

SHOUT OUT FOR ABORIGINAL RIGHTS!

STOP THE INCURSION!
HANDS OFF LAND RIGHTS!
HANDS OF THE PERMIT SYSTEM!
REVIVE AN INDIGENOUSLY ELECTED BODY!
END THE NEW PATERNALISM!

“Last week the Howard Government used the military to seize control of 60 Aboriginal communities in the Northern Territory, which are now under military occupation. The Northern Territory is not Gaza or the West Bank. This is Australia—but is it the Australia you thought you lived in? Walk in our shoes, Aboriginal Australia’s, and ask yourself what it would be like to have this done to us? And then walk with us” - J. Mariniello

Contents

Introduction

What the Government is Proposing

Responses and Rebuttals

What you can do about it

Further Reading/Websites

The words in the pamphlet have been sourced from a variety of people. We thank them for their voice and hope they don't mind us drawing on them.

Introduction

Most people, including Aboriginal people and the authors of this pamphlet, believe Aboriginal children – all children – have the right to a childhood free from sexual abuse. But we also believe that the ‘National Emergency Response’ measures will not address this issue at all. Evidence suggests they may in fact increase the risk to Aboriginal children.

As many commentators have argued, this ‘National Emergency’ appears to be ‘another Tampa’. It is a case of politicians creating a divisive media spectacle of morality at the expense of an identifiable minority group to serve pre-determined political interests. John Howard claims the ‘Emergency’ is in response to the *‘Little Children are Sacred’* report: however, his ‘response’ contradicts and at best completely ignores the recommendations it set forth. For instance – along with the Northern Territory Government, The Territory’s Police Association, both the Northern Land Council, The Central Land Council, Former head of the Australian Army of Western Australia, many Aboriginal people and innumerable others who have spoken out – we believe that the abolition of the permit system will only *increase* the risk to children and give rise to further social problems in Aboriginal communities.

The report explicitly states that ‘sexual abuse of children is not restricted to those of Aboriginal descent, nor committed only by those of Aboriginal descent, nor to just the Northern Territory’. ‘The phenomenon’ it goes on, ‘knows no racial, age or gender borders. It is a national and international problem’ (p. 5). The co-author of another Commonwealth commissioned child protection report, Diedre Pehnhaligon, from the Australian Institute of Health and Welfare, says sex abuse figures for Indigenous children in the Northern Territory are among the lowest in Australia. This is reinforced by Melbourne University Professor Peter Botsman who draws attention to figures from the Commonwealth’s ‘2004/2005 Child Protection Report’ which show that child sex abuse in the Northern Territory is less rampant than it is in mainstream Austra-

lian suburbs; **the level of abuse in the Territory's remote Indigenous communities is five times less than in Victoria.**

So, why then has the Federal Government only taken action against child abuse in Aboriginal communities? And how can the Federal Government justify the unprecedented and extreme raft of measures that comprise this intervention – using the military to seize control of Aboriginal Communities, overriding and altering Land Rights legislation, freezing Aboriginal welfare payments, overturning local governance structures, appointing un-elected ‘managers’ without any consultation, introducing compulsory health checks for Aboriginal children.....?

How are these racially specific –i.e. Aboriginal specific – measures justifiable if the problems the ‘National Emergency’ seeks to address are more endemic to some *white* communities? Why hasn’t it seized military control of suburbs in Victoria for instance? Why hasn’t it compulsorily acquired *their* houses? Why hasn’t it seized control of *their* local councils? As Professor Botsman said - "If [John] Howard and [Mal] Brough were really interested in child abuse it would be Queensland and New South Wales and Victoria that they would be working at." The nation's reaction to child sex abuse in the Territory's remote Indigenous communities, he argues, has been driven by prejudice.

The Federal government has been attempting to make sorties into Aboriginal Land Rights Land for some time now. It has been a stated policy agenda to introduce leases and private property into communally held Aboriginal land. There are also resources of exceptional financial value to the Federal Government on Aboriginal Land in the Northern Territory: among a ‘wealth’ of other minerals it harbours the largest uranium deposit in the world. In short, there are numerous cynical motivations for the Federal Government to want to gain unfettered access to, or simply steal Aboriginal Land. It appears that this ‘emergency response’ has been designed to achieve these ends at the expense of Aboriginal Rights and at the expense of Reconciliation in this country

Details of the 'Emergency' Government Measures

In response to the '*Little Children are Sacred*' report into child abuse in Aboriginal Communities in the Northern Territory, the Australian Government has announced immediate and sweeping measures to 'stabilise and protect' communities in 'the crisis area'. These actions are designed to 'ensure the protection of Aboriginal children from harm'.

