



## PRIME MINISTER

TRANSCRIPT OF JOINT NEWS CONFERENCE WITH NT CHIEF MINISTER,  
MARSHALL PERRON, PARLIAMENT HOUSE, 7 SEPTEMBER 1989

E & O E - PROOF ONLY

PM: Ladies and Gentlemen, could I just go to the arrangements, the first part of this Press Conference of course will be about the Historic Agreement that Marshall Perron and I have reached in respect of our both Governments on this fundamental important issue and we will make each of us a brief statement about that and when we have done that we would sign the Agreement, the Memorandum between us and after we have done that we would each be available for any questions that you would want to address to us and then once this issue is completed in terms of questions, Mr Perron would withdraw and I would be available for questions from you on any other subject. Those terms then could I just briefly say that both Mr Perron and I regard today as an historic day not just for our Governments, but much more importantly than that for the Aboriginal people of the Northern Territory. Before I make a brief comment about what it is that we have agreed on, may I pay an unqualified tribute to the Chief Minister of the Northern Territory. We have been engaged in an exercise, which by its nature, you would appreciate is full of complexities in regard to which there are accumulated aspirations, prejudices if you like, which make negotiations between the two Governments inevitably difficult. And in these negotiations I have found, from the Chief Minister, a spirit of give and take, compromise, a willingness to listen constructively to points of view, and I hope that from our side we have been able to reciprocate because if there hadn't been that spirit between us then this historic agreement would not have been able to have been reached. And I would also in paying tribute to the Chief Minister take this opportunity of paying a very significant tribute to my Minister, Gerry Hand, for whom this also represents the culmination of great commitment and a very great deal of hard work. The Agreement that we are about to sign, has come as result of long hours of discussions and negotiations over the last two days, and essentially, as you will appreciate from having read the material, it is a memorandum of agreement concerning the provision of Aboriginal living areas in the Northern Territory. In regard to the stock routes and reserves, that title will be provided under Commonwealth legislation, in respect of excisions in pastoral areas that will be provided by legislation of the Northern Territory. We of course realise that the provision of title is not the end of the story but it is a necessary and has always been a necessary

precondition of addressing the tragic conditions of so many of our Aboriginal fellow citizens in the Northern Territory. And just as we are committed now to accelerating the processes which will provide title so we have a joint commitment to ensure that we do as much then as we can. Title having been provided to rectify the conditions under which so many of our Aboriginal fellow citizens live. It is our intention to move ahead quickly in the legislative process, with October being the schedule for both Marshall Perron and ourselves here in Canberra, but beyond that commitment to acceleration in the legislative area we are both committed to moving in co-operatively in the administrative area to give effect to the agreement that we have reached.

PERRON: I would just like to say that I feel honoured, I guess, that I have managed to complete a task that was commenced by, and handled by, three of my predecessors who were unfortunately over those years, unable to reach the stage of agreement that we have today. It is a matter of enormous complexity. We are talking about the subject of settling the aspirations of some Aboriginal people for land which is currently owned by Australians under normal title. And that together with the history of aboriginal affairs generally in the Northern Territory, having regard that it is different from the rest of Australia, the advent of the Land Rights Act in 1976 has provided us special problems and challenges over the last decade plus, and no doubt has contributed to a degree to the difficulty in parties reaching resolution on this matter previously. It is unfortunate that it has taken both our Governments as long as this, however, the important thing is that the Agreement is about to be signed. It is an agreement that I believe both Governments believe is fair and just, although like all agreements obviously neither of us consider it the ideal, or what we would have liked to have achieved right from the start. The important thing is that those who we both most want to help, the Aborigines, are going to benefit from this process, and they will benefit from it quickly. And I am very pleased to have been able to complete what I see as a four year negotiation period. I'd like to pay tribute to the officers both of the Commonwealth and of my own Government who have spent something like about 20 hours straight in concluding this matter and we can now get on with the job of actually meeting the aspirations of many Aborigines in the Northern Territory.

(Agreement Signed)

PM: We are open to questions on this subject.

JOURNALIST: Mr Perron, ... stock routes ... separated from the pastoral holdings that surrounded them?

PERRON: Yes.

JOURNALIST: Prime Minister and Mr Perron, how sure are you respectively that the Land Councils in the Northern Territory and the Cattlemens' Association will accept this package.

