

Statehood & Constitutional Reform

Key Issues

- Currently discussions about the Constitution seem to be quietly bubbling on, with little public knowledge about what's going on;
- Current NT Government *Discussion Paper* hard to find on website;
- Central Land Council (CLC) would like to see a draft Constitution in the next few years; CLC keen to have major input into content of new Constitution
- The new Constitution will decide many future issues for Aboriginal people
- Aboriginal people influenced the last Statehood Referendum and have the balance of power;
- Aboriginal people need to make informed decisions and clear statements on what they want for Statehood;
- The impact of Aboriginal Land Rights will be the main issue for Aboriginal people;

Key Questions

- What are the advantages and disadvantages for Aboriginal Land Rights if the *Act* comes under NT Govt or Commonwealth control;
- What will be the effect on the payment of royalties under any proposed changes to current arrangements;
- How do you lock in future governments to changes to the system of payment of Royalties;

- **Whilst the Statehood process continues, there still needs to be a focus on better legislative arrangements for regional authorities.**
- **A model of Statehood needs to be found that fits the broad spectrum of NT society**
- **Needs to be discussion of type of electorates (ie. multi-member electorates) and method of election which promotes smaller parties, independents, and Aboriginal members;**
- **What will be the NT's allocation of members in House of Representatives & Senate;**
- ***“Rights of the people, not the power of the government”***
- **Consideration of the inclusion of Aboriginal Customary Law;**
- **The Statehood process needs to be driven by the NT Govt initially;**
- **Public awareness of the power of the Commonwealth to override NT laws,**
- **The new Constitution needs to be far reaching & innovative;**

Recommendations:

- **For the Northern Territory Government to seek financial assistance from the Commonwealth Government to facilitate the development of a Northern Territory Constitution.**

- **The Northern Territory Government needs to adopt a broad and inclusive consultation & education process about the subject of the new Constitution and Statehood.**

- **The Northern Territory Government needs to adopt a fair and inclusive system of deciding who will be represented at a future Constitutional Convention.**

- **Decision-making at the Constitutional Convention needs to be by consensus not majority.**

- **The Legal and Constitutional Review Committee of the Legislative Assembly should co-opt a balanced group of additional members onto its committee from across the NT.**

- **There needs to be a better system of election whereby Aboriginal people can represent their region at the Commonwealth or NT level.**