly discriminatory against Aboriginal people. They should be repealed and all Australians treated equally under the law.**

***Loss of Rights*, p 17** http://www.concernedaustralians.com.au/media/Loss-of-Rights-Rept-2010_v2.pdf

9. **In 2007, as part of the NTER Legislation, the Australian Crime Commission (ACC) was established in the NT for the purpose of monitoring supposed paedophile rings and high levels of child sexual abuse. In July 2009 it was acknowledged by John Lawler (CEO of ACC) that there had been no evidence of paedohpile rings in the NT and it is also now known that the incidence of child sexual abuse is similar to that of other states. It is therefore without just cause that the proposed legislation continues the activity of the Australian Crime Commission with its special coercive powers in the NT.**

See, *Loss of Rights*, p 62-64 &,

Also, http://www.lawcouncil.asn.au/programs/criminal-law-human-rights/criminal-law/crime-commission.cfm