

9 August 2007

Ms Jackie Morris
Secretary
Senate Legal and Constitutional Legislation Committee
Parliament House
Canberra ACT 2600

Dear Ms Morris,

Re: Inquiry into the Appropriation (Northern Territory National Emergency Response) Bill No. 2, 2007-2008

Oxfam Australia is pleased to have the opportunity to make a submission to the above inquiry. Our submission is in three parts, comprising this letter and the attached reports:

1. *The 'National Emergency' and Land Rights Reform: Separating fact from fiction* – an Oxfam Australia report prepared by Professor John Altman of the Centre for Aboriginal Economic Policy Research at the Australian National University, which focuses specifically on the land and permit reform aspects of the bills currently before the Committee.
2. *A proposed Emergency Response and Development Plan to protect Aboriginal children in the Northern Territory* – a report prepared by the Combined Aboriginal Organisations of the Northern Territory, which sets out both immediate actions and a longer-term plan for tackling child abuse in Aboriginal communities in the Northern Territory.

Oxfam Australia is deeply concerned by the high incidence of child abuse in Indigenous communities in the Northern Territory, as documented in the *Little Children are Sacred* report. Given that this report precipitated the Government's emergency response, we are profoundly disappointed that the Committee has not invited the authors of the report, Rex Wild and Patricia Anderson, to give evidence at the public hearing.

Revelations of deep social problems in many of our Indigenous communities are not new. Indigenous leaders have been warning for the past decade that a social crisis would emerge if federal, state and territory governments failed to provide Indigenous Australians with the opportunities and basic services other Australians take for granted: policing, primary health care, education, housing and real employment opportunities. We are now reaping what we have sown through the failure of successive governments to address the root causes of this crisis.

Now that this issue is finally on the national agenda, immediate action is required to protect communities – and children in particular – while also addressing the underlying factors contributing to the cycle of abuse. Oxfam Australia advocates both immediate and longer-term measures to tackle child abuse, in accordance with the recommendations of the Combined Aboriginal Organisations of the Northern Territory, set out in the attached report.

Oxfam Australia is extremely concerned by many aspects of the package of bills before the Committee and the potential impact they may have on the safety and wellbeing of Aboriginal communities. For example, Professor Altman points out that amendments to the permit system could well exacerbate the incidence of child abuse and other social problems in Aboriginal communities.

Oxfam Australia particularly urges the Committee to explore potential unintended consequences of this legislation. For example, there is a high probability that the measures will precipitate population movement from prescribed townships to larger cities and towns, such as Darwin and Katherine, and across the Territory borders into South Australia and Western Australia.

Any truly effective strategy for combating child abuse in Aboriginal communities must involve the commitment and active participation of those communities. The Government's striking lack of consultation with Indigenous organisations and affected communities in the Northern Territory is both disrespectful and contrary to the development of good public policy. Moreover, it has resulted in a package of bills which are not supported by the vast majority of Aboriginal organisations in the Northern Territory. This does not bode well for the successful implementation of the legislation, the prevention of child abuse or the improvement of the health and well-being of Aboriginal people.

Oxfam Australia has called for, and now welcomes, the referral of the bills to a Senate inquiry. However, such an inquiry – particularly one which is required to report in less than a week with only one public hearing – does not substitute for appropriate Government consultation in the first place.

In closing, Oxfam Australia is of the view that the bills give rise to a regime which is riddled with inconsistencies, is potentially unworkable, will be ineffective in tackling child abuse and is likely to exacerbate social problems in Aboriginal communities. For these reasons, we strongly recommend that the bills not be passed in their current form.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Hewett', with a horizontal line underneath the name.

Andrew Hewett

Executive Director

Oxfam Australia