PM: Well let me pick up a point that the Chief Minister made. It is accurate as he put it to say that this Memorandum of Agreement that we have just signed, not only not be regarded as an ideal solution from the point of view of the respective governments, but it is the case, and it would certainly not represent the ideal solution from the point of view of the Land Councils or certainly the Cattlemens' Association. But as well as agreeing as we have to this document, the second agreement we have is that we will use our respective influences with the Land Councils and with the Cattlemens' Association to explain what is being done and the overall benefits that are involved, and I think that commitment that we have each made and of course with Gerry Hand on our side being so importantly involved in his relationships with the Land Councils, we believe that we will be able to make everyone with a direct interest understand that this is the best possible solution. Just a minute Mr Perron may want to say something.

PERRON: No, No, I think you have summed it up very well Prime Minister.

JOURNALIST: Can you describe the conditions that the Aborigines are living under at the moment and how this agreement will help them?

PM: Yes, its been recognised by everyone concerned that in respect of many of these conditions, which are appalling, there is no argument, there has never been any argument between the Chief Minister and myself about that fact, and they are circumstances which have brought no credit to Australia. They have been projected, not only within this country, but internationally, but it has been recognised by us all that you have to settle the question of title. The title has to be given before the combination of responsibility between the Territory Government and ourselves, we can then make the provision to rectify those appalling conditions. And we have a commitment to do that.

JOURNALIST: Prime Minister, will there be a need for the Commonwealth to legislate to concrete in the Northern Territory side of this deal?

PM: No the only, where our legislation involves in regard to the proclamation, section 50, we had addressed this question of whether there may be some idea of entrenchment from the Commonwealth point of view in our legislation, what is the requirement on the part of the Northern Territory to give effect to the excisions decision. But we have through the exchange of the letters which will be associated with this and the dual signing of this Memorandum, we now have a

situation where, from our point of view, we believe that the commitment of the Northern Territory is fully entrenched, if you like it that way, and we have never had any doubt about the integrity of Marshall Perron, or his Government about adhering to an agreement that we would reach. There was some concern, on the part of some representing the Aboriginal people, that okay that's okay but what about the future. Now what we have done in this way by entrenching the arrangement between us in a Memorandum of Agreement, the exchange of letters to be associated with that, we believe that that concern is appropriately addressed.

JOURNALIST: Mr Perron, two questions. What is the, or is there any difference between the security of title granted under the NT legislation in this package and the Commonwealth? And the second one is, do you think that the relationship that you and Mr Hawke may have developed over the past months in negotiating this issue might see an end to the race politics, if you like, that has been a feature of the Northern Territory for so many years?

PERRON: In answer to your first question there will be two forms of title. They will be quite distinct. Those areas that are scheduled by the Commonwealth, as a schedule to the Land Rights Act will be inalienably freehold. They will be restricted to some areas on stock reserves only. The titles issued by the Territory Government will be a modified form of Territory freehold with special protections in that title to provide comfort to Aboriginals in this situation. And we will be legislating specifically for that in the October sittings. Answer to your second question, I guess time will tell whether the rapport which the Prime Minister and I have built up over this matter lessens the publicness, I guess, of aboriginal issues between the Territory and the Commonwealth in the future. Aboriginal issues in the Territory have always been sensitive. I think they have often been totally misrepresented in the national press. I think the Territory's performance in aboriginal affairs is one that we can be very proud of, yet is poorly understood by southern journalists. I would advocate to you all that the Territory's performance in regard to the recognition of tribal customs in territory law. Our recognition of Aboriginal participation in national parks across the Northern Territory. Our health programs. We have initiatives in education, which are unique in this country, designed specifically to assist Aborigines record their culture, and be taught their culture. And electoral reform is another example. We're the first in the country, I think possibly still the only, to introduce mobile polling booths and compulsory voting. Voluntary enrolment, compulsory voting for Aborigines. Photographs on ballot papers and so on. Small matters you may think, but collectively we have the best record in this country, by far, of the social advancement of Aboriginals. And much of the national impression of us as a bunch of red necks is lack of, is ignorance on behalf of other Australians.

JOURNALIST: Mr Perron, how many Aboriginal people do you expect to benefit from excisions and do you expect that most claims will be settled by consensus or do you think they will mostly be dealt with by the Tribunal and the Northern Territory Supreme Court?

PERRON: I would expect by far the vast majority to be settled by agreement prior to getting near a tribunal process. As for the actual numbers, that is very difficult to predict but it will be certainly, certainly a couple of thousand. It may be many more. But it is difficult to predict exactly how many people will eventually meet the eligibility criteria through the entire process.

JOURNALIST: Can I just clarify the mining issue. Does this mean that Aborigines will be able to reject mining on the land that they have titles to?

