

Aboriginal Peak Organisations Northern Territory (APO NT)

Committee Secretary
Joint Standing Committee on Electoral Matters
PO Box 6021
Parliament House
Canberra ACT 2600

Via email: em@aph.gov.au

Friday, 10 July 2020

Dear Committee Secretary,

RE: APO NT Submission to the Inquiry into the Commonwealth Electoral Amendment (Ensuring Fair Representation of the Northern Territory) Bill 2020

The Aboriginal Peak Organisations of the Northern Territory (**APO NT**) welcomes the opportunity to make a submission to the Joint Standing Committee on the Electoral Matters on the Commonwealth Electoral Amendment (Ensuring Fair Representation of the Northern Territory) Bill 2020. APO NT supports the Bill and recommends that a minimum of two seats be provided for the Northern Territory (NT) in the House of Representatives. APO NT would also like to be considered for the Public Hearing on this Bill when the Committee meets in Darwin at the end of July. Additionally, APO NT endorses the submissions made by the Aboriginal Medical Service Alliance of the Northern Territory (**AMSANT**) and the Central Land Council (**CLC**).

Since its establishment in 2010, APO NT has been working to develop constructive policies on critical issues facing Aboriginal people in the NT and to influence the work of the Australian and NT Governments. As peak organisations in the NT, we share the aim of protecting and advancing the wellbeing and rights of Aboriginal people and communities. Aboriginal empowerment, local ownership and community control are critical factors underpinning our work in health, housing, employment, education and governance. We also advocate for strengths-based approaches that nurture children and their families and promote the child's development and wellbeing. APO NT's footprint covers the whole of the Territory and APO NT actively engages with our members, traditional leaders, community leaders, and Aboriginal community-controlled organisations.

The Australian Electoral Commission's determination to decrease the NT's seat to one would not ensure sufficient and equitable representation to Territorians, especially Aboriginal and Torres Strait Islander people.

The NT is Australia’s third largest jurisdiction.¹ It spans close to 1.4 million square kilometres, including the remote Indian Ocean Territories of Christmas Island and the Cocos (Keeling) Islands. It would be extremely difficult and challenging for one MP to divide their time between Darwin, Alice Springs, Katherine, Tennant Creek, Nhulunbuy, Jabiru, outstations, 43 town camps, 96 major and minor communities and over 600 homelands, as well as Christmas Island and the Cocos Islands. All of these places deserve special attention and good representation in parliament. The NT is six times the size of Victoria, almost the size of New South Wales.² This is demonstrated in **Figure 1**.

Figure 1: Key geographic characteristics of the Northern Territory³



While not the largest electorate in Australia, the Territory’s electorate of Lingiari’s geographical size is considerable and second only in size to the WA seat of Durack. In contrast, the Australian Capital Territory (ACT) has been granted three seats (although this is now proposed to be reduced to two) and Tasmania is guaranteed a minimum of five House of Representatives seats as an original State, even though both jurisdictions are considerably smaller in geographical size than the NT. ACT’s population was 427,400 as of the end of 2019, which equates to 142,000 people per electoral seat,

¹ NT Department of Local Government Housing and Community Development. Northern Territory Housing Strategy 2020 – 2025, 5. Retrieved from https://dlghcd.nt.gov.au/_data/assets/pdf_file/0010/765433/nt-housing-strategy-2020-2025.pdf

² Commonwealth, Parliamentary Debates, Senate, 11 June 2020, 97- 100 (Malarndirri McCarthy). Retrieved from https://parlinfo.aph.gov.au/parlInfo/genpdf/chamber/hansards/c6e3e0e5-6d79-4fec-b1cd-0c3e97bcba71/0287/hansard_frag.pdf;fileType=application%2Fpdf; Gibson, J.

³ NT Department of the Attorney-general and Justice, Pathways to the Northern Territory Aboriginal Justice Agreement (2019), 24. Retrieved from https://justice.nt.gov.au/_data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf

while Tasmania's population of 537,000 equates to 107,000 people per electoral seat⁴. If the Territory's Federal representation is reduced to a single seat, this seat will represent the entirety of the NT's 244,800 people. This is not fair or equitable to those that live in the Territory.

