



## **Dissenting remarks**

### **Member for Solomon, David Tollner**

While acknowledging the commitment and good intentions of Committee members I cannot, in all conscience, sign off on the Report without expressing reservations.

As the sole Country Liberal Party MHR, I have a duty to represent the broad policies of my party and the views that I believe best reflect my Northern Territory constituency. The Northern Territory is unique in Australia in that Aborigines constitute a significant proportion of population, many times their representation in any other state or territory.

Nowhere in Australia are Aboriginal people more clearly defined, most protected from dispossession, most resourced with natural wealth, best equipped with knowledge of traditional beliefs and culture, than in the Northern Territory.

And nowhere are Aboriginal people more institutionalised beneath a plethora of competing bureaucracies and agencies, charities and councils, trusts and associations.

The recommendations of the Committee will therefore impact proportionally upon the Northern Territory. For these reasons – my party membership and the people I represent - I am compelled, regrettably, to submit these dissenting remarks.

#### **State intrusion**

Aboriginal Australians are excluded from Australian society and a healthy life style and economy by being treated differently, by being treated as a special race-based problem, by seeing separate structures set up to determine their future as though it was somehow separate to the future of all Australians.

The direct relationship between the collapse of responsibility in Aboriginal society and the growth and assumption of responsibility by the state is not addressed, nor the issue of services without obligation or reciprocity even though they have been identified as major factors disempowering Aboriginal communities and causing social dysfunction.

I believe it is time to recognise ‘the terrible unintended affects of well -intentioned policy’, to decide that ‘people don’t need soothing. They need jolting. They need to be shocked’ and to ‘mention the unmentionables’ of many Aboriginal communities today. (Do Indigenous Youth Have a Dream? – Bob Beadman. Menzies Research Centre).

The Committee expresses its disappointment that past Parliamentary Committee recommendations, such as those of the House of Representatives Standing Committee on Aboriginal Affairs Report ‘A Chance for the Future: Training in Skills for Aboriginal and Torres Strait Island Community Management and Development’ have not been implemented and that problems identified 15 years ago continue to persist’. (1.45-1.47)

The Committee acknowledges, in reference to the House of Representatives Standing Committee on Aboriginal Affairs Report ‘We Can Do It!’ the words of Cape York leader, Noel Pearson: “We’ve produced mountains of thinking around Aboriginal Affairs ... [but] ... as the mountains of paper have accumulated ... the social situation’s gone down ...’ (1.50)

The Committee cites evidence from the Harvard Project (1.86) that ‘the cycle of welfare dependency’ runs counter to ‘capacity building’ in Aboriginal communities’ and quotes Reverend Nic Frances’ submission that ‘passive welfare’ limits choice for individuals and communities, adding “there is a time for governments to stand back and get out of the way”. (3.189)

Despite these references the recommendations call for a greater government effort from its agencies (Recommendations 5, 6, 7(g)), and additional layers of administrative process (Recommendation 6), and government monitoring (Recommendations 10, 11) - with only the briefest reference to the role of the private sector in advancing the ability of Aboriginal communities to gain control over their affairs. (Recommendation 13 (b)).

The Report proposes that Aboriginal and Torres Strait Islander Affairs become ‘a permanent agenda item at future COAG meetings’. (Recommendation 2) and seeks to establish an over-arching role for Parliament to measure progress against the Priority Outcomes of the Headline Indicators of Indigenous disadvantage as established by the Steering Committee for the Review of Government Service Provision. (Recommendations 4(a, b)).

While acknowledging past failures and the continuing counter-productive intrusion of government agencies in community affairs, particularly in relation to welfare services, the recommendations fail to tackle these central issues thus risking a judgement that the Report will only add to Noel Pearson’s ‘mountains of accumulated paper’ while continuing, and even magnifying, the public sector role in Aboriginal administration.

## Land Rights

I am disappointed that my attempts to make the disincentives to community advancement of the Commonwealth protectionist Land Rights legislation in the Northern Territory were considered to be beyond the scope of the Committee's inquiry.

I believe that in the Northern Territory the differing and complex land laws and regulation impact negatively upon Aboriginal advancement but the Committee has chosen neither to examine nor comment on the issue.

It has been argued that a former ATSIA Committee dealt with this issue at length, in its consideration of the Reeves Review. However, there is no doubt that that Committee's deliberations were manipulated to ensure the Reeves Review was discredited and that any real consideration of reform of the 1976 legislation was shelved.

The uncertainties regarding dual native title and land rights legislation are continuing disincentives to 'capacity building' in Aboriginal communities. In the Northern Territory even the provision of government education, health, transport and other essential services are compromised by a land management regime which fails to allow for public ownership and, to a great extent, private investment.

David Tollner, MP

MEMBER FOR SOLOMON