

The Committee Secretary
House of Representatives Standing Committee
On Aboriginal and Torres Strait Islander Affairs
Parliament House
Canberra ACT 2600

E R Petherick
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3-3-99

Dear Sir,

I wrote a submission to Mr Reeves Q.C in 1997 explaining the problems the local people were having in the Finnis River area, I hope that you have a full copy of this letter.

I have read Mr John reeves report and agree with most of his recommendations in that they will help the act work more better for all aboriginal groups in their regional areas than it has in the past.

Terms of Reference

1. Regional Land Councils will help settle land disputes quicker and more efficiently than the big land councils. Members from distant areas should not determine land ownership in distant land trust areas. eg. The Wagait Dispute.

Large numbers of Aboriginal people do not understand the Land Rights Act and other European laws and many are quite often ignored by community leaders who often are their representatives on land councils. This is why patrilineal clans should have their ritual leaders involved in all dealings with their land.

The grouping of several language groups together for land claims and in Associations give dominant leaders the chance to bypass ritual leaders eg. Peppimenarti, Belyuen, Kenbi Land Claim. Regional Land Councils can more accurately take a census of all the local descent groups in their areas and produce a public map showing all the patrilineal clan areas in their regions.

The mapping of clan areas should be recorded before any more land claims are heard. The previously held land claims in the Daly/Darwin area have been a complete waste of time and many for the simple reason that all affected people have not been represented.

Eg. There is a large number of Larrakia (Mavi clan) and other Finnis River clans living at Port Keats that has yet to be given anthropologist to record their history and map their sites. The above clans will not accept the current Maranungyu and Kungarakan owners for Wagait Land Trust because these groups own land elsewhere and the original owners of the Wagait wish to return soon.

The mapping of clan areas will help solve disputes and stop people claiming more than one tribal area. The claiming of more than one tribal area means that their sacred sites are fabricated.

Claims to land should always follow the spiritual totem and not claim by a language group. Sixty percent of the languages in the Darwin/Daly Region are extinct with large numbers of people using a different language from their grandfathers.

Eg. In the current Kenbi Land Claim, Dr Povinelli has recorded our relatives, which belong to one patrilineal clan as belonging to three different tribal groups. Some people who can speak an Aboriginal language are claiming tribal areas that they have no biological link to.

2. Northern Territory Aboriginal Council
Members of the council should be ritual leaders who have the song, dance and ceremony objects for their areas and who are recognised by elders from other regions.
3. Monies
Monies should be given to Regional Councils to help the local descent groups, to employ their members and develop their land. People should not prevent clans working their own estates.
4. Most aboriginal people in this area favour mining and some have pegged leases only to be blocked by other Aboriginals.
5. Permits should be done away with and the N.T. trespass laws used instead.
6. The A.A.PA should control the registration of sacred sites on Aboriginal Land Trust areas and they may also assist the Regional Land Councils to map the patrilineal clan areas.

The Commonwealth should also impose heavy penalties for the fabrication of land claims and false sacred sites.

Heavy penalties should also be written into the Sacred Sites Act and applied by the A.A.P.A in N.T for false sacred sites.

Yours sincerely

E.R. Petherick