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Honourable Senators,

I apologise for sending this same letter to you all on a joint email list but time is short for scrutiny and debate of the legislation regarding the Northern Territory emergency. I am deeply committed that the interventions made now have the greatest chance of success to provide safety for Aboriginal children, dramatically improve the social well-being of Aboriginal communities and, through its wise implementation, also build a better and stronger relationship between indigenous and non-indigenous Australians.

So the things that are of concern to me with this legislation are:-

1) ***the widespread negative response by Aboriginal people.*** The authors of "The Little Children are Sacred Report" gave 97 recommendations. At the GAMA Festival they said they felt betrayed by the strategies included in the legislation. Noel Pearson has said it's not his plan. Aboriginal leaders have criticized it. The Combined Aboriginal Organisations have put forward an alternate plan. At a public forum on Wednesday evening Jacqui Katona said she can only conclude that Australian society hates Aboriginals. These are not signals of adequate consultation and collaboration having happened. They are signs of increased division and distrust and do not auger well for the success of the plan.

2) ***the unnecessary haste with which it is being rushed through Parliament.*** The legislation is complex involving changes to 5 different Acts and will have a huge impact on the Northern Territory Aboriginal people many of whom are confused by what's happening. There needs to be more time allowed for consultation within those NT communities and informed debate for us all. To me this haste is a misuse of the democratic process that disenfranchises all of us and perpetuates distrust (in me as well as in my Aboriginal friends!)

Mr Brough says the contents have been known for 6 weeks. I had understood those 6 weeks to be a time of consultation, listening and negotiation with the communities involved. From his comment and the negative responses of so many Aboriginal people, I must conclude that did not happen but rather the visits to NT communities had more a sales and PR agenda than genuine dialogue. That is very disappointing.

This is not a war situation that requires a formal state of emergency with extraordinary powers given to the Executive but a situation that calls for urgent action due to extreme disadvantage and

marginalization over two hundred years. The way the legislation is being rushed through Parliament increases those very root causes.

3) ***unnecessary changes to land tenure***: including the compulsory acquisition of five-year leases over prescribed communities in the Northern Territory and the partial abolition of the permit system. Child sexual abuse is a problem everywhere on the planet. There is no evidence of any direct link between the issue of land tenure and the problems of child abuse and dysfunction in Aboriginal communities in the Northern Territory or elsewhere in this country. Rather, the Northern Territory Police are of the opinion that such changes could exacerbate the problem, and make it harder to police.

4) ***sidestepping the Racial Discrimination Act***. It is agreed that the factors that propagate sexual abuse of children (and also other forms of abuse generally) are alcohol and drug abuse, inadequate and overcrowded housing, the prevalence of pornography and the previous abuse (often sexual) of the perpetrators themselves. As stated above, the opinion of NT police is that changes to the permit system are likely to exacerbate the problem of child safety making policing more difficult. Therefore these measures do not fall within the definition of “special measures” as described by the RDA.

Acute housing and infrastructure shortages in prescribed communities can be addressed using existing provisions under sections 19 and 19A of the ALRA. It is not necessary to change the terms of land tenure.

5) ***the global nature of the reforms to welfare payments***. Quarantining welfare payments to all members of a specific racial group within a specific geographical area without their consent is blatant discrimination and I ask that you oppose it. Imagine if this were happening to all welfare recipients of British heritage in NSW. There'd be no question of its unacceptability.

Using the justification of “special measures” in the legislation should be removed and the legislation explicitly brought into line with the RDA.

Sexual abuse of children cannot happen in isolation from the environment of adults. In our haste to redress our national shame ie the appalling health and social disadvantage of our indigenous people which has resulted in conditions ripe for violence and child abuse, let's not perpetuate our mistakes from the past but implement reforms made in mutual respect and partnership with Aboriginal people.

Respectfully I ask you to oppose the discriminatory elements in the Emergency Response plan and put forward amendments that support just reform and that prioritise consultation and partnership with the NT communities involved; amendments embedded in mutual respect that will build a stronger Australian community overall by building trust and understanding between indigenous and non-indigenous Australians; amendments that have the best chance of delivering what we want this legislation to deliver, safe environments where children can flourish and grow to be strong and proud contributors to Australian society. I think that's what Mal Brough wants. It's an achievement we would all be proud of.

Yours faithfully

Patricia Edmunds