PERRON: Let me explain it this way. We have undertaken to provide a mining reserve around portions of land which is granted as a result of an excision application in order that the actual residential component of that land is not disturbed, in exactly the same way as we provide a mining reserve around all towns in the Northern Territory in order that you don't find a drilling rig in your backyard one day. And with the negotiation with each individual excision applicant we can vary the size of those boundaries to prohibit mining exploration on their land. Bear in mind that by and large these parcels of land will be fairly small and also bear in mind that many Aborigines in the Northern Territory today are quite happy, indeed anxious, to have mining activity on their land.

JOURNALIST: How many years will it be before we start to see the fruits of this before the conditions of Aborigines are actually improved?

PERRON: Well the conditions for Aborigines are improving all the time. The amount of money that flows into Aboriginal essential services and housing via the Commonwealth and with funds from the Territory Government as well is enormous. I think we calculate we have spent some \$4 billion in the last ten years as a Territory Government alone. That's excluding direct specific purpose funding by the Commonwealth itself. And it's an ongoing process. It was only, I think, the last six months that we agreed with the Commonwealth for an additional \$30 million program to upgrade Aboriginal housing in towns throughout the Territory. And these are the sorts of initiatives that are taken basically every year or two.

JOURNALIST: These 2,000 Aborigines living in appalling poverty at the moment, now how long will it be before they get a better deal?

PERRON: Well, I can't give you an answer to that. Excisions I would expect land titles will begin to flow within a matter of months, bearing in mind that the entire process doesn't start until October when all the legislation is in place. Titles will flow in a matter of months. Now the speed at which roads on to that land, water can be found, houses built is going to be dependent on the supply of money and it's going to be very expensive.

JOURNALIST: Prime Minister, there are still appalling conditions in Western Australia because of similar problems with title there. Would you hope that this agreement will provide some sort of precedent for the Western Australian Government?

PM: Well, I think it's fair to say of the Minister who, as you will recall I gave the appropriate tribute to a moment ago, has not been exclusively concerned during his Ministry with the Northern Territory and there will be on-going consultations with the other areas of Australia where work needs to be done. I think we can say this, that we would hope that what has been done here in regard to the Northern Territory will stand as an example of what can be done by appropriate cooperation. So, in that sense, while it won't directly mean anything outside of the Northern Territory, I hope it will act as an inspiration, not only to those that are directly involved, but I hope really that this will be important for the people of Australia as a whole, that it will represent a recognition by two Governments of different political persuasions of the necessity to act constructively in the committed way to address these issues. So, in that sense, I do hope and expect it will have a significance beyond just the Northern Territory.

JOURNALIST: Prime Minister, have you got any idea of how much land has now been opened up, in this way, throughout the country .... in the same way -

PM: It's a matter of detail which Mr Hand would be perhaps better able to answer, or in respect of the Northern Territory, Mr Perron. I don't pretend to have those details .... but Gerry -

PERRON: I think the question related to land elsewhere, outside the Territory -

PM: But you also include the Territory in your thinking, do you?

JOURNALIST: I asked about ....

PM: Yes. Not just the Territory.

JOURNALIST: Queensland .... New South Wales.

HAND: .... this only effects -

PM: I know it does, but he's extended beyond there so, I mean, the answer to your question I don't think either the Minister or the Chief Minister could give you a precise answer in regard to the Northern Territory, in particular, or Australia as a whole.

JOURNALIST: But you're basically now inviting Aboriginals to make -

PM: I beg your pardon?

JOURNALIST: You are now inviting Aboriginal groups to make these claims in all States?

PM: .... a question of, as a result of what we're doing, inviting Aboriginals to make these claims in all States. Let me say in regard to the Northern Territory, it's not a question of invitation, the claims have been there. They don't need an invitation as a result of Marshall Perron coming down here and talking to Bob Hawke. The claims have been there and they're a fact of political life for some period of time. So the concept we're now inviting them to make claims, with respect, as is often the case with you, portrays an ignorance of the facts. The facts are there and solid. The claims exist. What we've been dealing with is a method of having a process of dealing with claims that exist. So, it's not a question of invitation there or anywhere else.

JOURNALIST: Could you elaborate on why it's taken so long to resolve these negotiations and, in particular, why the proposal for voluntary agreements on living areas didn't succeed and your concerns about eligibility criteria for applications for living areas?

