

## MEDIA STATEMENT

### THE RE-INSTATED RACIAL DISCRIMINATION ACT NEEDS TO GO FURTHER

The Leaders of the Australian Congregations and Provinces of the Sisters of St Joseph have asked the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, to ensure that the legislation currently before parliament re-instating the Racial Discrimination Act in relation to the Northern Territory Intervention does so with more than minimalist compliance.

Speaking on behalf of 1200 Sisters of St Joseph across Australia, Sr Anne Derwin said 'We have, in recent times, welcomed the government's initiatives in Aboriginal policy, the Apology given to the members of the Stolen Generations, steps taken that begin to Close the Gap in relation to Aboriginal disadvantage, and the announcement of the government's intention to reinstate the Racial Discrimination Act in relation to the Intervention legislation.

'It is disappointing to find that the legislation which goes before the Senate this week – we note now with the support of the Opposition - does not restore the Racial Discrimination Act in a manner that sufficiently protects the rights of Aboriginal people. The Racial Discrimination Act requires that legislation does not negatively impact on a particular group of people identifiable by race, and should this occur, the measures involved must necessarily be for the wellbeing of the people affected, appropriate for the intended purpose, and have the informed consent of those affected by the measures. Significant parts of the current legislation don't appear to meet those criteria.

'We understand the anger felt by many Aboriginal people that income management in this new legislation appears to only technically comply with the Racial Discrimination Act. Just not targeting a particular group does not make a measure non-discriminatory if its effect has a greater impact on one group of people than on others. From July this year income management will apply, in the first instance, to all welfare recipients in the Northern Territory, and it is well known that the vast majority of welfare recipients in the Northern Territory are Aboriginal.' Sr Anne said.

'We are also concerned that under the legislation many aspects of the Northern Territory Intervention remain as so-called Special Measures. Compulsory lease acquisitions continue, and the permit system is not restored. The considerable disquiet among Aboriginal people indicates that such measures have not yet been adequately demonstrated to them to be necessary for their wellbeing. To comply with the Racial Discrimination Act, Aboriginal people must to be consulted about the measures, and many Aboriginal people believe that the concerns they have consistently raised about the Special Measures have been ignored.

'The reinstatement of the Racial Discrimination Act is an issue of importance for all Australians. It goes to the core of what we believe about ourselves as a nation. In a society such as ours we ought to be able to expect not to be treated differently on the basis of our race, and to have our voices heard when we believe we are negatively impacted upon.

'We call on the members of the Senate, as the house of review for legislation, to ensure that the bill currently before them goes beyond a mere minimal compliance with the requirements of the Racial Discrimination Act and in fact restores to Aboriginal people the rights they ought to enjoy as citizens of this nation.' Sr Anne concluded.

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