

## **MEDIA RELEASE**



In an address given at the launch of the book, *This Is What We Said*, at Melbourne University today, the former Chief Justice of the Family Court of Australia, Professor Alastair Nicholson, strongly attacked the new legislation tabled by the Government late last year which ostensibly repeals the Howard Government's suspension of the Racial Discrimination Act in the Northern Territory in 2007. The launch is under the auspices of 'concerned Australians', a human rights group supported by many church and socially concerned groups within the community.

It was a promise of the Government made prior to the 2007 election that it would reintroduce the Racial Discrimination Act to the Territory.

Professor Nicholson said:

"It is a particular tragedy that the high hopes engendered by the Prime Minister's apology have been unnecessarily dashed by the Government's obduracy in attempting to achieve the irreconcilable; namely the reinstatement of the Racial Discrimination Act coupled with the retention of a number of the unnecessary and draconic features of the Northern Territory Emergency Response (NTER).

Had the Government simply sought to restore the Racial Discrimination Act, as it promised that it would, then it would have received nothing but applause. However it not only chose to reject that course, but to embark upon a spurious series of 'consultations' in an attempt to circumvent the very provisions of the Act that it had pledged to restore."

He continued:

“It is quite clear that this legislation is inconsistent with the UN Declaration on the Rights of Indigenous Peoples which the Government has indicated that it supports.

It also ignores the rights of Aboriginal peoples and their leaders to participate in and consent to policy and service developments which directly impact upon their lives.”

He pointed out that the retention of the income management principles and its purported extension to all welfare recipients in designated areas demonised and in effect punished welfare recipients as a class. He said that blanket measures are ‘sloppy, cheap and unfair solutions that reflect lazy politics.’

He said:

“What is clear is that this is little more than a ruse to overcome the provisions of the RDA and that the real targets of the income management scheme are likely to be Aboriginal people including Aboriginal people living beyond the NT. It is little more than a clumsily disguised and cynical attempt to perpetuate racial discrimination. This in itself involves a breach of the Racial Discrimination Act as it is clearly indirect discrimination”.

He concluded:

“This is disappointing legislation which perpetuates the paternalism and racial discrimination inherent in the NTER. It is a disturbing extension of bureaucratic powers and the power of the executive over welfare recipients and seems to reflect a philosophy more in tune with that of the previous Government than what one would expect of a Labor Government.

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