



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON ABORIGINAL AND
TORRES STRAIT ISLANDER AFFAIRS

**Reference: Reeves report on the Aboriginal Land Rights (Northern
Territory) Act**

TUESDAY, 4 MAY 1999

KATHERINE

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER
AFFAIRS

Tuesday, 4 May 1999

Members: Mr Lieberman (*Chair*), Mrs Draper, Mr Haase, Ms Hoare, Mr Katter, Mr Lloyd, Mr Melham, Mr Quick, Mr Snowdon and Mr Wakelin

Members in attendance: Ms Hoare, Mr Lieberman, Mr Melham, Mr Quick and Mr Snowdon

Terms of reference for the inquiry:

The Committee shall inquire into and report on the views of people who have an interest in the possible implementation of recommendations made in the Reeves Report. In particular the Committee will seek views on:

- (1) the proposed system of Regional Land Councils, including
 - (a) the extent to which they would provide a greater level of self-management for Aboriginal people, and
 - (b) the role of traditional owners in decision making in relation to Aboriginal land under that system;
- (2) the proposed structure and functions of the Northern Territory Aboriginal Council;
- (3) the proposed changes to the operations of the Aboriginals Benefit Reserve including the distribution of monies from the Reserve;
- (4) the proposed modifications to the mining provisions of the Act including the continuing role of government in the administration of these provisions;
- (5) proposals concerning access to Aboriginal land including the removal of the permit system and access to such land by the Northern Territory government; and
- (6) the proposed application of Northern Territory laws to Aboriginal land.

The Committee shall make recommendations on any desirable changes to the proposals made in the Reeves report in the light of the views obtained.

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Committee met at 4.26 p.m.

ALLEN, Ms Marie, Chairperson, Djarrung and Jigagowan Clan (Innesvale)

CHAIR—Welcome to our hearing. It is my understanding that you wanted to meet with the committee in private. I am required to put on record for all witnesses that, although the committee does not require you to speak under oath, you should understand that these hearings are legal proceedings of the Commonwealth parliament. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament.

Our Hansard reporters will be taping what is said today and we will send copies of what is said for you to read. I understand that you are happy for us to publish your statement in the history and records of the proceedings so that other people can read them. Do you give us your consent to do that?

Ms Allen—That is correct.

CHAIR—We would like other people to be able to read the record of what is said at this meeting even though this is a private meeting and we thank you for agreeing that people can read what you say today as part of the record. Is it the committee's wish that the submission be authorised for publication? There being no objection, it is so ordered. Before we ask you questions, do you have something you would like to tell us.

Ms Allen—The Djarrung community is 140 kilometres west of Katherine. It is an excision on the Scott Creek Station, which is owned by the Sultan of Brunei. I am one of the few Aboriginal people that have been quite concerned about the fact that people such as myself that have been part of the stolen generation movement have not received the justice that other people of our race have got through the land council. I was quite interested in coming and just giving my view because I believe that as a woman I have been discriminated against, especially in relation to land and other Aboriginal issues.

First of all I would like to address the terms of reference before I continue. Is it all right to go on to other stuff that I have that is personal and that happened to me and my family?

CHAIR—You are very welcome to do that.

Ms Allen—And maybe you people could come back to me and ask questions. Is that all right?

CHAIR—Yes. It is just that I only have half an hour now.

Ms Allen—I agree to the regional land council that the Reeves report looked at for the simple reason that a regional land council will ensure that an appropriate decision making process is undertaken. That means that there are the right people talking for the right country. I have a problem with the land rights act in that you have people making decisions for other people from different country. According to Aboriginal law, you do not speak for other people's country and it just does not hold right that people make decisions on other people's country. I agree that the land council should be regionalised so that people have

empowerment in the decision making process so that they can make decisions for their own land.

I also believe that members of the new land council, NTAC, should be elected and not selected. The Australian Electoral Commission should be appointed to conduct elections. Nominations to NTAC should come from regional councils. That is self-determination, just as in the previous point where I said that by regionalisation you would have people making decisions for their own country. That is self-determination. The other reason that I support that is because of the role of traditional owners. The way it stands as it is, you have got a full council that makes a decision and then has to go back to the communities. That has created a lot of problems back on communities.

The other thing I would like to say is about the land trusts that the land council has set up. I believe land trusts do not allow people to really make the decision and determine what is right on their country. I have a concern about land trusts because of that situation that is happening with me where a couple of weeks ago the Innesvale land claim was passed through parliament. The fact of the matter is that I am a claimant of the Innesvale land claim, on the patrilineal line from my father's side and yet I have been excluded from being on the land trust. The land council has gone around and has set up a land trust without consulting with me and with the people that are living at Djarrung who claim that land on a patrilineal line. That is one thing that has happened with us in the Innesvale land claim. There is also the issue of Djarrung excision where the land council has not come to the party to assist in sorting steps out and reconciling the people together. I have some forms that I would like to give out now if someone would like to get them.

CHAIR—Do you want those to be made part of the record?

Ms Allen—Yes.

CHAIR—I have to see what they are. Marie, from a quick read of what you have given us, I will try to describe it. You have correspondence from lawyers, land trust and private individuals dealing with a dispute over some administration of land. I think they would be better dealt with as exhibits, so I am asking that these documents tabled by you be accepted as an exhibit and received as evidence to the inquiry into the recommendations of the Reeves report. There being no objection, it is so resolved.

Ms Allen—Can I just quickly go through those letters point by point?

CHAIR—Yes. Do you want them back now?

Ms Allen—No, I have copies for myself. The first one was sent to the chairperson of the Northern Land Council regarding a dispute that we have had from the Djarrung community. Djarrung community itself is an excision and is not part of the land claim as such. There was a dispute about that piece of land. That first letter shows the land council's role to date. The land council has not assisted in the process of trying to reconcile the groups. The land council has interfered over the safety of our group out there. That is also in that letter. In the last paragraph of that letter, there is a request to the land council to collect the interested people to sit down to have a meeting to discuss the dispute. That has not eventuated.

The second letter was again to the chairperson of the land council, addressed to the head of the legal branch. Our lawyer wrote to them asking: on what basis has the Northern Land Council advised that certain people have a stronger case for traditional ownership of Innesvale Station and the Djarrung community living area than my claimant? That letter was sent some time back.

There is another letter that was sent to the chairperson concerning what an anthropologist was going to do with regard to my status and traditional ownership of my country. Thirdly, there is a letter that came in from the Northern Land Council telling me that they do recognise me as a member of a Jigagowan group on Innesvale, but they have decided to put my cousins, who come from the matrilineal line, on the land trust.

What I am trying to point out there is that the land rights act contradicts itself. The land rights act, in its present form, has been discriminatory to women and to people of the stolen generation. Aboriginal people such as me, who can claim through their father's line, are still being discriminated against.

As I said before, the way that the land trust is set out concerns me because it says that the land trust is only to hold legal title to land, although the land is really owned by traditional owners. It says the land council listens to traditional owners as to who each group wants to recommend as its member on the land trust. That did not happen to me. I was instructed by the Northern Land Council office in Katherine here that this was the land trust and that I was to take it and wear it. Despite my meeting a couple of weeks ago with the chief executive officer to talk about that, nothing has happened. The anthropologists have just set up a land trust with a group of people, even though some of those people who are on the land trust are not traditional owners of that country.

The other thing that I am very concerned about is where the land rights act has been really discriminatory against the opposite sex, the females, in Aboriginal affairs. Women are considered a lot lower in the way that they claim things. We are not included when they discuss certain issues. I am not considered an Aboriginal by people within the land council—that is, anthropologists. I do not fit the criteria of Aboriginal. That is what really concerns me. The land rights act has just been used and abused by certain people who are employees of that organisation.

There has been injustice served to my family. In the last three years we have been in dispute with the association and the land council has done nothing to help or to try and sort things out, despite our giving names of traditional elders in the Victoria River region that were willing to come to the meeting.

I am also concerned that the land rights act has made a lot of Aboriginal people very greedy. It has put men up as bosses for country all over the place and, unfortunately, women have to stand in line. Women in our country think they have it bad. They ought to be a black woman in the Northern Territory and see how hard it is trying to get what is rightfully yours.

As I said before, I am a member of the stolen generation. I have finally gone back home. I went back home about 10 years ago and I have lived on this property. The Northern Land

Council have done everything that they could to try and remove me from my land, even to the fact of having anthropologists making statements in public about me. That is all in those documents there. Do you have any questions?

CHAIR—You are wanting to have your name recorded as one of the holders of the land trust. Do you know of any other women in the Northern Territory who have been placed on the title to an Aboriginal land trust?

Ms Allen—I think that there may be a lot of other women. Unfortunately, in my area, they took it upon themselves to omit me from that, even though I have submitted my family tree. You will see that both my parents were Aboriginal. My father comes from Victoria River region, but his second father came from the Innesvale land claim area, and yet we were not even consulted. There are three families on Djarrung that are part of the estate of Innesvale. There were eight estates on Innesvale Station. Three have passed away and three people are living at Djarrung and not once have we been consulted. We are not consulted about any meetings at Innesvale. I have just received a letter from the anthropologists telling me that they have acknowledged me as a traditional owner and that is it.

CHAIR—Do you receive any royalty payments or any benefit from any royalty payments?

Ms Allen—No, I do not.

CHAIR—Do you think you should?

Ms Allen—I do not think so. I do not believe that I should. I think that if I live on land, and there are other Aboriginal people living on that land with me, if there is any royalty coming out of that ground I would like to see it go back into that community to improve it. I have seen the waste and deaths and problems that royalty payments have brought to a lot of families.

