Tony Fitzgerald Memorial Address
Thursday 29 March 6:00pm,
Northern Territory Library, Parliament House

Acknowledgement to the Larrakia People.
Acknowledge Russell Goldflam of the Criminal Lawyers Association of the NT and members.
I also acknowledge members of Tony Fitzgerald's family, his daughter - Nina Fitzgerald, Tony's sister - Shane Fitzgerald and Nina's grandmother - Pat Raymond who are here with us tonight.
Ladies and Gentlemen.

The Northern Territory has always exulted in the image of a "land apart" from the rest of the continent of Australia. A tough rugged environment matched by the tough rugged people who have made the "Territory" their home.

This is an image that has been promoted assiduously by tourism promoters and successive Northern Territory administrations since self government.

The Territory has been written about by Ion Idriess, Douglas Lockwood, Xavier Herbert, Ernestine Hill and many others over the years. It has been the subject of many feature films and documentaries , most recently "Australia" with our most glamorous exports Nicole and Hugh again portraying the selfless and heroic pioneers undaunted by corruption in high places; fire and flood prevailing over the scourge of the excess of rum and sexual exploitation on the frontier.
In my own mind the prevailing memory of the "Australia" movie was the local mirth at the delivery of the "Darwin Handshake" proffered by a local Darwin extra to an unsuspecting Nicole on the set during the filming in Darwin Harbour.

But I always tend to look to the uncomplicated in a movie!

Whether as a strategy for encouraging tourism or painting a picture of our Northern frontiers being defended by our heroic servicemen and women or as an attempt to describe the complexities of societies trying to come to terms with racism and distorted social conformity, the Territory has provided a backdrop to a story that has captivated and enthralled Australians living in the "distant south" and in countries beyond our shores for decades.

To this day on morning TV and radio programmes across Australia it is an expected part of the entertainment for reference to be made of the current crocodile photograph and headline of the latest edition of the NT News.
The image portrayed over the years in books, movies, documentaries and TV programmes has, of course, some foundation in reality. The men and women who came into the North and opened up this part of the world were indeed tough, independent and resilient human beings – driven no doubt by many different dreams and visions.

Some were missionaries, some were aspiring pastoralists, and some were simply searchers for a safe haven from the outcomes of other lives. Many were the agents of governments sent to assert their authority over the lives and futures of the newcomers and the Aboriginal people of this region.

Aboriginal people, in all their diversity, had been living here on their ancestral lands for millennia, practicing their law, culture and ceremony and teaching their children the skills and knowledge to enable future generations to continue to sustain themselves and their environment in balance for centuries to come.

The impact created by the arrival of newcomers on the lives of the Aboriginal people in this country is a legacy that underpins every aspect of the lives of Territorians to this very day.

Every policy of government, every economic decision, every decision on the allocation of health, education and justice resources in the Northern Territory to this day and into the foreseeable future is impacted by our failure to build a just and equitable society where all our citizens can share equitably in the resources available to the Territory.

For Traditional Owners of the lands and seas, this has meant an on-going struggle to be able to fulfil their customary responsibilities to the land and sea and to assert their rights and responsibilities as First Peoples.

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The man whose life and achievements that we celebrate and remember tonight – Tony Fitzgerald was in many ways an unlikely Territorian hero.

Tony was neither loud nor brash; he was measured and considered in his views and without prejudice or guile in his dealings with his fellow man.

But in the Territory mould his humour was subtle and understated - his loyalty unlimited - and his courage to confront injustice recognised by all who came into the orbit of his life - either friend or adversary.

As most of you here know, Tony was the NT Anti Racial Discrimination Commissioner from 2002 until his passing in 2009.

As Commissioner, Tony was passionate about the need to promote a fair and just society that was free from racial discrimination and inequality.

I recall a conversation with Tony in 2006. We were both in Daguragu attending the 40th Anniversary celebrations of the Gurindji Walk off from the Vestey properties.
We spoke of the struggles shared and observed from afar. We pondered the long term implications of the Howard years, then in their final throes, on Indigenous affairs and the lives of Aboriginal people, and we marvelled at the pride that the younger generation of Gurindji were displaying in the achievements of their leaders of the generation of the Strike.

In the midst of this conversation about things historic and matters of high importance and some of mundane irrelevance, Tony, like some soothsayer from a Greek tragedy, spoke of his concern that the high tide of Aboriginal self determination and achievement had peaked, and that forces within society had determined that enough was enough and that Aboriginal rights were now under threat more than at any time since the 1970's.

He was not so wrong, as it turned out.

Within days of the Gurindji celebrations the Chief Minister of the Northern Territory, Claire Martin had initiated the Wild/Anderson Review into child abuse in the Northern Territory.

As we know, the report from that review – The Little Children are Sacred Report, became the catalyst for the Howard Government to initiate the Northern Territory National Emergency Response.

Tony was highly critical of the Commonwealth Government's Emergency Response to Aboriginal communities.

He was particularly appalled at the intervention's suspension of the *Racial Discrimination Act*, which since its enactment in 1975 has been important in ensuring the protection of all Australians from racial discrimination.

The suspension of the *Racial Discrimination Act* barely seemed to ruffle the nation's conscience at the time.

Characterised as a special measure, and with minimal consultation with affected communities, the Government claimed that this would be a short lived exercise that would bring stability to Aboriginal Communities, properly house and educate all Aboriginal Territorians and improve their well-being.

Under this guise, the federal Government compulsorily acquired land, took control over Aboriginal communities and imposed an administrative and statutory management regime over the day to day lives of Aboriginal people in a way that would be unthinkable were this to apply to other citizens of Australia.

