

**From:** Peter Frank

**Sent:** Friday, 10 August 2007 2:21 PM

**To:** Legal and Constitutional, Committee (SEN)

**Subject:** NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILLS

Committee Secretary  
Senate Legal and Constitutional Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Australia

Dear Secretary,

I am writing to express my concern at the proposed changes to the NT Land Rights Act in the Northern Territory National Emergency Response Bills.

While wholeheartedly supporting the need for strategic, long term action to redress the shameful past neglect of the welfare of indigenous Australians, and particularly to safeguard innocent children, I am concerned at nature and substance of the Federal Government's Legislation which is now being rushed through the parliament.

From the outset there was inadequate consultation with the indigenous community, so the fact that significant opposition has emerged is hardly a surprise. Now the government is intent on ramming its legislation through the parliament, without allowing the time necessary for the necessary intense scrutiny of such far reaching legislation. There is no valid reason for this unseemly rush and there will inevitably be unintended/unavoidable consequences as a result.

It will regrettably be no great surprise if ultimately this, in-principle worthy initiative, will fail to achieve the hoped-for outcomes because of the imposed nature of this solution.

Aspects of particular concern include:

- The unnecessary suspension of the Racial Discrimination Act, a dangerous precedent
- The suspension of the permit system, against near unanimous advice to the contrary

- The creation of new criminal offences which will inevitably increase the already disproportionate high rate of imprisonment indigenous Australians
- The suspension of Native Title in a manner which could lead to permanent extinguishment, another worrying precedent

I can only hope that the bills are not passed in their current form.

Yours faithfully,

*Peter Frank*