CHAIR—Could you explain some of those that you have seen, without perhaps mentioning names?

Ms Allen—My background is in Aboriginal affairs. I not only grew up in the welfare system but I also ended up working with the Department of Aboriginal Affairs. I went to ADC, ATSIC and Northern Land Council. I worked in all of those. For a couple of years, I lived in Jabiru. I know a lot of people that are no longer there because of what royalty money has done. It has destroyed families; people have killed themselves. They have just drunk themselves to death. With that comes accidents and a lot of other things—murder, domestic violence.

CHAIR—Are there cases where you think the royalty money has done some good as well?

Ms Allen—Yes, that is correct.

CHAIR—Both ways?

Ms Allen—That is right. There are some places. I am not saying that that is right across-the-board. It is funny that all the pastoral leases in the Northern Land Council area do not seem to be much of a success, but the Central Land Council have a couple of good stations. If you see how they set up the land trust, people do not really have any say over their land. All these stations are still managed and held by the land council. They can have as many committees as they want. At the end of the day, if you look at what the land trust says, they do not have to take notice of traditional owners and that is what they have done.

The land council has been the biggest fault of reconciliation. While it causes this problem between urban Aboriginal and traditional Aboriginal, people can forget about reconciliation between black and white. It is about time they reconciled the black with the black, and that means those people who have been taken away. There have been no avenues for people such as myself who have been taken away by the government of this day and then just dumped. We thought the land council was the body that was going to help us. Unfortunately they were not.

Mr QUICK—Wouldn't ATSIC better represent the stolen generation?

Ms Allen—What do you mean, does ATSIC represent us?

Mr QUICK—Shouldn't ATSIC be the body to represent the stolen generation? The land council is second on the pecking order in my understanding.

Ms Allen—Not with regard to land. The land council still has a lot of say over land.

Mr QUICK—But the stolen generation is not just about the Northern Territory stolen generation. It is a national issue.

Ms Allen—That is correct. But it is the Northern Territory stolen generation that is in the High Court.

Mr QUICK—So tell us about the anthropologists. What is the hassle there?

Ms Allen—The first thing is that the anthropologists themselves consider that they are God in the land council when really, at the end of the day, the real anthropologists are the Aboriginal people that give them that information. In actual fact, anthropologists are only there to put that information into some sort of perspective for the land commissioner to read. It does not happen like that. In the case of Innesvale, the people that are claimants on Innesvale Station are not traditional owners of Innesvale Station. To me, that shows shonky work by the land council and by anthropologists.

Ms HOARE—What you are saying is that, because you were taken away as a child, the anthropologists and the Northern Land Council are not recognising you as the traditional owner?

Ms Allen—That is correct. They have sent me letters saying that I am a traditional owner but, when it really comes to the in-depth thing of sitting around a table and discussing

my country and being given the same respect that is accorded to every other traditional owner in this country, I do not get that.

Mr QUICK—So are you the only person in the Northern Territory missing out, Marie, or are there dozens?

Ms Allen—No, there are hundreds of stolen generation people. There are a lot of other people exactly like me who have problems with the land council because we are that group of people. We have no language; we have no culture. That is what they see us as.

Mr QUICK—According to the letter here dated 17 March, you have been accepted by the Northern Land Council as a member of the local dissent group for the country and owners, Jigagowan.

Ms Allen—That is correct.

Mr QUICK—The letter goes on to say that, while the Northern Territory Land Council recognises you as a member of this local dissent group, it is generally accepted that Lily and Queenie are senior members of the group.

Ms Allen—Only by age. When you look at the land rights act, it is patrilineal. They are from my auntie: those ladies that you have there are my cousins. But I am listed down through the patrilineal line. Other people like myself who have been part of a land claim, when they have been put down through their matrilineal side, come second. The patrilineal side is stronger and yet they have even denied me that. They have questioned me not only about living on my mother's land but about my rights to my land from my father.

Mr QUICK—So why are they doing that?

Ms Allen—I think that is what the government should be asking them: why are they doing that?

Mr QUICK—If there is no vested interest being served in excluding you, why are they doing it? We are not talking about millions of dollars of royalty.

Ms Allen—I cannot answer that. If I knew that answer, I would not have come here.

Mr SNOWDON—You said that you spoke to the CEO a couple of weeks ago. What was the outcome of that discussion?

Ms Allen—He was quite surprised that I was not on the land trust. Even though this letter says that there is Lily and Queenie, because we were in a dispute of this other nature with this other group, they just went ahead and had a meeting behind the backs of the people who live at Djarrung. Three claimants live at Djarrung. Aren't we supposed to be on the land trust? Isn't that what it says there, that land trusts are supposed to be made up of traditional owners?

Mr SNOWDON—What was the outcome of the discussion you had with the CEO?

Ms Allen—I am waiting to hear from Mr Fry. I still have not heard anything.

Mr SNOWDON—Presumably, you asked to be included in the list of land trust members?

Ms Allen—That is correct.

Mr SNOWDON—What was his response to that question?

Ms Allen—He said he was going to find out from his anthropologists.

Mr SNOWDON—He has not found out yet or you have not heard from him?

Ms Allen—I gather that he would have found out because the anthropologists were in the building at the same time when I was there.

Mr SNOWDON—But he has not communicated with you?

Ms Allen—No, he has not.

Mr SNOWDON—Perhaps, Mr Chairman, we could ask that question of the CEO?

Ms Allen—And it states here that the land council listens to traditional owners as to who each group wants to recommend as its members. The Jigagowan group, my family group, was not privy to the meeting to pick someone for that group. It was a private meeting held between the anthropologists and the Wardaman Association.

Mr QUICK—Were you the only one excluded, Marie?

Ms Allen—No; two other family members from Djarrung and me.

Mr SNOWDON—Is the other dispute relevant to us?

Ms Allen—The other dispute is relevant for the simple reason that, when there was a dispute about that, there were about 60 people who arrived from Djarrung in buses and cars with security guards to come and fight us when we were having our meeting. They arrived there and I guess ATSIC was funding them. They came out there to fight. We went to court and got a restraining order against them. The officer of the Northern Land Council at that time had spoken to the Katherine police and told them not to involve themselves in this. Because of the Northern Land Council officer's involvement, the land council's personal advice, the police were unwilling to take any steps to protect us under the criminal law.

Mr SNOWDON—To clarify, the dispute that you are referring to was not a dispute which involved the land council directly; it was a dispute with other people.

Ms Allen—It was more or less on the nature of ATSIC's administration and funding.

Mr SNOWDON—But it was not a land council dispute?

Ms Allen—No, it was not a land council dispute.

Mr SNOWDON—But it was a dispute which affected your relationship with the land council?

Ms Allen—That is right. It was a dispute between families, between one group, the same mob of groups, of people.

Mr SNOWDON—Presumably these people also come from Innesvale?

Ms Allen—Yes, there are two families that are claimants.

Mr SNOWDON—So this other dispute has components of it that are members of the land trust who are also claimants of Innesvale as you are?

Ms Allen—Yes.

Mr SNOWDON—I get you. The other dispute, the ATSIC part of the Innesvale dispute, has got nothing to do with the land council directly but you are saying that it has implications for the way they are administering the fund?

Ms Allen—My concern is the fact that the Northern Land Council itself has denied me any assistance or any kind of support that they have under their act. One of their jobs is to be able to reconcile or get an end to this dispute and start getting people to sit around a table and talk. The fact of the matter is that the land council has not done that. They have done nothing but create more and more problems.

When we found out that Innesvale was being handed back, we went to the Northern Land Council and the land council office here said, 'We believe that there is going to be a meeting.' Even though there were going to be people at that table in dispute, our first aim was to make sure that we sorted out Innesvale and had our land trust set up there. We were not privy to that. Land Council did not tell us. They then told me, 'Here are the people that are on the land trust,' and that was it.

Mr SNOWDON—So your concerns are primarily twofold. Firstly, they have not properly recognised people's legitimate traditional ownership. Secondly, they have not concerned themselves to properly resolve disputes between traditional owners over a particular block of land. Is that basically what it is about?

Ms Allen—That is correct—and the fact that people are being denied justice.

Mr SNOWDON—I understand.

CHAIR—Thank you, Marie. We appreciate very much you coming today and telling us this. This part of the submission will be sent by us—I am sure the committee would like me to do this—to the chief executive of the Northern Land Council and the chair along with a copy of the transcript. We will ask whether they could please communicate with you on the matters you have raised.

Ms Allen—Is there a possibility that there can be justice for people in regard to the land claim and the way it has been conducted to date?

CHAIR—I cannot give you legal advice on that. That is a matter that the committee today cannot give you advice on.

Mr SNOWDON—What stage is the land claim at? This is a pastoral lease—

Ms Allen—That is correct.

Mr SNOWDON—over which there is a land claim.

Ms Allen—On Innesvale?

Mr SNOWDON—Yes.

Ms Allen—Of Innesvale Station itself?

Mr SNOWDON—Yes. Innesvale was purchased. It has now been claimed.

Ms Allen—That is correct.

Mr SNOWDON—What stage is the process at?

Ms Allen—At the stage where I believe that they have set up the land trust. It has been passed but I do not know when the title is being handed over. We have not been privy to any—

Mr SNOWDON—Righto. Let me just summarise to get this clear. The land claim process is finalised. The report has been finished. There has been a recommendation to the minister. You are waiting for the land to be handed back. Is that, effectively, where it is at?

