

Greens Leader

Bob Brown



HANSARD extract

16 August 2007 **Bob's comments in the Senate Committee regarding the NT intervention proposed laws**

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (7.50 p.m.)—I appreciate that, although it appears we will be sitting for some time tomorrow. I might make the same request about alcohol, but I think a very large truck indeed would be required to come to the Senate. The point to be made here—and Senator Crossin has made it—is that, even where regulations or laws have been in place, the Commonwealth has failed in some circumstances to carry those out. When it comes to alcohol, the entreaties to this government by Indigenous people over the last 11 years failed. We regret that. Now the government is coming in and saying, ‘We’re not consulting with you; here’s a set of laws.’

How much better it would have been had representations been listened to by the government and had there now been a spirit of consultation with the people who know best—and that is the Indigenous people of Australia—about the impact, who know best about what they require, who know best about how to handle the terrible situation that has occurred, instead of having what is now a sledgehammer racist set of laws being put through here with no consultation with the very people who repeatedly asked to be given, through law, the protection that was denied them but which is now being brought in in this unsatisfactory fashion.

Going back to the permit system, I just want to make the point that the government must take responsibility for removing the rights of Indigenous people to the permit system, in the way that has been debated here in the last hour or two, and the government must accept and shoulder the outcomes of that. But there is one outcome that they will not, because it is not measurable—and that is the death of culture. The powerful Western culture is moving in on an Indigenous culture which has nowhere else to go, no place to flee and no defence mechanism. Defences like the permit system are now being removed by law—and behind that is the thinking of this government that Indigenous people must integrate.

I listened to the former Minister for Immigration and Multicultural and Indigenous Affairs, Senator Vanstone, talking about the prospect of ending many remote communities. Talk about that prospect would never have been dreamt of if they were non-Indigenous communities, but these are Indigenous communities. What is being put forward here is ‘integrate or else’. In this legislation we are talking about the death of culture, and enormous damage. The permit system, which is being interfered with here, is a major factor in that. I do not think the government has done any assessment whatsoever of that.

Yesterday or the day before, I listened to Senator Milne talking about the government removing the support for Indigenous languages. I have not heard the minister in this chamber say that part of the suite of measures that we are dealing with tonight is the re-funding of Indigenous languages to make sure that, now that we have removed the permit system and everybody can go to these communities, the languages will be kept alive. With those languages comes culture and pride. We know from experience right around the world—from the Gaelic experience to the experience of people



in the Americas—that the loss of language brings great anguish and depression, which visits people for centuries afterwards. Yet this government seems to have put that aside in the move—which must be very clear about here—to say to Indigenous people, ‘Take up the predominant culture or else.’ And we will be dealing with that a little bit later with the next motions to be dealt with here.

I want that on the record, so that no-one reading about this moment in history 10, 50, 100 or 500 years from now can say, ‘If only they had known what they were doing to Indigenous culture in Australia.’ We all know. The government has made its choice. It has the bulldozer; it has the numbers, and we do not. But let nobody in this place say that it did not know what this would do to Indigenous culture, custom, law, language, pride and wellbeing into the future of this nation. And if there has been a measure of what the impact will be, besides selling more paintings to more tourists, which the minister was talking about—but I will not go into that in any length; that is an obvious matter—the government has in this debate made no contribution on that hugely important assessment for the Indigenous people of Australia and this nation.

I want to make that part of the debate tonight and I want it noted. I want to put it on the record that we all knew that this was going to have a massive impact on Indigenous culture, particularly across Northern Australia where its stronghold exists after the devastating of such culture across southern Australia. Here we go again, but this time many of us care—and this time the eyes are wide open. And the government has made no assessment of the impact.

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Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (8.01 p.m.)—It was a Greens bill, supported by the Senate before the government got the majority, that forced the Prime Minister’s hand. It made him go to the previous Chief Minister of the Northern Territory and say, ‘We want you to take children out of mandatory sentencing.’ Aboriginal kids were being locked up for stealing biscuits. The Prime Minister did not act on that until the political power of the Senate expressed itself, legislation went to the House of Representatives and there was a backbench revolt. The Senate also said that we wanted Indigenous languages available in the courts so that youngsters there understand what is going in. The Senate committee had found that they did not know and that tragically one youngster did away with himself because he did not understand that he was going to be freed three or four days later.