Our jurisdiction has unique demographics, which require at least two seats to ensure adequate coverage of the region and engagement with Territorians. Over 30 percent of the NT population is Aboriginal and Torres Strait Islander peoples and a high proportion live in remote or very remote areas.⁵ The NT is linguistically and culturally diverse, with more than 100 Aboriginal languages and dialects spoken in the Territory⁶, with 15.3 percent of the population speaking an Aboriginal language at home and many Aboriginal Territorians speaking English as a second, third or fourth language.⁷ Aboriginal and Torres Strait Islander people also face considerable education, employment and income disparities compared to non-Aboriginal Territorians:

- 45 percent of Aboriginal and Torres Strait Islander households in the NT are in poverty.⁸
- The NT has 12 times the national rate of homelessness and 88 percent of the NT's homeless population are Aboriginal.⁹
- Only 14.2 percent of Aboriginal Territorians have completed year 12.¹⁰
- 25 percent of Aboriginal Territorians are unemployed.¹¹

Amendments to the Solomon and Lingari electorates in the NT would directly impact on Aboriginal and Torres Strait Islander peoples engaging in the electoral process. It would also place great strain on the elected representative. This was expressed by the Hon. Warren Snowdon MP, Member for Lingari, in 2003, who spent 12 years as the only Member for the NT. Snowdon said:

'Servicing an electorate of this size is extremely difficult. A single electorate would include both a capital city and some of the most remote parts of Australia. The NT includes a vast range of

⁴ Australian Demographic Statistics, December 2019, Australian Bureau of Statistics
<https://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/3101.0Main%20Features3Dec%202019?opendocument&tabname=Summary&prodno=3101.0&issue=Dec%202019&num=&view=>

⁵ Northern Territory Economy: Population. Retrieved from <https://nteconomy.nt.gov.au/population>

⁶ NT Government Interpreting and Translating Service (June 2020) Retrieved from:
<https://nt.gov.au/community/interpreting-and-translating-services/aboriginal-interpreter-service/aboriginal-languages-in-nt#>

⁷ NT Department of the Attorney-general and Justice, Pathways to the Northern Territory Aboriginal Justice Agreement (2019), 23. Retrieved from
https://justice.nt.gov.au/_data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf

⁸ Altman, J. (2017). 'Deepening Indigenous poverty in the Northern Territory' Retrieved from
<http://regnet.anu.edu.au/news-events/news/7002/deepening-indigenous-poverty-northern-territory>

⁹ APO NT submission to the House of Representatives Standing Committee, Inquiry into Homelessness Australia, July 2020.

¹⁰ NT Department of the Attorney-general and Justice, Pathways to the Northern Territory Aboriginal Justice Agreement (2019), 25. Retrieved from
https://justice.nt.gov.au/_data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf

¹¹ NT Department of the Attorney-general and Justice, Pathways to the Northern Territory Aboriginal Justice Agreement (2019), 25. Retrieved from
https://justice.nt.gov.au/_data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf

*socioeconomic groups and the highest proportion of Indigenous Australian voters (at least 29 percent) in the country’.*¹²

The suggested reason for the NT’s decrease in seats has been due to the decline in population. The Territory currently has a population of 244,800¹³ people dispersed over the vast region, but according to the Northern Territory Department of Treasury and Finance, this will increase to 251,727 by 2021.¹⁴ This increase would meet the threshold required for two seats before the next Federal election in 2022 and by the next determination of state and territory representation. This would make the NT electorate by far, Australia's largest by population, with approximately 30,000 more people and spread over an area more than 35,000 times larger than the electorate of Melbourne.

Given the remoteness, low literacy levels, high rates of homelessness and those not in the labour force, APO NT has concerns that the Census is not counting all Territorians, which could be an explanation for the low Territory population. APO NT also shares AMSANT’s concerns relating to the under-enrolment of eligible voters. While a five percent undercount has been incorporated into the population estimate the accuracy remains questionable.

The Guardian reported that there are an estimated 26,300 people from rural and remote areas in the NT not enrolled to vote.¹⁵ The Central Land Council’s submission noted that the NT has the lowest overall enrolment rate for Aboriginal and Torres Strait Islander people of all jurisdictions at 68.2%, and young Territorians aged between 18-25 have the lowest enrolment rate for any demographic in the country at 67.8 percent. The electorates of Solomon and Lingiari have an overall enrolment rate between 90 and 95 percent and 75 and 80 percent respectively.¹⁶

APO NT believes this is attributable in part to significant funding cuts made in 2018 to the Australian Electoral Commission which has reduced their NT staff from 16 to three, with five jobs removed from enrolment and four from the Indigenous participation and voter education.¹⁷ While there may be an increase of staff, seconded from other departments during elections, this is a band-aid solution, which seeks to enrol voters within a very short timeframe. This inhibits the educational component and best

¹²Joint Standing Committee on Electoral Matters, Territory Representation: Report of the Inquiry into increasing the minimum representation of the Australian Capital Territory and the Northern Territory in the House of Representatives (2003),