According to the government, they will have 'immediate mitigation and stabilising impacts in communities'

The measures include:

- Introducing widespread alcohol restrictions on Northern Territory Aboriginal land, (even though the majority of Aboriginal communities are already 'dry').
- Introducing welfare reforms that give the government the discretion to determine which Aboriginal people get welfare, when, and what they can spend it on.
- Introducing compulsory health checks - mandatory anal and vaginal examination - for all Aboriginal children regardless of their and their parent's wishes.
- The forceful acquisition of townships from Traditional Owners through non-negotiable five year leases, with the prospect of permanent loss of communal customary title.
- Increasing policing levels in Aboriginal communities
- 'Intensified on ground clean up and repair of communities' with the military, police, and (involuntary) local Aboriginal workforces, 'marshalled' through work-for-the-dole. These 'local workforces' will have their welfare payments made conditional on such activities.
- Introducing market based rent on land which was up until last week Aboriginal land. That is, they will require Aboriginal people to pay the government market based rents for living on their own land. They have also stated they will enforce 'normal tenancy ar-

rangements', which suggests breaking up customary extended family units as a requirement for tenancy.

- Banning the possession of X-rated pornography and introducing audits of all publicly funded computers to identify illegal material.
- Scrapping the permit system (which is a central pillar of the Aboriginal Land Rights Act) for common areas, road corridors and airstrips for prescribed communities on Aboriginal land, and;
- Taking direct control of the governance of Aboriginal communities by installing 'managers' in prescribed communities.

The national emergency response will be overseen by a Taskforce of individuals who the government deems 'experts'. They will not be elected but appointed.

For the Government summary of the above:

see: http://www.facsia.gov.au/internet/Minister3.nsf/content/emergency_21june07.htm

Response & Demands

1. An immediate halt to the authoritarian incursion into Aboriginal Communities

The Government's 'emergency response' has been designed and deployed in an undemocratic 'knee-jerk' fashion. This extreme 'new' approach to Indigenous affairs is based on six days of policy reinvention, without consultation with indigenous communities, the Northern Territory government, nor medical professionals.

The '*Little Children are Sacred*' Report does not advocate land acquisition, abolishing the permit system, military incursions into Aboriginal Land, not the physically and psychologically invasive examination of Aboriginal children.

The Government's emergency response to the '*Little Children are Sacred*' Report has been excessive, unjust and discordant with the recommendations it allegedly seek to address. We thus call for an immediate halt to the measures announced on the 21st of June and all additional 'emergency measures' announced since this time. We call for a long term, measured approach to the health and social issues in Aboriginal communities. We believe that such an approach must not proceed without extensive consultation and informed consent from each individual community, as well as health/cultural professionals who are experts in the field. An effective response should also address the actual recommendations of the report, and as well as the innumerable previous reports into Indigenous health. Almost all these stress the need for an increase in long term funding – which the government has continued to refuse – rejecting even the more modest appeals by Oxfam and the National Aboriginal Community Controlled Health Organisation for spending on Aboriginal health to be increased by \$450 million a year. Almost all reports also stress the need for extensive community consultation. This was one of the primary recommendations of the '*Little Children are Sacred*' report and one which we believe should be respected above all else.

2. Hands off the Land Rights Act

The '*Little Children are Sacred*' Report does not recommend acquiring Aboriginal Land or abolishing the permit system, or anything of the sort. We see no correlation between instances of child sexual abuse and either land tenure, land rights or rights of access and are therefore led to believe that the linking of these things is nothing more than political opportunism.

It has been an openly stated government agenda to introduce private property into community held Aboriginal Land. As a part of this relatively recent government push, communities have been given the choice or opportunity to lease their land for 99 years, and partake in associated private home ownership schemes, as recently played out most notably in the Tiwi Islands. While there have to date been accusations of 'bribery and intimidation' in this process (providing a new school 'only' if Tiwi Islanders agreed etc etc) it has to date been 'voluntary', and largely declined by those to whom it has been offered. This has clearly frustrated the Federal Government.

It seems hard to ignore the fact that this frustration has now found a thinly veiled coercive inroad via an apparent Trojan horse of child health. We believe there is no justification for the acquisition of Aboriginal land nor the forced introduction of private tenure or property ownership. We thus demand the government immediately repeal these policy measures. We demand the government respect the integrity of the Aboriginal Land Rights Act, which was hard fought and won by Aboriginal people in support of non-Indigenous Australians. We believe that any changes to Land Tenure, property and tenancy should be truly voluntary, and a result of extensive community consultation. Most importantly we believe Aboriginal people have the right to live on their Homelands according to their law and custom without the constant threat of usurpation or intimidation from the government.

3. Hands off the Permit System

The 'Little Children Are Sacred' Report did not make any recommendations concerning the Permit system, and certainly did not recommend abolishing it. As with the introduction of private property, the 'scrapping' of the permit system has been an openly stated agenda of the Federal government and one which has received much resistance from Aboriginal communities, both the Central and Northern Land Council, and the Northern Territory Government – that is, from those most familiar with the functioning of the Aboriginal Land Rights Act and the Permit System.

There is much to suggest that scrapping the permit system will be detrimental to the social functioning of Aboriginal communities and may put Aboriginal children at further risk of exploitation. The Directors of both the Northern and Central land council have pointed out that the current permit system allows for the removal of alcohol and drug dealers, carpetbaggers and sexual predators. The Northern Territory Police Association and The Northern Territory Government are also against the abolition of the permit system for similar reasons.