PERRON: Well, you've asked a question which would really probably require, in fact, the 20 odd hours of negotiations it's taken to resolve in the final form, to answer. Your first question was why has it taken so long. The matters are enormously complex. They're also enormously politically sensitive and they have a very long history to them as well of things that were said and done and undertaken years ago by various parties. As a result of those things that have been said and done and not done, other parties have locked themselves into various positions. We've made no secret of the fact that we have long believed that, had the Commonwealth commenced the amendments to Section 50 of the Land Rights Act in mid, I think, '87 when they were passed, then we wouldn't, this matter wouldn't have taken so long. However, I'm sure the Commonwealth have another view of that and other parties felt that had Section 50 been commenced then something else would have come off the rails. So, I

don't claim responsibility for all that period because unfortunately I wasn't in charge of negotiations, or perhaps fortunately, I don't know. But for whatever reasons, it's been very long and slow in coming. I regret that, the Commonwealth certainly does and so do the Aborigines. So the important thing is we're here today, having reached an agreement, and we're going to proceed as fast as we can. Now your question of eligibility. Obviously eligibility was one of the crucial matters to be determined finally between the respective parties. It was important, I believe, to indicate that we weren't talking about a process of land claims under traditional attachment, a la the Aboriginal Land Rights Act because that's not what we're talking about and you won't find that embodied in the document that we've both signed. But we are however, providing for a system of claims to land by persons of particular eligibility and there are particular requirements about what can be claimed and there's criteria on that end of the scale as well. So these matters are all very important and had to be picked over piece by piece. They have been and we've resolved them all.

JOURNALIST: .... you said before that there's one aspect .... less than ideal. Which specifically are those matters?

PERRON: Well, I'm obviously not going to run through what the Commonwealth decided to let slide and what the Territory Government decided to let slide, but clearly if you've had a disagreement for at least four years and, in fact, the disagreements go back, if I recall, possibly even pre the Labor Government, Federal Government, then obviously to reach an agreement in the end, someone's got to give. What I'm saying is that it wasn't one side who gave in this exercise, it was both sides. Had both sides not given, well, we'd be sitting back perhaps for another four years throwing stones at each other.

JOURNALIST: Mr Hawke, Mr Perron .... the need for additional funding to flow through to the Northern Territory once excisions are settled, will the Commonwealth be injecting more funds in the Northern Territory for basic services like housing -

PM: Let me say this. As far as we're concerned and Mr Perron, of course, he should and would speak for himself, but as far as we're concerned this is as I've put. The precondition for addressing the conditions that we've referred to under which these people live. As far as we're concerned now having resolved that precondition of title, then it will be the attitude of my Government that we should give very special attention to taking advantage of the fact that we've cleared that hurdle and address as effectively as we can the provision of facilities. Now in all these things, this is a matter of coordination between our two Governments. I gather from the discussions that we've had that Mr Perron would share that view, but he obviously can speak for himself.



PERRON: Well like most, just to say briefly not to hold people up on this issue, but most of Governments' problems, I guess, in meeting the aspirations of constituents can be boiled back to money problems. There never seems to be enough of it, of course, for any of us for any of the purposes we're here for. There are very substantial sums that flow into the provision of services and housing to Aborigines in the Territory and no doubt across the country. However, if we are going to fairly quickly escalate the amount of land which requires housing and services, well then it is going to require some more funds. I'm not using this public forum to put the .... on the Prime Minister. It will be dealt with through the budgetary process of course and the Commonwealth will make its decisions at the time. But I guess I need to point out that most of the Territory Government's funds flow from the Commonwealth, as you're probably aware, and it's not simply a matter of us saying 'well we'll find another \$5 or \$10 or \$20 million per annum or \$50 million per annum from Territory sources'. We don't have the powers of the States, we don't have the tax raising abilities of the States because of our limited powers and so we rightly turn to the Commonwealth -

PM: I'm sure that I'll be hearing from Mr Hand on this issue.

JOURNALIST: The agreement, as it relates to stock routes, the Commonwealth's been worried about Aborigines who had claims on stock routes and wouldn't be eligible for excisions once the stock routes weren't claimable any more. Are all of those groups covered by this?

PM: In regard to the stock routes which has been agreed between us will be a matter handled under the Commonwealth legislation. We have agreed that there will be full consultation between the Commonwealth and the Northern Territory to deal with the .... There's a mass of applications there as you know. I mean, I was just amazed when I saw the map and extent of them, the spread of them. Now, on dealing with all those which are now established, then there's going to be a consideration under the terms of our discussion of what are appropriate. There are some that will, may have lapsed because of the range of circumstances, but we will consult with the Northern Territory and then once those decisions are made in regard to those claims, then the essence of the agreement is the proclamation of 50 so that that means that that is the end of the issue.

JOURNALIST: Chief Minister, how long has it been since these stock routes were in fact used as stock routes? The nineteenth century, 50 years?

PERRON: I think some of them have been used more recently in short segments, but it's true that the great cattle drives of the last century, which was the reason they were originally put in for, there haven't been many of those since the one we ran for the Bicentennial of course.

