

# *A DECISION TO DISCRIMINATE*

## *Aboriginal Disempowerment in the Northern Territory*

### **The Launch Speech**

GRAEME MUNDINE

I AM EXTREMELY happy to be here tonight to help launch this very important book *A Decision to Discriminate*. For so long many of us have been going around trying to make people understand what has actually happened in the Northern Territory since 2007. It's hard to articulate the impact that the Intervention has had on Aboriginal people across the NT. There are plenty of Government reports—which to be honest completely confuse even the most analytical of minds. There are lots of numbers and dollars floating around, but little in the way of evidence that shows us measurable outcomes and improvements. But these reports mean little if they don't reflect the experiences of those who are most affected by the Intervention. There have been some very strong statements, for example from the Yolngu Nations Assembly, in recent years and this book adds to and reinforces those statements.

Most importantly, this book highlights the failure of our Government to listen to the voices that are so clearly before them. The book takes people's comments from the Senate inquiry hearings that were held into *Stronger Futures*. A Senate Inquiry is an important part of our democratic process—it should enable everyday people to participate in the process of law making. And yet, that system has failed Aboriginal People—again.

Perhaps the thing that has been most difficult to articulate during these past five years is the fundamental disconnect between what the Government says it wants for Aboriginal

people and what Aboriginal people want for themselves. There is a lot of common ground. Both talk about better relationships; about the importance of education; about employment and about ending welfare dependency. But what employment looks like in an Aboriginal community, or what kind of education we are talking about or how we address dysfunctional behaviour is where the disagreements lie and where the clear differences in world views become apparent. We don't look at the world the same way as you do. We don't necessarily want to be like you. We want to be able to choose how we live in the modern world as Aboriginal people. This is true whether we live here in Sydney or whether we live in the Northern Territory. It should be our decision about what parts of our culture we are willing to give up and how we negotiate the path between ourselves as Aboriginal people and ourselves as Australians.

We also need to challenge the steamroller of Government, and ask them what the concrete outcomes and benefits have been since 2007. I don't just want to know how many teachers have been employed. I want to know how many are new positions, how many Aboriginal people have been employed and most importantly what they have achieved. For example, we know there has been an increase in police numbers, that's great. But then we find out that there has been a 250% increase in criminalisation of driving offences since 2006. Approximately 25% of the prison population is made up of driving offenders of which 97%

are Indigenous. So are we to believe that the Intervention has been a great success because more people are in jail for driving offences?

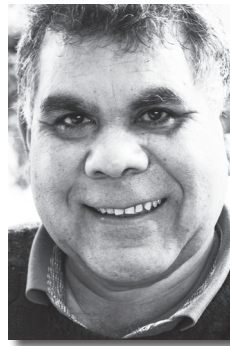
One of the more infuriating aspects of the Intervention and *Stronger Futures* is Government claims that they have consulted widely and this is what Aboriginal people want. The consultations for *Stronger Futures* and previous ones for the Intervention were a sham. The consultations were based on the Government's agenda. There was little, if any, opportunity for communities to identify the most important issues they faced in each community. The Government had already decided for them and had already made the decision about how these issues should be addressed.

The Government then disseminated the discussion paper. We received it quickly here in Sydney, but I'm not sure it was so easily accessible for NT communities. It was, of course, in English and as far as I know it wasn't translated into any languages so people could actually understand it. There were translators available at the meetings. But given the limited time that communities had to read, discuss and form a response it's amazing that there was any response at all. As Mr Kantawarra, from Ntaria said:

What people are saying is that not many people saw those Stronger Futures recommendations. So you can see where the people are coming from. They cannot really answer any of the questions, because nobody has really read it.

These comments certainly don't inspire confidence that the Government has met its obligations of Free, Prior and Informed Consent.

Perhaps the most insidious aspect of these consultations is how they were interpreted and written up. The Government produced a report, but did not release transcripts of the meetings. This allowed them to claim that communities asked for welfare to be cut from people who didn't send their children to school. When I read the Government's report of those meetings I was far from confident that it contained a fair representation of the discussion that oc-



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curred. It just didn't provide enough information.

It seems that these concerns are well founded. As Mr Paterson, from the Aboriginal Medical Services Alliance of the NT (AMSANT) said:

The Stronger Futures consultation process provides an example. Our officers attended about a dozen of the consultation meetings and judged the process to be inadequate and superficial. Further, our analysis suggests that the resulting Stronger Futures bills do not adequately reflect the issues raised at the meetings. Furthermore, the Stronger Futures response does little to contribute to the essential task of rebuilding community capacity and re-establishing relationships of trust. Rather, it is indicative of a pervasive lack of trust on the part of government.

Statements reported in *A Decision to Discriminate* clearly show that Aboriginal people are not happy with the process or the philosophy of *Stronger Futures* and the Intervention. Comments such as these from Mrs Fox, the Chairperson of the North Australian Aboriginal Justice Agency (NAAJA):

The Stronger Futures package does not recognise the role of Aboriginal people and organisations in addressing disadvantage. It remains focused on mechanisms for the Australian government to make decisions about Aboriginal people's lives. Aboriginal people want to take responsibility for their families and communities and have to be supported to do so...

The comments in this book also tell us how people have *experienced* the Intervention. I simply cannot understand how anyone can hear

the following comments and continue along the same path. Were committee members not moved when Mr Oliver, from the Malabam Health Board said:

Do you all know what a lorrkon is? It is a hollow log. We use logs for coffins. Since the intervention and since this new policy has come in that is all we are seeing. We are seeing hollow people walking around. This place is definitely different from the place it was before the intervention.