I am talking here tonight about the vacuum in all this legislation. There is money for this, money for something else and money for a third thing, but the government has defunded language programs in the Northern Territory. Where is it built into this suite of laws not just the protection but the fostering of the rights of Indigenous people to their languages, customs and laws? What we have dealt with today are simple mechanisms for saying that the courts cannot take those into account. Where is the rest of it? I will tell you: it is not here.

When I also moved for a Senate inquiry and action in this place against petrol sniffing—that scourge of young people, 400 to 600 of whom were active petrol sniffers in Indigenous lands in the Northern Territory and adjacent states—it was this government that held that up. It did not want that rolled out in Alice Springs—you will remember that very clearly, Minister—until the force of public argument finally overcame the government resistance, and the vested interest behind that government resistance, to immediately making available non-sniffable petrol. That rollout has finally taken place, which will not only save the culture of those kids but their ability to appreciate it, take part in it and to enjoy it into the future.

The government says that it has some special moral authority to arbitrate what is going to happen through these laws, that that is best for Indigenous people and that it knows that because it did not consult the Northern Territory government or the Indigenous people; it just brought the laws in, announced they were going to happen and started to enact them at the earliest moment. They are here in the parliament and will go through this week. What I am warning about is that the lack of probity, prudence and consultation here will have a very big cost, and that cost will be on the Indigenous people; they are going to bear it. The minister can make his argument in the way he has just done and cite



examples, but we are talking about scores of communities here and about laws that reach into every black household in the country without consultation. I am warning about the impact that that will have on Indigenous culture into the future. There has been no assessment of it; there has been no account of it; there has been no consultation about it with Indigenous people. And there is nothing in this legislation which advocates it. That is the problem. there which tourists could readily access. Signs pointed to where you could park and where you could go and look at the rock carvings in a very vast area. There were warnings asking people to respect the area and so on, and I was horrified to see that the places most proximate to the tourist parking areas had been defaced. One only about the impact that that will have on Indigenous culture into the future. There has been no assessment of it; there has been no account of it; there has been no consultation about it with Indigenous people. And there is nothing in this legislation which advocates it. That is the problem.

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Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (9.45 p.m.)—Yes, but the legislation does not say that. We are left to trust that the regulations will. I was with Senator Siewert up at Karratha last year, looking at the Burrup. There was one place there which tourists could readily access. Signs pointed to where you could park and where you could go and look at the rock carvings in a very vast area. There were warnings asking people to respect the area and so on, and I was horrified to see that the places most proximate to the tourist parking areas had been defaced. One only has to look at other accessible human and natural heritage places around the country to see how some people cannot help but leave their mark. It is a reaction to their fear of mortality.

I am concerned that in removing the permit system and opening up these communities to whomever might come, the sacred sites will be a source of attraction to the curious, those who do not respect Indigenous culture—they are not few in number—and souvenir hunters. I want to know what it is in this legislation that is going to protect those sites now that the government is opening them to the greater threat of invasion by people who simply do not understand the significance of them to Indigenous people.

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Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.26 p.m.)—I would like to know what information the government was working on when it decided that pornographic material was to be prohibited but not violent material. There have been no public statements regarding violent material, but there is a lot of literature and studies to show that that can be extremely influential on people in non-Indigenous communities. So far as I know, none of the statements by Minister Brough or Prime Minister Howard have canvassed the culture of violence that is abroad at the moment. A lot of it is imported from America. We see on our television sets people being dismembered, tortured—terrible things happening to human beings—in the name of entertainment. I wondered what impact that has on communities and what measurement of that impact the government has and why it has not acted on that. I presume, and the minister can tell me if I am wrong, that there has been an assessment of the impact of pornographic sexually explicit material. I am just wondering why the government has been quiet on violent material but very, very loud indeed on pornographic material.

Senator Brown
Speeches in Committee
16 August 2007

SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (WELFARE PAYMENT REFORM) BILL 2007
NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE BILL 2007
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION
AMENDMENT (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE AND OTHER MEASURES) BILL 2007
APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL (NO. 1) 2007-2008
APPROPRIATION (NORTHERN TERRITORY NATIONAL EMERGENCY RESPONSE) BILL (NO. 2) 2007-2008

