Committee Secretary
Senate Standing Committees on Community Affairs
Parliament House
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Re: Stronger Futures in the Northern Territory Bill 2011 and two related bills

As Aboriginal people who are intensely interested in the welfare of all Australian Aboriginal people, we welcome the opportunity to provide a submission to the Senate Standing Committee on Community Affairs on three bills that were referred by the Senate for inquiry and report back to this committee. The Bills to which we refer are:

1. Stronger Futures in the Northern Territory Bill 2011
2. Social Security Legislation Amendment Bill 2011
3. Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Bill 2011

This is the 21st century however these new bills are retrograde, racist and echo the policies and practices imposed on Aboriginal people by successive government agencies in the 19th and 20th centuries. During this time Aboriginal people were made to feel and were treated like second-class citizens and were firmly entrenched on the bottom of the socio-economic ladder. Aboriginal people were under government control or management and were not allowed to make their own decisions and were disempowered.

Governments are fond of saying that Aboriginal people should "move on" but how can we when the poor policies of successive government drag us back.

These proposed amendments are also about control, management and disempowerment and will erode people's capacity to make informed decisions for themselves and can actually provide perverse disincentives. In our opinion, the Bills bring into question the commitment of COAG to address Indigenous disadvantage.

We respectfully and strongly, urge the Committee members to reject the Bills and request the government enter into genuine and meaningful consultation and to not perpetuate the original intervention which was based on a lie. We support this by pointing out that the original *Northern Territory Emergency Response Act 2007* does not include the words child, children, care, safety or protection despite the protection of Aboriginal children from sexual abuse. The absence of these words totally undermines the professed objectives of the intervention.

The Bills will further entrench disadvantage among Aboriginal people and we believe that these negative policies are evidence of the governments' indifference to consulting Aboriginal people in the Northern Territory and other communities around Australia.

We are completely opposed to any continuation of the NT intervention which began in 2007 and believes that the *Stronger Futures in the Northern Territory* and related bills which only serve to worsen the lives and living conditions of Aboriginal people for a further 10 years. We join the call by Aboriginal peak bodies, community welfare and public health groups from around the country who are calling for a new direction in policies affecting Aboriginal Australians based on cooperation, not 'intervention'. Also, we agree with the Australian Council of Social Service's Media Statement of 23 November condemning the measures in the Stronger Futures bill.

We believe that the proposed legislative amendments are discriminatory and reinforce negative stereotyping and have led to racial vilification of Aboriginal people by the media

Despite being described by the Government as "special measures", we believe that these so-called 'special measures' further humiliate Aboriginal people. The Human Rights Commission and United Nation visiting representatives have both repeatedly contradicted the Australian viewpoint that the NTER constitutes 'special measures' for the advancement of a particular group of people under the Racial Discrimination Act. The HRC and UN both consider a "special measure for the advancement of a particular group of people" includes consultation and the "prior, free and informed consent".

The government is doing irreparable harm to communities and it must stop. There are community-supported alternatives available to rebuild NT Aboriginal communities from the ground up rather than being forced from the top down and the Aboriginal people, communities and organisations involved in the development of the alternatives are taking ownership. The Government is yet to hear these alternatives or enter into a genuine consultation or discussion. We urge the government to respect the views of Aboriginal people and communities, to listen and hear what is being said and to work in genuine partnership and true equality with Aboriginal Peoples in Australia to develop responsive and culturally appropriate solutions. Land reform measures undermine Aboriginal Land Rights and the key elements could lead to conflict in certain Aboriginal communities where several different tribal groups have been forced to live. It is culturally insensitive and disempowering to force Aboriginal people from their own homelands and denies them their culture and traditions and an unbroken connection to their traditional lands.

We urge the Committee to reject the unprecedented and extended powers assigned to and by the Minister for Indigenous Affairs. The proposed provisions in the Social security amendment bill will enable the Minister to specify separately, by legislative instrument, any State, Territories or areas and even government agency employees across Australia for compulsory income management purposes.

We also urge the Australian government to immediately withdraw the Stronger Futures legislation and instead work in true partnership with Aboriginal people, genuinely listen to what they say and develop policies together with Aboriginal peoples based on respect and fully implement the United Nations Declaration on the Rights of Indigenous Peoples for which Australia has declared its support.

Thank you for the opportunity to express our views.

Yours sincerely

Mrs Suzanne Gillett,

Mrs Daphne Lake,