One well regarded anthropologist who has been working with Aboriginal people in Arnhem Land for 35 years, has pointed out that the construction of an 'open' mining town in the region – against the wishes of the Traditional owners – became and remains the focal point for 'alcohol, substance abuse and the violence associated with such factors in all populations'. The majority of Aboriginal people in the region in fact choose to live away from that environment either in one of the main townships or in the homeland centres. Most significantly, in the thirty-five years of intensive research in homeland centres he has found them to remain virtually alcohol free and have recorded no cases of child abuse, 'indeed' he says, 'the idea of child abuse horrifies Yolngu people in the region and totally contradicts their protective attitude to the young.'

Beyond the evidentiary we believe that scrapping the permit system without the consent or consultation of Traditional owners is, fundamentally, an affront to Aboriginal rights and democratic process.

Given that Aboriginal people and non-Indigenous professionals involved with Aboriginal communities can see no justification for changes to the permit system, and indeed predict detrimental effects if such a measure were implemented, we demand the Permit system be left in place.

4. Revive an Indigenously elected body

The ‘National Emergency Response to Aboriginal Child Abuse’ highlights the lack of democratic process involved in the governance of Aboriginal Affairs in the Northern Territory and elsewhere. There has been no respect shown for the right of Aboriginal people to be consulted and involved in decisions about matters that directly concern and affect their lives. Moreover, their views have been completely ignored and devalued.

While statistics demonstrate that child abuse is less prevalent in Aboriginal communities in the Northern Territory than in other parts of ‘white’ Australia, Aboriginal people do acknowledge it happens. They also acknowledge there are substance abuse problems in their communities, as in other parts of Australia, and been attempting to address such issues for some time.

Aboriginal women including Jennifer Martiniello (member of the Advisory Board of the Australian Centre for Indigenous History at the ANU) and Jackie Katona (Djok woman and former director of the Gundjehmi Aboriginal Corporation) have highlighted the fact that Aboriginal women and men have been seeking government support for over a decade for measure’s they themselves have pro-

posed, to tackle issues of alcohol, substance abuse and child protection. These calls for assistance and cooperation have instead been met with progressive *de-funding* of Aboriginal community projects under the Howard Government. There has been a steady reduction in funding allocated to critically needed youth and health programs in remote areas.

It seems nothing short of hypocrisy that the Government has consistently ignored years of requests by Aboriginal people for assistance and funding until nigh short of an election. Now it has moved to disregard their integrity, wishes and concerns to tackle the very same issues they themselves have long sought to address, not only without consulting them, but with military force and a dramatic disregard for their democratic rights. We believe that such a disregard for the fair and equitable self-representation of Aboriginal people is completely unacceptable. We thus call for the government to take immediate measures to revive a National Indigenously elected body to represent the views and concerns of Aboriginal People so this breach of trust and due process can be prevented in the future.

5. End Paternalistic Approaches to Aboriginal Governance

We believe that the ideological basis' underpinning the government's 'new' approach is a dangerous and regressive return to past policies which are unjust and have proven ineffective. External control of people's money, control of people's personal lives, control of people's living places, increases in policing and surveillance, increases in direct management, forced cultural changes to customary living arrangements and land tenure – are all the hallmarks of an authoritarian, paternalistic government seeking to disempower, control and change a section of the population.

These policy measures appear geared toward assimilation, mainstreaming, integration and 'normalisation' with little or no room for cultural integrity and difference, or for engagement with de-

mocratically elected Indigenous voices. We believe these violate the right of Aboriginal people to practice their culture and their right to live free of intimidation and coercion.

The real emergency in Aboriginal Australia is the lack of resources and infrastructure which has given rise to disparities in health, education and 'wellbeing'. All of the policing and micromanagement in the world will not provide a solution to these problems.

If the government is serious about addressing disadvantage in Aboriginal communities in the Northern Territory it must address the fundamental structural issues – improved housing, education and health services, elimination of poverty, and above all, cultural pride. This will not be achieved with the current attitude and approach. The next generation of strong Aboriginal leaders will not be formed by witnessing their parents and elders bullied by the military, police, social workers and other white administrators, but by seeing them empowered and respected, partaking in decisions about and having control of matters that affect their lives and their cultural futures.

What you can do

Take Part in the National Day of Action for Aboriginal Rights on Saturday the 14th of July 2007. There are demonstrations planned for every capital city. In Canberra, the demonstration begins at the Aboriginal Tent Embassy at 11 am, to march to Garema Place in Civic at 12.30

Stay informed. The Government's policy is evolving weekly and its safe passage depends on people being overwhelmed and thus un-engaged.

Sign the open letter to Government officials on the 'Australians for Native Title and Reconciliation' website:
<http://www.antar.org.au/>

Further Reading

Read '*Little Children are Sacred*' Report yourself:
[http://www.nt.gov.au/dcm/inquirysaac/pdf/
bipacsa_final_report.pdf](http://www.nt.gov.au/dcm/inquirysaac/pdf/bipacsa_final_report.pdf)

National Indigenous Times: <http://www.nit.com.au/>

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