Ms Allen—Yes. Can I just say something about Innesvale? It did not go through the normal land claim process that happened with other places. I do not know what happened there but certainly they had come to an agreement or settlement after that, and that is how it happened.

CHAIR—No dispute?

Ms Allen—Yes. But certainly at that time there was a dispute.

Mr SNOWDON—Mr Chair, perhaps it is worthwhile pointing out that if it had gone to the land commissioner there would have been a hearing where the stuff that Marie is talking about would have been on the table. I do not know what the process is, but if the agreement has been reached about the land claim and the land commissioner has not made a decision—was there a land claim hearing—

Ms Allen—No, there was not. We just had anthropologists out there and then—

Mr SNOWDON—They were scheduled?

Ms Allen—Yes, it was scheduled. We were then just told that the land trust was set up. Our concern is that we were part and parcel of the land claim process prior to settlement and yet we were then excluded when the title was given.

Mr SNOWDON—Thanks, Mr Chair.

CHAIR—Our next witnesses have arrived, Marie. Thank you very much. We will do what we can to get Northern Land Council to respond to you quickly. We wish you well.

Ms Allen—Thanks very much.

CHAIR—Thanks, Marie.

[5.03 p.m.]

DANIELS, Mr David, Spokesperson, South East Arnhem Land Steering Committee

HALL, Mr Nelson, Member, South East Arnhem Land Steering Committee

LANSEN, Mr Jacob, Member, South East Arnhem Land Steering Committee

LANSEN, Mr Ronnie, Member, South East Arnhem Land Steering Committee

THOMPSON, Mr Cliff, Member, South East Arnhem Land Steering Committee

WRIGHT, Mr Alan, Coordinator, South East Arnhem Land Steering Committee

CHAIR—Thank you very much for coming to talk to us today. We are required to make this statement for all committee hearings in Australia. Although the committee does not require you to speak under oath, you should understand that these hearings are legal proceedings of the Commonwealth parliament. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament.

Our Hansard reporters are taping the proceedings today. We will send you copies of the transcript so that you can read it. We understand that you are happy for other people to read your evidence and that you are happy that we publish that evidence for the public and as part of the history of the proceedings. Is that right?

Mr Wright—That is correct.

CHAIR—Before we ask you questions, I would like to thank you very much for the submission. The committee met this morning and have authorised its publication; it is now an exhibit as part of the history of this inquiry and will be available to the public. Thank you for giving us that submission. It certainly helps us to get it in advance, I can tell you. It is very difficult for the committee to receive a written submission and expect to talk to people at the same time, so you have helped us and we appreciate that. Would you like to make some comments to us before we ask you questions?

Mr Wright—If I may make a comment on behalf of the group, my position, as I have explained to the secretary, is firstly as a resource support to the group—they have engaged me as a consultant. I am also here today to facilitate discussion. When we are going through things, perhaps I could mention a topic, then pass on to a group and let them talk about those things and respond to any questions that the committee has. Is that satisfactory to you?

CHAIR—That is a good idea. Before you do that, in two or three sentences could you tell us what particular parts of the country the people come from?

Mr Wright—This group all come from the Ngukurr community but have connections with Numbulwar, Urapunga and other parts of land.

CHAIR—How many people would they feel they are talking for today?

Mr Wright—Maybe David could answer that.

Mr Daniels—We are talking for a lot of people. Daniels is a big group down at Roper, so I talk for the Daniels, and Lansen talks for the Lansens. We are big groups. Alawa, Wandere, Marra, Nunggubuyu and Ngandi are here today. These are big groups.

Mr Wright—Both the submission to this committee and the submission to the Reeves inquiry review talk about the fact that there was a plebiscite back in 1989, with 60 per cent of the voting population supporting the then application for a land council. This group—

Mr MELHAM—How many in the voting population? What people are we talking about?

Mr Wright—I stand to be corrected on this—I have not looked—but I think it would be in the order of 2,500.

Mr MELHAM—One of the concerns that you talk about even in the introduction to your submission is the complex issues. I am just wondering about your capacity to really service that community.

Mr Wright—It has been difficult, and that is one of the things we would like to talk about later on, if we may.

Mr MELHAM—That is what I am saying. In relation to you, for instance, you are a consultant who has been engaged by the group. Are they paying you or are you being paid elsewhere?

Mr Wright—This group are paying me. I am engaged by them as a consultant.

Mr MELHAM—That is okay. So it is coming out of community funds?

Mr Wright—It is not my position to say where it is coming from.

Mr J. Lansen—I think it is not relevant to discuss that issue at this point of time. It is irrelevant who is paying who.

Mr MELHAM—I am not trying to embarrass you on this. I am just interested as to whether it was the community's own resources or whether there should have been provision from the NLC to facilitate you in making a submission. That is what I am trying to work out.

Mr Wright—That is covered in here. The group were in fact disappointed they did not get more support. I say I am engaged and paid, and I am, but I do a lot of extra at no cost.

Mr SNOWDON—Mr Chairman, I have just had a request to put to our witnesses. A Mr Phillip Bush and a Mr Morris Lansen from Ngukurr are outside, wanting to know if they can attend this meeting.

Mr J. Lansen—They are not in the steering committee. Therefore, it is irrelevant for them to be here. They are in the opposition.

Mr MELHAM—It is only relevant in this respect, Jacob.

Mr SNOWDON—All I want to do is get the determination of the chair. I have had a request from them to ask if they can participate and listen to this meeting. All I am asking is that that request be put.

CHAIR—My response is that the group here have asked for a meeting in camera. I have no request from them to include others. Is there anyone else that you want included in this in camera meeting?

Mr Daniels—No.

CHAIR—We will proceed then.

Mr J. Lansen—Not at this moment. They will have the chance tomorrow, and the whole community will.

Mr MELHAM—In other words, there are divisions in your community and you represent a section of the community.

Mr J. Lansen—The majority.

Mr Wright—This group feel they represent the majority.

Mr MELHAM—What do you class as a majority?

Mr Wright—They believe that there was a 67 per cent result in the plebiscite. This group—

Mr MELHAM—That was 10 years ago.

Mr Wright—That is right.

Mr MELHAM—Is that still the same?

Mr Wright—This group, who were involved in that, think that people who were opposing the position then are now supporting it. This guy here, for example.

Mr J. Lansen—Nelson Hall was one of them—the opposition.

Mr Wright—They feel confident in themselves that they are representing a majority.

Mr SNOWDON—So tomorrow when we ask people if you represent them or if they represent them, what are they going to say?

Mr Wright—I do not know.

Mr J. Lansen—I am not going to put it in their mouth, if they come and support us.

Mr MELHAM—No, they can do it.

Mr SNOWDON—But we have got a problem here, haven't we, because tomorrow, when we get to Ngukurr, people will say, 'We represent the people from Ngukurr,' and we will say, 'That is all right, we had some people yesterday saying they represent you.'

CHAIR—Well, that is all we will tell them. That is okay. I do not mind.

Mr MELHAM—In terms of your steering committee, how much consultation was there? I am not trying to embarrass you. I am trying to work out the level of support and the level of consultation in your community.

Mr Wright—Mr Melham, I do not think it is an embarrassment really, because it is a difficulty.

Mr MELHAM—Yes.

Mr Wright—It is a real difficulty. This group are disappointed that they have not had more support from the land council, not only for this but over a 20-year period when there has been no workshopping, no canvassing of views, in the wider context. It is difficult to look at the Reeves report, two voluminous—

Mr MELHAM—It is complex.

Mr Wright—That is right. But the group organised workshops and went through the issues, item by item. In many cases the steering committee have agreed that they are very complex issues. We are not in a position to give a comment now but we would like to express some views that are relevant to the terms of reference that you people have.

Mr QUICK—Before you start, when Reeves went out to Ngukurr—

Mr Wright—He did not go to Ngukurr.

Mr QUICK—He did not go?

Mr Wright—No.

Mr MELHAM—He did not come and talk to you?

Mr Wright—This group came and talked to Reeves here.

Mr J. Lansen—We had to fly to Borroloola to talk to the man.

Mr MELHAM—So you had to go to him; he did not come to you?

Mr J. Lansen—Because there were people like that mob there—

Mr Daniels—With the land council, those people—

Mr J. Lansen—They were telling them that we have got no support.

Mr QUICK—So two groups from Ngukurr went and spoke to Reeves.

Mr MELHAM—Or one group? Were you the only group that spoke?

Mr J. Lansen—No, the land council had the group too.

Mr Wright—There would have been people from Ngukurr who went to either Borroloola or Numbulwar and spoke to John Reeves and who may be supporters of the Northern Land Council. But there would be this group and a lot of their supporters who put the authority to this group to speak to John Reeves at a meeting here in Katherine.

Mr QUICK—Were the views of both sections of the Ngukurr community the same?

Mr Wright—I cannot say I know the ones of the people outside of this group. We are only concerned with this position.

Mr Daniels—It cannot be the same when people like that ask questions and you ask silly questions and Northern Land Council ask questions. Everybody has different questions about what we are trying to do for our people.

Mr SNOWDON—David, understand this, though: we are getting different views expressed to us.

Mr MELHAM—Different messages from the community.

Mr SNOWDON—You assert that you represent the people of Ngukurr, yet you come and have a private meeting.

Mr Daniels—But those two are not Ngukurr people.

Mr SNOWDON—I understand that, but why wouldn't they legitimately argue, 'Why cannot we be part of your meeting? If you represent us, why can't we be here?'

Mr Wright—Because they are meeting tomorrow, as we understand it.

Mr Daniels—Those two men represent the Northern Land Council.

Mr SNOWDON—I understand that.