¹³Australian Demographic Statistics, December 2019, Australian Bureau of Statistics <https://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/3101.0Main%20Features3Dec%202019?opendocument&tabname=Summary&prodno=3101.0&issue=Dec%202019&num=&view=>

¹⁴ Department of Treasury and Finance, Australian Bureau of Statistics, *Estimates of Aboriginal and Torres Strait Islander Australians*, Cat. No. 3238.0.55.001

¹⁵ Allam, L., ‘Government 'suppression' tactics blamed for NT's low rate of voter enrolment’ (Media Release, 11/12/2018). Retrieved from <https://www.theguardian.com/australia-news/2018/dec/11/government-suppression-tactics-blamed-for-nts-low-rate-of-voter-enrolment>

¹⁶ The Solomon electorate covers the greater urban area of Palmerston and Darwin and the Lingiari electorate covers the rest of the NT, including the Christmas and Cocos Islands and has the highest proportion of Aboriginal residents. See Central Land Council’s submission to this Committee.

¹⁷ Allam, L., ‘Government 'suppression' tactics blamed for NT's low rate of voter enrolment’ (Media Release, 11/12/2018). Retrieved from <https://www.theguardian.com/australia-news/2018/dec/11/government-suppression-tactics-blamed-for-nts-low-rate-of-voter-enrolment>

practice processes for interpreting in a multi-lingual, cross-cultural context with Aboriginal people in the NT. We have found during remote mobile polling days that many Aboriginal people are not aware of the timing of election-day and subsequently fail to vote or miss the short window of time when polling booths are open. Some community residents have stated that they have not seen any posters on social media advertising the polling days.

This situation exacerbates the challenges of engaging with communities or Aboriginal people. This has resulted in the lack of much-needed support to Aboriginal Territorians across remote and very remote areas and consequently, curbed the right of Aboriginal people to participate in the political, economic, social and cultural life of the state.¹⁸

To protect the democratic right to vote in elections, governments must prioritise funding to enable well-resourced and thorough campaigns to educate, enthuse and enrol Aboriginal people in remote communities.¹⁹ We are aware that there are many eligible young people living in remote areas that are not aware of their legal obligation to enrol to vote or understand how the electoral system works. Due to the diversity, language, cultural and geographical barriers we face in the NT, we strongly urge the Australian Government and the Australian Electoral Commission to reform and improve the electoral system in the NT to ensure every Australian citizen and Territorian has the right to vote and is equipped to fully participate in the democratic process.

We support the Uluru Statement from the Heart and the two broad objectives, the establishment of a 'First Nations Voice' and the Makarrata Commission to supervise a process for both agreement making between governments and First Nations people. This may take many years to gain the support required, both from the Australian people and the Australian Parliament, to become a reality. If the NT is stripped of one federal seat, this would severely disadvantage our peoples' voice, aspirations and determination, risk jeopardising the outcomes of Closing the Gap for the NT and hamper our capacity to address the challenges we face in addressing the social determinants of health for Aboriginal people.

Since Federation, the NT has faced many challenges with regards to control, representation, rebellions²⁰ and uncertainty. Today, in the NT we have self-government and are ultimately subject to significant legislative control and resourcing by the Commonwealth. This situation, which is unique to the NT, heightens the necessity for adequate federal representation for NT resident to enable them to have a say in the decisions that are made a long way away but affect so much of our day to day lives and prospects. We strongly believe that Territorians deserve to have at least two members in the House of Representatives in the Australian Parliament.

¹⁸ *United Nations Declaration on the Rights of Indigenous Peoples*, GA Res 61/295, UN Doc A/RES/61/295 (2 October 2007, Adopted 13 September 2007), Article 5.

¹⁹ McLennan, C. 'Indigenous groups call for a rethink on Territory poll' (Media release, 28/04/2020). Retrieved from <https://www.theguardian.com/australia-news/2018/dec/11/government-suppression-tactics-blamed-for-nts-low-rate-of-voter-enrolment>; Gosling, L, '12 months later and not one site visit to the NT' (Media release, 04.05/2018) retrieved from <https://lukegosling.com.au/12-months-later-and-not-one-site-visit-to-the-nt/>

²⁰ See The Darwin rebellion 1918 in Northern Territory Department of Education, *Riot and Rebellion* (2019). Retrieved from https://govhouse.nt.gov.au/_data/assets/pdf_file/0008/797876/riot-rebellion-christine-collins-2019.pdf

To discuss the details of this submission further, please contact the APO NT Coordinator, Brionee Noonan on (08) 8944 6672 or via email: brionee.noonan@amsant.org.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Paterson', with a long horizontal flourish extending to the right.

John Paterson

On behalf of the APO NT Governing Group