The Government often justifies the Intervention by claiming the women are in favour of it. Those of us who criticise the Government over its actions are accused of not listening to the women, or even of supporting domestic violence or child abuse. I reject that outright. I have no doubt that for some people there have been some improvements in life. I would certainly hope so with the amount of resources and spending that has gone into the place. But to suggest that those who don't agree with the Government line are colluding with abusers is just outrageous. It is clear that there are many women, as well as men, who do not agree with the Intervention. It is also clear that not all women, even now, feel that they are being heard by Government, as Ms Summers from the Babbarra Women's Centre says:

I am the manager of the Babbarra Women's Centre for Bawinanga. There are a plethora of issues that have not been addressed by government in the second stage of the intervention. Bawinanga actually has a strong women's group in this community. We invite all members and all women ... to discuss issues that are facing women in Maningrida. I do not see any of those issues being raised in the second stage of this intervention.

Another person Miss Valerie Martin said:

We do not want the Stronger Futures laws. It is just more intervention. We have been telling the government since 2007 that we do not want another intervention, that it is ruining our lives and spoiling our future. We want self-control in our own communities. We used to control our own laws in the community and we had self-

control.

There are those who criticise people like me who have been outspoken about the Intervention and who suggest we are not hearing the voices of the victims. This is not true. I have always welcomed anything that reduces violence of any kind and perpetrated by any one. There is certainly a need for action on violence, as well as poverty and other issues that many are living with. My concerns have always been more around how things are being done and what is being achieved. Is it good policy to disempower women's groups and take away self-control as Miss Martin says is happening? I am concerned about a one size fits all approach that only serves to characterise all Aboriginal people in the Northern Territory as being incapable of running their own lives. I don't pretend to know what each and every community needs. That's the point. Each community knows its own needs, hopes and desires. To address these problems we need to take a holistic approach which starts with each and every community, that supports and empowers each and every community and for which each and every community is responsible.

As we read the book and hear what Aboriginal people are saying we should remember that there were also over 450 written submissions to this Inquiry. Community groups, Churches, lawyers groups, medical associations, land councils, individuals, Aboriginal and non-Aboriginal alike all thought this was an issue important enough to put pen to paper. Most of those submissions were highly critical of the proposed legislation. But the Government, in what I can only describe as a calculated and cynical move, not only put the Bills to the Lower House before the Senate committee had made its recommendations; but did so on the day that Rudd's challenge to Gillard for the leadership went to the vote. You can imagine how much attention *Stronger Futures* received from the media or the public.

In reality, this inquiry process made no difference because despite the opposition of the

Greens, the Parliament chose to ignore the many voices of dissent and pass the Bills. I sat up and watched the Senate proceedings on the internet, until just after 2.00 am when they finally went through. I must say I was disgusted, although not surprised, to see the level of ignorance and racism from the few of the Government and Opposition Senators who did bother to speak on the subject. It was clear from those speeches that most of those who voted that night had little idea what they were voting for and certainly did not care one iota for what it means in real life to real people who are struggling.

Despite the failure of our legislators to hear Aboriginal voices the inquiry process has put their views on the public record. Those views are now easily accessible to us all through *A Decision to Discriminate*. The process also allows some insight into what I can only call White Privilege and arrogance operating in our Parliamentary system. A clear example of this is comments made by Senator Scullion, a member of the Senate Committee, and Shadow Minister for Indigenous Affairs. He has also been clear about his intention to claim the Minister's job should the Liberals gain government. He is reported in *A Decision to Discriminate* as saying this at the hearings:

When we get to most communities any observer would say that Aboriginal people more generally hate the intervention. They do not like it, it invades their rights and they feel discriminated against (p35).

And yet Senator Scullion has fully supported the Intervention and its reincarnation as *Stronger Futures*. For those who doubt claims that the Intervention is protectionist,

assimilationist and takes us back to the bad days when every aspect of Aboriginal life was tightly controlled I ask you to consider Scullion's remarks. He clearly knows that Aboriginal people do not want this regime, and yet he is still willing to ensure its smooth passage into Law. Why? Because he thinks he knows best, just like the Minister and just like every Protector before them.

For any Member of Parliament to think that it is a good thing to implement such policies shows their arrogance, lack of understanding and frankly their racism. Anyone that supports a policy that intentionally and comprehensively undermines people's rights and takes away their ability to determine their own futures has learnt nothing from history and is continuing the same kind of colonialist, White mentality that we have had to put up with for over two hundred years. This is the worst bit of legislation I have ever seen. I can understand the policies of the past, not that I agree with them, but that was the thinking of the time. Today we are a lot wiser, we know a lot more about working with Aboriginal peoples and yet we still perpetuate these kinds of policies and this way of thinking.

I think the title of the book is spot on. This was a clear decision by Government, under Howard, Rudd and Gillard to discriminate. It was no accident but was a coherent and sustained attitude of 'we know best and we will drive through our agenda'. But don't take my word for it, get the book, read it and really think about what is being said by the people that live in the Northern Territory and have to deal with this every single day. Stronger Futures? I don't think so!

***A Decision to Discriminate*, Michele Harris (ed.), can be purchased online from [www.concernedaustralians.com.au](http://www.concernedaustralians.com.au)**