Mr Daniels—They do not represent the people.

Mr SNOWDON—Tomorrow there is going to be a meeting at Ngukurr, is there not, to which you are all invited?

Mr J. Lansen—Yes. They are two who are invited.

Mr Wright—This group thought they would like to have a steering committee meeting with this committee, and asked to do that.

Mr Hall—And they are not invited.

Mr SNOWDON—I understand that. This committee wants to meet with you. That is not an issue. The issue is that, somehow or other, this committee has got to do some thinking about who is boss of the wash, who represents who, whose views prevail.

CHAIR—Can I come in on that point? The chair believes—and I think the committee would support me—that our job is not to make a judge and jury decision. You are telling us that you have a view. We want to hear your view as equally I want to hear the view of the other people—and we will—and we will give them respect; we will give you respect. I would like to clarify: you have said you have had some workshops to help you prepare for today. How many workshops were there?

Mr Wright—Two.

CHAIR—Where were they held?

Mr Wright—At Ngukurr.

CHAIR—How many people attended those workshops?

Mr Wright—Just the steering committee.

CHAIR—That is the people here today?

Mr Wright—Yes.

CHAIR—Did you publicise those workshops and invite anyone else to attend?

Mr Wright—Yes, but regrettably there was a large funeral that had not been planned for with the last one, and people who were going to come were preoccupied with that.

Mr Daniels—I will correct you on that. We had our public meeting—our community meeting—after you left—

Mr Wright—I am sorry; I was not there.

Mr Daniels—and I told them that the Northern Land Council is in opposition to what we are doing. People like Phillip and Morris were out there. I told them what we were talking

about. I had a meeting myself. My group is the biggest group down there; it will outvote you.

CHAIR—Do you intend to participate in the meeting tomorrow?

Mr Daniels—Yes. We are going back as soon as we finish the meeting.

CHAIR—Will you let the other people talk without interrupting them; will you let them talk to us tomorrow?

Mr Wright—Yes, it is a public meeting.

Mr Daniels—It is a public meeting; anybody can say what they want to say.

CHAIR—I just want you to know that we are here as friends. We are not here to make judgments about anyone, and I want to lay down some ground rules for tomorrow. I do not want any misunderstandings tomorrow. Everyone is welcome to put their point of view.

Mr Wright—One of the reasons the group decided they would like to do this this way was so that there would not be a bun fight, so that they could put a view, which they believe they have majority support for, and then if there is a meeting at Ngukurr—and at the time this was asked for, it was not realised that that was just a maybe—they are quite comfortable with everybody having their own position. People have been talking about destroying land councils. This group—as we will say—are not about destroying large land councils; they are about having their own land council.

CHAIR—I think that the position is clear; we should proceed now.

Mr MELHAM—On that point, I am wondering whether it is viable to have your own separate land council, or would it be better to have some regionalisation where the land council is required to service the area. I am worried about wasting resources—don't take me wrong—whether a separate land council can be sustained. I am interested that it went to the minister once and the minister, even though you had 67 per cent support, rejected the bid.

Mr Wright—And the people are bewildered by that decision.

Mr MELHAM—I accept that. Were reasons given; were you told that you did not have the capacity to service that area?

Mr Wright—No, not at all.

Mr J. Lansen—We do not have the capacity now, because we do not have the resources to do it now. You have got to have a horse before you pull the cart.

Mr MELHAM—I am wondering whether regionalisation might be the initial response to try to set up facilities through the NLC there.

Mr J. Lansen—We are already under that.

Mr Daniels—I was a member of the Northern Land Council for 14 years, so you listen very carefully to this: for the 14 years that I was with the land council I said that people should run their own land council. I was singled out in land council meetings to say, ‘You have got to regionalise the council. You have got to give us more power in our regions.’ When I was still in the land council, we established seven regional land councils, but there was no power.

Mr J. Lansen—There were seven regional councils set up, even offices set up and paid workers to do the job and nothing has been put under—

Mr SNOWDON—But that is a problem with section 28 of the existing act, isn’t it?

Mr Wright—I would agree with that. That is not to say that you cannot have a strong regional council.

Mr SNOWDON—The current act provides for the minister to allow delegations from the land councils to regional organisation committees, does it not? From what you have just said, it seems to me that the issue here is that there is not enough authority or power down at that end.

Mr Daniels—Yes, because the land rights act through the Labor mob would not allow the people to have that regional authority.

Mr SNOWDON—That is not quite true.

Mr Daniels—That is what I was told, because I was in the land council.

Mr SNOWDON—So were other people.

Mr J. Lansen—That is one of the reasons why we were given the land council, because of that—that is exactly the reason. You were in there then.

Mr SNOWDON—Section 28 of the land rights act refers to the power of the land councils to delegate. It says what they cannot delegate.

Mr Wright—It is not to say that you cannot have a strong regional council.

Mr SNOWDON—Excuse me, do you mind if I finish?

Mr Wright—No, I am sorry.

Mr SNOWDON—The point I am trying to get at here, is that there are a number of ways to skin the cat. Yes, a regional council, a new body, is one way. I understand that. The other way is for the act to be changed to give all regional councils around the Northern Territory; all committees set up under the land rights act, more authority and power. You get some way to where you want to go, although it may not be all the way where you want to go.

Mr J. Lansen—No, not the way you wanted us to be.

Mr SNOWDON—Jacob, do you understand what I am saying?

Mr Daniels—You are muddling yourself up.

Mr SNOWDON—No, the act says that the land councils cannot delegate certain powers. They cannot let you do it.

Mr Wright—If the act is changed, then you can have a stronger regional land council under the Northern Land Council. Do you see that as an option, as opposed to having your own land council? What is your position on that?

Mr Daniels—What is your question?

Mr Wright—If the act is changed to allow the Northern Land Council to put in stronger regional land councils—

Mr Daniels—That was asked for.

Mr Wright—Yes, but if the act was changed to allow it to be stronger, would you consider that as an option, or would you prefer to have your own autonomous land council?

Mr J. Lansen—I would rather have a land council.

Mr QUICK—So assuming you had your own land council—if a magic wand was waved and you got your own land council—could you survive economically?

Mr Daniels—Yes, because we want to make our own decisions.

Mr QUICK—But you can make your own decisions and not have any financial backing and you do not—

Mr Daniels—It is up to you, the government, to give us some money.

Mr QUICK—No, we are not going to give you money. Like the Reeves report said, you could have 18 regional councils and if you do not give them the resources, you will all fail and you are no better off—probably worse off—than you are under the four land councils you have got now. The solution is not, in my mind, to let you have what you want. One of the recommendations could be ‘Okay, we agree with you.’ If you do not have financial support, you fail. To expect someone to come out with a bag of money and say, ‘You’ve just got a new regional land council. Here’s all this money so you can go ahead and do it’ is just fairy stuff.

Mr Daniels—You did that to the Tiwi Island and Groote Island. You are just saying rubbish.

Mr Wright—It happened with them.

Mr QUICK—With respect, the Tiwis are a separate group.

Mr Daniels—They are Aboriginal people.

Mr Hall—It is the government making the people separate. But we are not separate.

Mr Daniels—You make us separate.

Mr Hall—You are separating us.

Mr QUICK—You agree with Reeves to say we should have 18 regional councils and abolish—

Mr J. Lansen—No, we are not asking for 18 regional councils—we are asking for one.

Mr QUICK—Yes, but what about the other 17?

Mr Daniels—That is not up to us.

Mr J. Lansen—That is not up to us to make that decision.

Mr Daniels—Other people have got to ask you that.

Mr Wright—As I said earlier, if the larger land councils continue to exist in the Tiwi and the ALC, that does not really concern the group. The group want their own land council and they want funding as per the ALC and the Tiwi. If other groups like Anmatyerre or any of the other groups that we hear about feel that they have got the capacity to develop and they want that as a tool, as a vehicle to help their development, that is up to them. It is not for us to say, ‘This is right or that is right.’ There is nothing wrong with wanting to have the management of your own affairs, based on traditional methods that exist in the region, rather than some land trust in another group, who are not right to speak for that region.

Mr QUICK—I can understand that, but some of the populations for some of the recommended land councils are very small, less—

Mr Wright—This region compares favourably with Tiwi and Groote.

Mr QUICK—less than a couple of thousands. To financially provide the resources to that, in my mind—

Mr J. Lansen—Are you asking us whether the land council would be viable? I think it is viable because you have got barramundi fishing, crabbing and all sorts of things.

Mr Thompson—Cattle.

Mr J. Lansen—You have got mining, cattle and a few other things that could be developed if we had our land council.

Mr QUICK—Okay, if you set up your land council, are you going to be a duplicate or a copy of the Northern Land Council where they have got 27 anthropologists and they have got a whole lot of other things?

Mr J. Lansen—No.

Mr QUICK—So where Mr Wright said there should be a transition stage from you having nothing to you actually having what you want, rather than just going from nothing to what you want, there ought to be a transition period to see how you can manage your affairs through to full implementation?

Mr J. Lansen—No, these things are all set up to put the pressure on us so that we could go and say these things. That is not our whole view. We should still have better resources from the larger council, or use the resource from the larger council, like the lawyers and the anthropologists to start us off. That should still be one big body with the land council. But we use the resources from that land council to put—

CHAIR—Can I come in now? I have listened carefully to my friends and yourselves. I notice on page 8 of your submission what you say is that you believe that, unless you are given the responsibility to manage your own land matters, you will not move forward as you should. You want your communities to be enabled to be an integral force in shaping their social, cultural and economic development, for this and following generations. The people you represent believe passionately that you have a right to autonomy and self-determination. That is what you are here about today. Is that right?