But the facts are that they are not part of a pastoral lease, they're an area excised from the pastoral lease at the time the pastoral lease is granted. They are Crown land and the history of the matter of stock routes arose because the challenge to the High Court that they were not claimable, should not be claimable under the Land Rights Act, ruled that they were claimable and that that presented special difficulties for everybody because in some cases they divide pastoral properties in three, in many cases in two. However, they were claimable under the Land Rights Act and the Land Councils claimed them, as was their right. What we have here now is a negotiated settlement for a portion of stock routes not to have to go through the land claim process to be directly scheduled to the Land Rights Act. Following a period of consultation with the Territory, an examination of the applicants and their meeting a certain criteria and that will be balanced. Land that is scheduled on stock routes will be balanced with excisions on neighbouring pastoral leases. So, it's not a matter of everybody sort of doubling up, as it were. In some cases Aboriginal claimants may well prefer a piece of land off a stock route for various reasons and they may drop a claim on a stock route. Obviously they don't get both. That's our agreement between us, is designed to look at stock routes and excisions on pastoral leases virtually concurrently.

PM: That's right.

JOURNALIST: From any decade these stock routes have been, have functioned as parts of the, as a part of the pastoral leases that surround them?

PERRON: Yes.

JOURNALIST: Mr Hawke, if I could just raise another issue?

PM: Is it about this subject?

JOURNALIST: No, it's about -

PM: No, you can't. Didn't you hear what I said at the beginning? When this is concluded, then it will be open.

JOURNALIST: Mr Perron said earlier that the significance of this deal is that it's taking title away from generally white pastoralists and granting it to Aboriginal people. The question to you, Prime Minister, is given that you've pulled something as tricky as that off, is there any chance of you dusting off the treaty proposal?

PM: Well, I don't accept the language that you use about dusting off the treaty proposal. The position there is that the Minister is in the process, and has been for some time, of conducting discussions and trying to get a mechanism for ascertaining the views of the Aboriginal people. He's also looking at the issue of how we may also try and get ideas from the non-Aboriginal community.

Now, I have reports from the Minister .... on occasion he says 'well, there is where we are and where we're going' and I expect that that process is going to continue. It has not, at any point, been put in a pigeon-hole or a back-box at all. We have the two questions - there are a whole number of other issues which have had to involve, including this .... The predominant attention of the Minister, and of course, the whole process of moving to set up the ATSIC structure, now that hasn't meant that the other's been forgotten but there is a limit to the amount of time that you've been able to give to this. But it is still very much on the table and it's my hope that the processes will evolve in a way which will enable the Minister to come to me and say 'well here is the concept from the Aboriginal people as to what they would wish to see' and contemporaneously, I hope, we'll be able to have the idea discussed in the non-Aboriginal community and then the issue can be dealt with. By definition, as I've said always, this is not something which will lend itself to an imposed arbitrary sort of process. The essence is that we get an understanding on both sides of what it should be about.

JOURNALIST: Prime Minister, at Burunga you indicated that you'd like to get the treaty in place by the end of the life of the current Parliament. Is that still your aim?

PM: Well, that was my aspiration. I would have to say the processes, it would appear, are going to take longer than that. I would liked to have got it by the end of this Parliament. Realistically now I'd say that that is not possible, but there has been no lessening in my commitment or that of my Minister on this issue. Now, I don't want to be difficult about cutting off questions on this issue, but I imagine that there are other issues you want to talk about and I do have to get in the Parliament, so -

JOURNALIST: One more question -

PM: No, you've had three and they were pretty poor at any rate. Yes?

JOURNALIST: .... in relation to Yambah station -

PERRON: Yes.

JOURNALIST: The people that are sitting outside the Supreme Court in Darwin today. Would you .... they'd rather be sitting on their own land. How does this help them and what would you say to them today?

PERRON: I believe what we've done in the last 24 hours will help them. Yambah is a particularly complex case, even within complex cases. That's acknowledged by all parties, Land Councils, Aboriginal Affairs, Departments, Commonwealth Offices and Territory Offices. It's going to require some special attention by a number of senior people, possibly

including myself and the Federal Minister for Aboriginal Affairs, to try and carefully resolve. I can't go into much more detail than that, but I think that the agreements that we've reached to date providing for a special form of Territory title, providing for scheduling of land to stock routes because there are stock routes running through Yambah. In fact, .... some of the Aborigines are camped on stock routes as well as those who are camped on the station itself and so I think that the, a resolution to that problem is in sight, but it may take a little while yet and a lot of talking and, hopefully, goodwill.

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