Mr J. Lansen—Yes.

CHAIR—Having accepted that as your objective and to me it is a very worthy objective for any people in Australia to want that sort of right. I just want to clarify a couple of things. First of all, the Aboriginal land that would be within the area that you would like your separate land council to be made up from is already granted. Is that right?

Mr Daniels—It is all Aboriginal land, Arnhem land.

CHAIR—The Aboriginal land that you wish to be able to manage yourselves with your own land council has already been granted. Is that right?

Mr Daniels—Yes, most of the land.

CHAIR—The court cases, the legal battery of lawyers and barristers—

Mr Wright—It was automatically made Aboriginal land under the land rights act as schedule 1 land.

CHAIR—Okay. So the notion of having to fight land claims is not what your modern, new land council would be about? That is all past; that has gone.

Mr Daniels—Yes, that is right.

CHAIR—So what you would say—disagree with me, please, I am just trying to help flow the idea along a bit—is that if you had a brand new land council, it would be staffed by the appropriate number of people that you would need for your area and not be the same mirror image model of other land councils, because you would not have to fight land claims. Would that be right?

Mr Daniels—Yes.

CHAIR—So you would be land managers looking at your resources and the businesses.

Mr Daniels—For our particular land.

CHAIR—All right.

Mr Wright—To facilitate economic development, be it business ventures or on the land, whether it be cattle or whatever.

CHAIR—Okay. I want you to tell me a few stories, if you can, about why you are not able to do that now? What is it that has been happening to prevent you achieving those goals that you want for your people? Give me some examples, please.

Mr Daniels—When the land rights act came into being—let us get the picture very straight—the local community was there before the land rights act was born, the Numbulwar and Minyerri. We were there as a community with all sorts of people, not only local traditional owners but everybody. We were living as a community.

The land rights act came in and they took our shop away from us. We had a local community store there. They just came and took it off us, because they reckon the land rights act says so. That is one example. They used the land rights act for a particular group of people, but our traditional local area, the Numbulwar area, has three tribe groups. There is the Mingeringi, the Junggaiyi and Dalnyin. Three groups have to decide about that land; not one group. The land is an issue. The question you asked the first time; that was Aboriginal land before the land rights act. Why do we have to go through all this fuss? All we are asking for is a land council that we can manage for ourselves in our region.

Mr MELHAM—You went to a minister in the previous Labor government back in 1989, and he rejected it. Has there been any attempt under this government and this minister to do a fresh application?

Mr Wright—We see that as one of the processes that we should follow, because this will probably go on ad infinitum.

Mr MELHAM—I know that. That is what I am asking. You were knocked back by the previous minister, Robert Tickner. Has there been effort to resubmit the application?

Mr Daniels—Everybody must remember that the Reeves report did not bring us to set up to talk about regional council for our area.

Mr MELHAM—No, you did it before.

Mr Daniels—We did it all the time. We were talking about it; our fathers, like Dexter Daniels. People went to Africa and Russia. Our people from Ngukurr went all over to talk about land rights and have something to manage and be in charge of in our area.

Mr MELHAM—I said that. That is why I am asking.

Mr Wright—May I make a comment? Back when Mr Tickner was minister—and a good minister—there was an application put in for a land council in north eastern Arnhem Land. It was said that there would be no more land councils until the act was looked at again. Then this review was announced in 1997. People knew it was coming and they were not interested in looking at an application under the existing act.

Mr MELHAM—That is what I was just asking.

Mr Wright—That is right. Because this review was an opportunity for people to put their case, they thought that that was the appropriate vehicle to use. They continue on with that, but they have not discounted using the existing provisions of the act, and we are, in fact, progressing that as we speak now, even though it has not gone as far as it perhaps should.

Mr QUICK—The solution seems so simple. You are a steering group. Ten years ago you put a submission in to be granted your own land council and that was knocked back. Now you are bringing the idea forward again. What is going to change once you get your land council? You are representing 1,352 people. What additional things do you need? What is going to be different if tomorrow John Herron says, ‘Yes, go for it. You’ve got it. I’ll sign a piece of paper’? What is going to change?

Mr Wright—The ability to develop private enterprise and commercial economic activity. This group—and I will let them talk to you—find that very difficult under the existing situation.

Mr QUICK—Why can’t they do that? Do they require a whole lot of money? Once they are a council, do they assume a whole a lot of money is going to flow to enable to do all these things?

Mr Daniels—No.

Mr QUICK—Why can’t you develop things now?

Mr J. Lansen—Under the existing act, because we are not all traditional owners of that community—

Mr MELHAM—As per the act?

Mr J. Lansen—As per the act, we are not allowed to do that.

Mr QUICK—How many people here are traditional owners?

Mr J. Lansen—All of us.

Mr QUICK—Why can't you guys get together?

Mr J. Lansen—Not all of us.

Mr Wright—Because the act does not interpret traditional owners.

Mr Hall—We are not traditional owners.

Mr Wright—They are talking about Mingeringi, Junggaiyi and Dalnyin which is the composition or the structure of traditional owners in the region. The act does not recognise that. The act has a blanket, narrow interpretation of 'traditional owner'.

Mr QUICK—So no economic development can take place in an area unless you have a land council?

Mr Wright—No.

Ms HOARE—Are any of you members of a land trust in the Ngukurr region?

Mr Daniels—Ngukurr haven't got a land trust. That's how bad it is.

Mr Wright—There is no land trust at all. It is all part of the Arnhem Land land trust. There is a large Arnhem Land land trust. Maybe Jacob or Nelson might like to talk about land trusts and what they feel about land trusts?

Mr J. Lansen—We have a whole lot of other people in the land trust and the way you get into the land trust is to be in the land council or a member of the land council to be in the land trust. We have got no chance of getting into the land trust.

CHAIR—Why not?

Mr J. Lansen—Because we are not land council members.

Mr Daniels—Others were.

Mr J. Lansen—He was, but they were chosen. You have to be chosen from my people.

Mr Daniels—From my people.

Mr J. Lansen—Not by your people; by the land council.

Mr QUICK—If you have majority support in the committee, why can't you do things? If you have got the majority of people behind you, why can't you have economic development?

Mr J. Lansen—The land rights act does not allow us to do that. The traditional group is a minority.

Mr QUICK—Why can't you do it under the umbrella of the Northern Land Council?

Mr Daniels—Because they don't want to help us.

Mr J. Lansen—The land council advises traditional owners not to do that because they will lose their power around the land.

Mr MELHAM—Isn't that your problem? Under the trust deed other people are.

Mr SNOWDON—That is not what he is saying.

Mr MELHAM—Isn't that what he is saying?

Mr SNOWDON—Can I understand this? You are saying that there are traditional owners in Ngukurr who do not accept your right to make decisions with them. Is that what you are saying?

Mr J. Lansen—Yes.

Mr SNOWDON—They have a different view about traditional ownership than you have?

Mr Daniels—Yes.

Mr SNOWDON—They may be a minority group, but are they identified as the traditional owners of Ngukurr?

Mr Wright—By the existing act.

Mr Daniels—Under the land rights act.

Mr MELHAM—But there is a problem, isn't there, in terms of your acquiring their property? You cannot become traditional owners or title holders unless you purchase that property if you are not recognised under the act.

Mr J. Lansen—That is one of the reasons why we have to have that land—the whole region—because in that region everyone of us here is traditional owners. If we do not get a chance to set up a business enterprise or something like that on that traditional owners' land in Ngukurr, then we have that right to do it on our land and other parts in that region.

Mr SNOWDON—Jacob, can you clarify that for me, please? Apart from the store, can you give me some examples of where, in the whole region you are talking about, people have wanted to develop land and have not been able to?

Mr J. Lansen—You are partners, for instance. You are partners under the land rights act and traditional owners have that. You can come down tomorrow and see Urapunga.

Mr Daniels—It is a mess.

Mr J. Lansen—Once it was a business venture. It had a pastoral lease. Now it is as dead as a doornail; there is no action in there whatsoever. A couple of metres from here to you away there is a community thriving with business and other things. This is from here to you away.

Mr SNOWDON—What is the problem at Urapunga?

Mr J. Lansen—The land rights act.

Mr SNOWDON—But how?

Mr Daniels—The land council took over the things there. When we bought the station, the lease should be handed over. You remember; you saw that paper. Six months ago it should have been handed back. It was not handed back.

Mr J. Lansen—We didn't know about it.

Mr Daniels—It wasn't handed back to the traditional people, the relevant people who applied for the application to buy the station.

Mr SNOWDON—Where was it handed to?

Mr Daniels—For excision. The fishing mob applied to this ATSIC mob to buy the Urapunga cattle station pastoral lease. The land council came, and I don't know how. You know about that; you mob know that—white man know. They came and then took over. We can't see any reason why they took over and it is like that now for ever. The Ngukurr shop has closed.

Mr Hall—There was a shop in there, too. The land council came in and took over the whole thing.

Mr MELHAM—You were going to say something at some stage about trusts. Do you want to do that when Jacob has finished?

Mr J. Lansen—There are three communities there. There is Urapunga, Roper Bar and Ngukurr, and Urapunga shop. They are shop businesses running, three of them. And that was running the same as the others and there is nobody. The whole business closed because the land council took over and didn't want to run it. They took all the money and didn't go and buy stock or anything to stock it up. They just left it in debt.

Mr SNOWDON—Mr Chairman, can I suggest that we ask the Northern Land Council to report on Urapunga to get a statement from them as to what the hell is happening?

CHAIR—I think that is a good idea.

Mr Daniels—We have been asking for that.

Mr MELHAM—We will ask.

Mr Hall—I was the ATSIC member and I got the money from ATSIC to buy four enterprises, not for traditional people and other people that live there.

CHAIR—Warren, thanks for that suggestion. It is a good one. We will also ask them to give us an overlay map showing the entire area of land and the boundaries of the land trust and the names of the people on each land trust. We will be able to see that on a map.

Mr Hall—Like David said earlier, the applicant got the money, but the land council came in and took over and did not give the station to whoever put the application in. The land council gave it to the traditional owner and themselves to look after.

Mr SNOWDON—But the land council does not own it?

Mr Hall—The land trust.

Mr SNOWDON—For Urapunga.

Mr Hall—No. Not Urapunga—

Mr SNOWDON—We are talking about Urapunga now. Nelson, you and I are talking about Urapunga. You are saying ATSIC purchased it and that the NLC got hold of it and said, ‘The traditional owners for this place are these people and they are the people we have given control to.’ Is that what you are saying?

Mr Wright—No. The land council is not in control of it.

Mr J. Lansen—The land council does not hold the title. The title is held by someone else.

Mr Hall—They do. The land council have the title.

Mr SNOWDON—It is not in their name.

Mr J. Lansen—It is not in their name, but they have the title.

Mr MELHAM—In whose names is it then?

Mr Wright—They said they were going to identify the traditional owners and that has not been done.

Mr Daniels—They were done three years ago.

Mr Wright—This group are saying that they believe that the Yapanalla group—

Mr QUICK—David, you said you were on the Northern Land Council for 14 years. You are not on it now. How many people from your community are entitled to be on the Northern Land Council?

Mr Daniels—Anybody.

Mr Wright—No, how many in number?

Mr Daniels—Four.

Mr QUICK—How many have you got on that Northern Land Council?

Mr Daniels—Four.

Mr QUICK—Four representing your community. And the other people we will speak to tomorrow have none?

Mr J. Lansen—No, that represents that whole community.

Mr QUICK—How many of those four are supporting you guys?

Mr Daniels—None of them; two of them do not support us.

Mr QUICK—So you have the numbers. You have 67 per cent of the community support and you cannot get anybody on the Northern Land Council? Why?

Mr Wright—They had somebody on the Northern Land Council.

Mr QUICK—One before. I am talking about now.

Mr J. Lansen—He was one of the land council but pulled out.

Mr QUICK—I am talking about now, 1999. You have majority support from the community and yet you have no-one on the Northern Land Council.

Mr Wright—You have to look at how they are elected.

Mr MELHAM—How are they elected? Can you just tell me how it has happened.

Mr Daniels—How they get elected is that four members of the community have to be elected to represent Ngukurr people in the Northern Land Council, not represent the Northern Land Council. But Aboriginal people from Roper reckon they represent the Northern Land Council. They should be talking for what we are saying.

Mr QUICK—But how did they get elected?

Mr Daniels—They had a meeting by themselves and elected themselves.

Mr J. Lansen—It should be the people like my clan.

Mr QUICK—Did you vote?

Mr J. Lansen—No, I did not vote. None of us were at that meeting.

CHAIR—You were not invited to the meeting.

Mr Daniels—We were from here to that house away.

Mr Wright—We were not invited to the meeting. Canberra is not the only place that has fierce politics.

CHAIR—I should have known this before. Obviously, I do not. How are members of the land council elected in the Northern Territory? Is there an election where everybody gets a vote?

Mr J. Lansen—Yes. There should be. That is how it should be.

Mr Daniels—No, it does not work like that. You go to the community. You pick four people.

Mr J. Lansen—In the community. Everybody in the community votes.

Mr Daniels—No. They pick four people and then each tribe has to vote for this one, this one or this one.

CHAIR—Yes.

Mr Daniels—There might be two representatives of Numburindi and two representatives of Ngandi. It is like that every time, because they are the two biggest groups.

Mr MELHAM—So how did you get elected for 14 years, David? When did you get off the land council? How long ago?

Mr Daniels—Fourteen years ago. I arrived there six years ago.

Mr MELHAM—Six years?

Mr Wright—Yes, but when did you come off?

Mr Daniels—I came off because I started that breakaway land council. That is when I went off.

Mr MELHAM—Did you resign?

Mr Daniels—Yes, I resigned.

Mr MELHAM—You resigned.

Mr J. Lansen—He was also a deputy chairman of the land council.

Mr Daniels—I have been deputy chairman of the land council a couple of times.

CHAIR—We are just getting Warren Snowdon researching it. What is the election process, Warren? Excuse me, Harry. We will just get the election process.

Mr SNOWDON—The membership of the land council under 29(1):

The members of a Land Council shall be Aboriginals living in the area of the Land Council, or whose names are set out in the register maintained by the land council in accordance with section 24, chosen by Aboriginals living in the area of the Land Council in accordance with such method or methods of choice, and holding office on such terms and conditions, as is, or are, approved by the Minister from time to time.

In addition to that, under 29(2):

The Land Council may, with the approval of the Minister co-opt Aboriginal people living in the area of the Land Council as additional members, but not more than 5 such members may hold office at any one time.

So it is a method approved by the minister as recommended.

Mr MELHAM—Did you object to the minister in relation to the election of these other people to the Northern Land Council, if you were excluded from the meeting? Were there any objections lodged about how those people were elected to the Northern Land Council?

Mr Daniels—We were told soon after the election, ‘These are the members.’ That was all.

Mr J. Lansen—Yes, that was all.

Mr MELHAM—So you did not take that up with the minister’s office?

Mr Wright—I do not think these people would follow those processes, with respect, Daryl.

Mr MELHAM—I was just asking. I am not blaming you.

Mr Wright—I am not sure the people are aware.

CHAIR—But if the tribes choose someone, that is it. They choose and then they write to the minister and say: ‘These are the names that have been chosen.’

Mr J. Lansen—But there are only about 20 people in there.

Mr MELHAM—Yes.

Mr Wright—That did not happen.

Mr MELHAM—How often are the elections? How long ago did this happen?

Mr Daniels—Every four years.

Mr J. Lansen—Nearly three years.

Mr MELHAM—And when did this happen?

Mr Daniels—Last year. Beginning of last year.

Mr MELHAM—And before then, you had people on?

Mr J. Lansen—Yes.

Mr MELHAM—How many did you have out of the four, that supported your group?

Mr J. Lansen—There should be four members there.

Mr SNOWDON—What he is trying to ask you is: how many of your group?

Mr MELHAM—How many of your group?

Mr SNOWDON—He is thinking of factions, here.

Mr Wright—Lindsay, Joshua—

Mr MELHAM—I am thinking of the Labor Party!

Mr Wright—Lindsay, Joshua would have been a—

Mr MELHAM—David was a representative. But that is from four years ago.

Mr Wright—Lindsay was until recently, and he is part of this steering committee. He is not here because of ill health and everything.

Mr MELHAM—That is okay.

Mr Wright—So he is off it now.

Mr MELHAM—So you had one out of four and David—

Mr Wright—No, Lindsay is still on the Northern Land Council, I think.

Mr MELHAM—So you have someone from your group on?

Mr SNOWDON—He is on the executive.

Mr Hall—They have got four members plus we are forgetting about proxy, because you have another four proxy and even observers.

Mr MELHAM—How many do you have?

Mr Hall—We have got an observer.

Mr J. Lansen—We haven't got anybody in that committee.

Mr MELHAM—What about Lindsay?

Mr Hall—He is from Numbulwar.

Mr MELHAM—But he is in your region?

Mr J. Lansen—Yes, he is in our region but—

Mr Wright—But he is not an active steering committee member because he is sick at the moment, right?

Mr MELHAM—I am just trying to find out.

Mr J. Lansen—The only reason we do not want to be in that land council is because if we go there we—

Mr SNOWDON—You get outvoted.

Mr J. Lansen—Outvoted ten to one.

Mr MELHAM—Is it a fact, then, that you choose not to participate, as well? Is that part of the problem—that you are boycotting the process? Has that been—

Mr J. Lansen—No, we are not boycotting the process. We are still—

Mr Wright—They have been in it up until last year, but felt that it may not be, you know—

Mr QUICK—So the Northern Land Council could say: 'The elections for the four representatives in this area will be held secretly on a day' Is it happening just in your community or does it happen in other communities?

Mr Wright—I would not know. I cannot answer.

Mr Daniels—It is only happening in our region.

Mr QUICK—Or are they just having a go at you people?

Mr Daniels—Yes, they are having a go at us.

Mr MELHAM—Did the Australian Electoral Commission have anything to do with that election?

Mr Daniels—Nothing.

Mr Hall—They should, really.

Mr Daniels—They should.

Mr MELHAM—We will make some inquiries.

CHAIR—I want to ask you a question on another angle. In your submission you talk about wanting to get economic development for your people so they will not be on welfare. I notice Noel Pearson made a strong statement the other day about that, too. Have you got any plans at the moment for a particular area of land you would like to get a lease of so you could start some sort of commercial business?

Mr Daniels—Yes, we have been asking the Northern Land Council for the local region from Walmudga Hill to the border fence to lease that out from the traditional owner and the land council for community purposes.

Mr SNOWDON—Local government area?

Mr Daniels—Yes.

CHAIR—You have applied?

Mr Daniels—We did that every time we went into the land council and asked them when I was a member.

CHAIR—And they have refused, have they?

Mr Daniels—They never did do it.

CHAIR—What were you going to do on that land? What would you like to do on that land?

Mr Daniels—We would like to develop and build houses and roads for the community.

Mr J. Lansen—Economic reasons.

CHAIR—What are the reasons for them refusing? Have they given you any reasons?

Mr Daniels—Because they say under the land rights act traditional owners have to be happy, so they have to talk to the traditional owners.

CHAIR—I see. So the traditional owners have said no.

Mr Daniels—No.

Mr QUICK—So we can ask them tomorrow why they said no. Will they be at the meeting tomorrow?

Mr J. Lansen—Yes, they will be at the meeting.

Mr Daniels—Yes. It is up to you. Just ask them. We will be there listening.

Mr Wright—I think it is fair to say, too, if I may, that there is a baseline study being undertaken in the Ngukurr region by one of the larger mining companies which this group feels might be a vehicle for employment opportunity in the longer term. They are also looking, as I understand it, at priorities for various projects, enterprises and stuff like that. The group feels that if they are able to deal with that with the three-tier traditional ownership method that they are better placed to accelerate commercial and economic development.

Mr SNOWDON—This is with CRA, is it?

Mr Wright—No, with Rio. Rio is doing the big baseline study and that is to look at information.

Mr SNOWDON—This is about the leases.

Mr Wright—There is the Urapunga thing. But I mean David has now got an entertainment centre and had a lot of hassles with that. People have been looking at small things like video outlets and Nelson has been looking at tourism in terms of buffalo safaris and that sort of stuff. But aren't you looking now at putting priorities on another six projects that you had discussions on just the other day?

Mr Daniels—Yes, that is right.

Mr Wright—And that is all to do with land and things like that. All they want to do is go ahead and do it. They feel that having their land council using their methods—

CHAIR—But the land council said 'Sorry' because the traditional landowners will not agree.

Mr Wright—The history is there are always a lot of impediments and hurdles because of the way the traditional owner is defined in the existing act and the way the relationship is between the large land councils who are up in Darwin, not down in Ngukurr, in the region. These guys are very—

Mr SNOWDON—Bobby Nunggumajbarr runs the office in Ngukurr. Are you telling me that Bobby Nunggumajbarr does not know what is going on in Ngukurr?

Mr J. Lansen—He does know but he has not got any power.

Mr SNOWDON—I am interested in what you say here because you are saying, effectively, that Bobby Nunggumajbarr in Ngukurr takes no notice of what goes on; it is all up to what happens in Darwin.

Mr Wright—No, I am not saying that.

Mr SNOWDON—That is what you just said.

Mr Wright—No, I did not say that at all. I am saying that he has not got the full authority.

Mr J. Lansen—That is it. I am saying that is right.

Mr SNOWDON—Let us get down to it, then. If you had more authority—your point and your point earlier—to make decisions locally about all of these things—

Mr Wright—That would go a long way.

Mr SNOWDON—that would go a long way to resolving your problem, would it not?

Mr Daniels—It would.

Mr SNOWDON—Yes, that is what I was asking.

Mr Daniels—They are not going to allow us, the big land councils.

Mr SNOWDON—You would be surprised. The point is that section 28 in this document—I will not read it to you—does not allow them to.

Mr MELHAM—But if we change the act to allow them to let you make more local decisions, which is what I asked you earlier, that might go a long way to solving your problem.

Mr Daniels—Yes.

Mr MELHAM—You also said earlier, Jacob, that you would want to use the larger land councils, lawyers, anthropologists and other things—

Mr J. Lansen—As a support organisation.

Mr MELHAM—as a support organisation. So there might be a way to help you without throwing the baby out with the bathwater, is what we are saying. We might be able to recommend some changes to give you more power over your area.

Mr SNOWDON—I am interested also in how you resolve this issue of traditional ownership at a local level because I imagine there will be people who disagree with you.

Mr J. Lansen—That is not unusual.

Mr SNOWDON—I understand, Jacob, it is not unusual.

Mr J. Lansen—It is not unusual.

Mr MELHAM—You go to any Labor Party meeting and it is not unusual.

Mr Wright—If you had the majority wanting to use your own traditional system, that would have to stand for a lot.

Mr SNOWDON—It depends whose land you are talking about. I imagine if it was my land and I had a view about traditional systems and you had a different view—

Mr Wright—I went around all the communities when people were talking, and I did not hear one person say that they did not want to have Mingeringgi, Junggaiyi and Dalnyin. I went to a series of meetings and all the older men, people of every age level, everybody, expressed that view: do you think you should do it as it is done under the act or should you use the traditional method you use for ceremony with those three tiers? Everybody, to a person, said, ‘Yes, we should be doing it our way.’ That is the difference, I suppose, in doing it within a region and being part of a larger land council, because they would look at it in the broad. If the land rights act were amended to say that each region could structure their decision-making processes according to the regional traditional methods, maybe there is a—but the people still want autonomy.

Mr SNOWDON—The interpretation of ‘traditional Aboriginal owner’ under this act is very broad and in relation to land it says that it means a local dissent group—you would agree with that, presumably—of Aboriginals who have common spiritual affiliations to a site—you would agree with that—on the land, being affiliations of that place, the group, under a primary spiritual responsibility for that site and for that land. Presumably you agree?

Mr Daniels—No.

Mr SNOWDON—You do not agree that you have primary spiritual responsibility for a piece of land?

Mr Daniels—Spiritual affiliation and a cultural thing is Junggaiyi, Mingeringgi and Dalnyin—three not one.

Mr SNOWDON—I am not arguing that it is not one. I am saying that there are—

Mr Wright—It is not interpreted as three; it is interpreted as only one.

Mr SNOWDON—The group could be as broad as you like, I would have thought, and, secondly, is entitled by Aboriginal traditions to forage or reserve a right over that land.

Mr J. Lansen—The Northern Land Council expressed it differently.

Mr MELHAM—How would you change it; what would you put in?

Mr J. Lansen—I would run the new land council.

Mr SNOWDON—That is not going to help you, mate, because the definition is an issue.

Mr Daniels—If you give us a smaller land council, we will change it.

Mr Wright—We will make it work.

Mr MELHAM—That is why I want to ask David and Jacob—with the greatest respect, sorry. I am interested in what their definition should be of ‘traditional owner’. If you disagree with what is in—

Mr Daniels—They should be called ‘landowner’.

Mr MELHAM—Landowner.

Mr Daniels—Yes, not traditional owner. We all have tradition.

Mr MELHAM—In other words, a whitefella’s concept—

Mr Daniels—‘Tradition’ means a lot of things.

Mr MELHAM—I accept that.

Mr Daniels—If you are talking about tradition, it is everything: corroboree—

Mr Hall—So ‘landowner’ is the better—

Mr MELHAM—So you are interested in the European concept of ownership of land and traditional owner—

Mr Daniels—Because you put it in the European concept when you wrote the land rights act.

Mr MELHAM—I know that, but I am just asking you; I am not trying to put words in your mouth. That is why I am asking you what your definition would be. Is that your view, Jacob—‘landowner’?

Mr J. Lansen—A landowner under the land rights act is expressed differently, plus it gives more power to the people who own the land. In our tradition, the people who have more to say on the land and what happens on the land are not the landowners. They are the Mingeringi and Junggaiyi.

Mr MELHAM—Okay.

Mr J. Lansen—The Mingeringi is the owner of his mother’s land. That is our tradition. So anybody whose mother owns that land, has sons and daughters who are—

Mr Daniels—Caretakers.

Mr J. Lansen—not so much traditional owners, but caretakers of that land. So they express and do everything. The landowner can do something about it, but if the caretaker does not agree with them, he says, 'No, that shouldn't happen on that land.' That is the landowner's sons and daughters.

Mr MELHAM—So that is the way you would change the definition?

Mr J. Lansen—That is how it would make it so that it would be pulling for us, instead of being customary or whatever.

Mr SNOWDON—This act is broad enough to allow that to happen now.

Mr J. Lansen—No, the land council does not—

Mr SNOWDON—There are different methods, as you know, right around—

Mr J. Lansen—As I keep telling you, Warren, we have problems with the Northern Land Council. It expressed this thing differently from what you are saying now. There is bitterness between us, the land council and everybody about these things. As I said, we are flogging a dead horse.

Mr SNOWDON—Maybe, maybe not.

Mr QUICK—Assuming you get your land council, is there still going to be bickering between the factions in your community or is it going to be solved overnight?

Mr J. Lansen—It is not going to be solved overnight. There is going to be bickering still there. It will not be as tense as it is now.

Mr QUICK—What about the traditional owners who currently will not let you do what you want to do because they reckon the Northern Land Council better represents them? They are still going to be there saying, 'No.' They are going to stop you whether you have got your own land council or not.

Mr J. Lansen—Not all traditional owners of Ngukurr now are on one side. There are traditional owners on both sides now.

Mr Hall—More of them than us.

Mr J. Lansen—Yes.

Mr Hall—They are having problems with the land council.

Mr MELHAM—Before we close the meeting, Mr Chairman, I know time is getting away from us, but can I put on record that I appreciate the forceful way that members here have been putting their case. From my point of view, the whole purpose of the questions I

was asking was to try and get some information and knowledge as to what is happening on the ground in your community. I appreciate the fact the way the people here—even though I might not agree with everything you say—did not take a backward step.

CHAIR—Thank you. I certainly appreciate your input as well. Alan, you were about to say what you think the traditional owner definition should be.

Mr Wright—All I was going to say was that these guys have rammed into me for so long now that they feel very strongly that, if you have the traditional owner, as is widely accepted in the region, of that three tier of Mingeringi, Junggaiyi and Dalnyin, even though there might still be some problems, they have been able to resolve problems for thousands of years and believe that that is the best way for the Ngukurr region. They are not really concerned with anywhere else in the Territory. That particular system would suit them and allow them to manage land under the old system and reduce and minimise quite significantly the bickering and problems. Because there is a win-win for everybody in the region if you can get economic development and real jobs. That is what the people are really looking at. It is 1999; David said to me, ‘When are Aboriginal people going to be able to make decisions for themselves?’

CHAIR—So what you are saying is, because the traditional owners’ land trust is so large and it involves so much land, they find it difficult to deal with ideas about how to develop land and all that in a small area.

Mr J. Lansen—In our region.

CHAIR—What you argue, I think, is that if the area of land in a land council area was smaller and therefore the land trust within those areas would be smaller—

Mr Wright—They should be the same as the region.

CHAIR—even if they are the same traditional owners on that title. Are you saying that the custom of Aboriginal people would be, because it is a smaller area, that those traditional owners would be more responsive and more sensitive to what they are hearing from other Aboriginal people and would be more likely to resolve?

Mr Wright—Yes, there would be much more acceptance of the decision making.

CHAIR—I think I understand what you are saying.

Mr SNOWDON—There are a whole range of other questions which I wanted to raise which I will not.

CHAIR—You can, Warren. I just thought that we had finished.

Mr SNOWDON—I want to make a couple of observations about the submission. On the one hand I think there is a very forceful argument for giving regional autonomy. I do not have an argument with that. I find it very difficult to comprehend how you can then be

supporting NTAC, which proposes effectively to garnishee all of the money which you might raise out of that land and use it itself.

Mr J. Lansen—Can you say that again?

Mr SNOWDON—Your submission talks about NTAC. I am talking about page 5.

Mr Wright—It questions the revenue.

Mr SNOWDON—Hang on. Let me finish. You have just spoken very forcefully about why you disagree with having the Northern Land Council in Darwin which is too far away.

Mr MELHAM—Making decisions for you.

Mr SNOWDON—You are now proposing in this document to support NTAC, which is not elected by Aboriginal people, but chosen by the minister. Are you saying that is okay?

Mr Wright—They say that differently in the written submission.

Mr SNOWDON—Alan, can I just ask the question?

Mr Wright—Sure, but you are—

Mr SNOWDON—No, I am not. It says to agree in principle of the concept of—

Mr Wright—There is another section that makes it much clearer.

Mr MELHAM—Which section?

Mr Wright—I am just looking for it.

Mr MELHAM—Just take us to the section because we do not want to be under any misapprehension here.

Mr SNOWDON—You say the South East Arnhem Land Council strongly support the structure of NTAC. If you strongly support the structure, the structure of NTAC is people appointed by the minister. The land trust will have no assets. The assets will become the assets of NTAC not assets of Aboriginal people. You have less control than you currently have over your land at a regional level if you support this proposal. David, do you understand that?

Mr Daniels—Yes, I understand that.

Mr SNOWDON—You support that idea?

Mr Daniels—What I am saying, and this for all through the submission, is that in principle we support some of what Reeves has put up, but we need time to talk about it and about NTAC. We are not supporting it straight and direct and give us it tomorrow. We are

saying we need time to talk about these things. You are a parliamentarian and I am just an ordinary man from the bush. The Reeves report is so big—

Mr SNOWDON—I agree.

Mr Daniels—I cannot understand—

Mr SNOWDON—I could read it three times and still not understand it.

Mr Daniels—I do not want to understand it because I would need to be a white bloke.

CHAIR—At the bottom of page 3 they say they want further time to fully understand it.

Mr Wright—If I can bring your attention to page 3, on the third last paragraph—

Mr J. Lansen—We are not going to get a land council tomorrow. But you are expecting us to agree on everything today.

Mr SNOWDON—No, not at all.

Mr J. Lansen—You are. You are trying to get us to agree on everything today. We are not going to agree on everything today.

Mr SNOWDON—I only asked you a question that was in your submission.

Mr J. Lansen—We have to go back and review it.

Mr SNOWDON—What I am trying to get at here is that there is a contradiction.

Mr J. Lansen—Of course there is a contradiction. We have not agreed on everything that is in there. That is only an application.

Mr QUICK—This submission is going to go all around Australia and some people are going to say that you guys strongly support the structure of NTAC.

Mr Wright—It was really the concept of—

Mr QUICK—It says further that you would like to discuss and consider the selection process. My suggestion to you is that rather than strongly support, you—

Mr J. Lansen—Are you going to give us a land council tomorrow?

Mr QUICK—No.

Mr J. Lansen—That is what you are trying to—

Mr MELHAM—It is worse than land councils.

Mr J. Lansen—I know. If you give us a land council that is going to be worse. Let us go back and have a look at that thing again and we will talk about it.

Mr QUICK—This is now part of our record and as soon as it is printed, it is going to go all around Australia—

Mr J. Lansen—This is not Aboriginal law, if it was it would have been there for life. This is a white man's piece of paper saying—

Mr QUICK—These are your words.

Mr J. Lansen—On a white man's piece of paper, you always can change. You can change it now.

CHAIR—The last paragraph on page 3 also says:

Detail of the NTAC need further examination and discussion. As indicated earlier, NTAC is one of the complex issues that require more time to fully understand the detail of the proposal.

In fairness, what they have said to us is that they support the idea but they need to talk more and think more about it.

Mr SNOWDON—I want to ask a question. This is my point. There is a contradiction because on the one hand—what you write here is irrelevant. What I want to work out is what you believe. You want the smaller regional land council. I understand that.

Aboriginal people around the Northern Territory all say that they want more autonomy—that is not a problem. But you cannot then have a position that says, 'On the bottom we want autonomy; on the top we want someone to control us'—because that is what this NTAC means.

Mr MELHAM—That is the contradiction.

Mr SNOWDON—What I am asking you is not to say whether you think this is a terrific piece of paper because I do not think you do. All I am suggesting is that it is wrong to put stuff on paper that says that you strongly support the structure of NTAC when you clearly do not. If you do that, it means that people out there are going to believe that you do. I do not, because you have just said you do not.

CHAIR—The chairman knows what is meant.

Mr MELHAM—We do not want you to be misinterpreted—this is the problem. We understand that it is complex.

CHAIR—I regard that as an indication that NTAC should be examined, but you do not tick it off at this stage.

Mr Daniels—That is my view of what you are saying; it is as clear as anything.

CHAIR—That is my view of what you are saying.

Mr Wright—On page 3—and this is going on a little from where you explained it—the third last paragraph is a direct response to something that Warren raised as a problem. It says the steering committee has reservations about the proposed controls over RLC investment income. SEALC acknowledge the need for checks and balances but are apprehensive about overprotection affecting their independence. When they said that they support the structure, that was from the workshop we had. We put in there about the complex issues because we really had not had the full time to look at the total chapter about NTAC. It is a very detailed—

Mr MELHAM—In the middle of the page, you say that SEALC agree in principle with the concept of the proposal.

Mr Wright—The concept.

Mr MELHAM—The problem is that what that says to me—and I have a legal background, and maybe I am reading too much into it—

Mr Wright—You may and we would not, and that is the difference.

Mr MELHAM—Yes, and that is all I am worried about. The way the language is it could be misinterpreted. NTAC is not about giving you control. It is about you going to the boss and asking for your pay check tomorrow.

Mr Wright—This group is saying that they would like more information. We are quite prepared to discuss it further and look at the details.

Mr MELHAM—I am saying to you that that is open to misinterpretation.

CHAIR—Reading the submission and hearing the discussion that you have enlivened us with, I think it is clear that the community will understand exactly what you are coming at. You think it is worth looking at, but you are not signing off on it at this stage. You want to know a lot more. That means that you might find, after knowing a lot more, that you do not like it. That is what it means.

Mr SNOWDON—David, given that you have qualified the information about NTAC, I would be interested to know, after you have given it further consideration, if you accept the other recommendations of Reeves. I do not want to go through them all, but in relation to permits, land trust—

Mr Wright—We had stuff written today for discussion but it has not gone that far.

CHAIR—Mr Snowden perhaps has not had a chance to read your submission because he was not—

Mr SNOWDON—I have read it. That is why I am asking the questions. I have read the submission and clearly there is either stuff not in it, which reflects directly on Reeves's

recommendations, or what is in it is in conflict with what was earlier said. All I am asking you is, once you have given this more thought—as you were going to do—could you let us know what you think.

Mr Wright—Yes. The main thrust of the submission, if I may say, has been the development of a separate land council.

Mr Daniels—I am the spokesman for the steering committee in Roper River. I have been a leader of that community for 26 years. For the sake of our children, and our children's future, it is important that you give us a smaller land council so that we can run it at a local level and manage our own affairs instead of somebody, hundreds of miles away—for instance, in Canberra or Darwin—making the decisions for us.

When are Aboriginal people going to have the right to make their own decisions and to act on those decisions? We do not have this right at the moment. Every time we have got to make a decision about something—wanting a small land council or anything—we have got to talk to somebody else who makes the decision for us. When are we going to be able to make our own decision?

Mr J. Lansen—When will we be allowed to make those decisions?

Mr Daniels—You must give me my small land council, because it is very important not only for me but also for my children and my children's children.

CHAIR—Thank you, gentlemen. You have been excellent witnesses; you have helped the committee a lot.

Resolved (on motion by **Mr Snowden**):

That this committee authorises publication of the evidence given to it at this private meeting today.

Committee adjourned at 6.17 p.m.