At the time the Northern Territory Emergency Response was imposed, many liberal minded people were enticed by the allure of the story the Government was putting before the people of Australia.

Tony Fitzgerald was among those who immediately recognised the Intervention for what it was – a cynical, political strategy to deliver the final assimilation of Aboriginal people and the destruction of their political, social rights and even their hard earned property rights under the 1976 Land Rights Act.

He was opposed to the discriminatory nature of welfare quarantining; the one size fits all approach, and the lack of engagement with remote Aboriginal communities under the intervention.

In the Anti Discrimination Commission's submission to the Review of the Intervention in 2008, which was chaired by Peter Yu, Tony described the Intervention in the following terms.

> The take-over, or Northern Territory Emergency Response, was conceived in Canberra without discussion with the NT government or the affected communities. The Northern Territory Emergency Response was coercive, heavy handed and designed on the run with limited planning as a short-term response to enable the commonwealth to obtain control, stabilise, normalise and exit.
> Although styled as an "emergency" government response to the 97 recommendations of the "Little Children are Sacred" report, the Northern Territory Emergency Response ignored those recommendations and it is common knowledge that the government ignored the dysfunction, disadvantage and disorder prevailing in remote communities for the last 40 years.

The central recommendation made by the Anti Discrimination Commission was:

> The Northern Territory Emergency Response in its present form should be scrapped and transformed from a quick fix, law and order plan into a range of long term initiatives aimed at overcoming remote Indigenous disadvantage and raising indigenous quality of life. The initiatives are required in the broad areas of (locally delivered) housing, health and education, and may take generations to build and deliver. There is no indication yet that government is willing to commit to the level of sustained local engagement required to effect change.

You may or may not agree with the intent or implementation of the Intervention in its various incarnations but certainly Tony Fitzgerald was of the same view as the United Nations Rapporteur on the Rights of Indigenous Peoples, James Anaya.

Dr Anaya in his report to the UN Human Rights Council said the Northern Territory Emergency Response:

> Limits the capacity of indigenous individuals and communities to control or participate in decisions affecting their own lives, doing so in a way that discriminates on the basis of race, thereby raising serious human rights concerns.[1]

As Anti Discrimination Commissioner, Tony also took the view that the Intervention was a flawed process that breached basic human rights and diminished substantially the capacity of Indigenous people to seek redress against discrimination that was available to non Indigenous Territorians.

Five years on, and the intervention for many Aboriginal Territorians still hangs like a veil of exclusion from the same rights and privileges' available to every other citizen of this country.

The proposed 'Stronger Futures Legislation, which is currently being debated in the Senate, would see the intervention extended for another 10 years.

Yet again, without adequate consultation it seems, the Federal Government seeks to impose a set of measures that would punish rather than encourage and assist Aboriginal people to find meaningful, long term solutions to issues.

There is no doubt there are social problems in Aboriginal communities. Aboriginal people, like other Australians, want their families, their children and their communities to be healthy, safe and free from violence, crime, alcohol abuse and social dysfunction.

However, many would also say, and indeed are saying, we do not want to be subject to discriminatory, coercive measures and legislative regimes that would see us return to the days of native welfare protectors.

Liberation from disadvantage and welfare dependency should not be at the expense of people's basic rights, nor should this be at the expense of one's culture and identity.

The gloomy reality is that our people continue to remain dependent, disempowered, and disengaged by programs authored for and about us, but hardly ever by the community members for whom they are targeted.

Yet the possibility that Indigenous people should be engaged in setting the social and cultural benchmarks for their well-being and development, *and* be encouraged at the local level to work towards achieving these - is something that is still not contemplated by Governments.

We are now in the second decade of the 21st Century and we seem incapable of resetting the relationship with Aboriginal people, beyond some form of assimilation. The consequence of this policy paralysis is more iteration of philosophically compromised policies – of which the NT intervention is a case in point.

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[1] *Anaya UN Human Rights Council June 1st 2010*

Those who are preparing the proposed Federal "Stronger Futures" legislation would perhaps do well to consider and implement the **9** recommendations that Tony and the Anti Discrimination Commission made in their submission to the Intervention Review and return the Aboriginal people of the Northern Territory to their proper status as citizens with equal standing and quality of life with all other Australians.

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It was at Daguragu that Tony and I probably had our last conversation. This was the place where in 1975 Gough Whitlam handed over the deeds for the Gurindji people's land at Wattie Creek, Daguragu to Vincent Lingiari - a moment captured in that iconic image of Whitlam pouring soil into the hands of Lingiari.

This moment was historic, not only for what it symbolised for the land rights of Aboriginal people, but for our right to be free from servitude, to be treated fairly, equally and with dignity.

Nevertheless, it took a further 17 years for our legal system to reject the notion that Australia was unoccupied, or *terra nullius.*

In the Mabo No 2 Case, Justice Brennan concluded:

> The fiction by which the rights and interests of indigenous inhabitants in land were treated as non-existent was justified by a policy which has no place in the contemporary law of this country.[2]

His Honour went on to add:

> A common law doctrine founded on unjust discrimination in the enjoyment of civil and political rights demands reconsideration. It is contrary both to international standards and to the fundamental values of our common law to entrench a discriminatory rule which, because of the supposed position on the scale of social organization of the indigenous inhabitants of a settled colony, denies them a right to occupy their traditional lands.

This year marks twenty years since the Mabo verdict was handed down and a lot has happened in the time since.

But as a nation, have we done all we can to displace the myth of terra nullius?

While we have acknowledged the native title rights of traditional owners, our nation's founding legal document – the Constitution of Australia – still fails to recognise the presence of Aboriginal and Torres Strait Islander people prior to British settlement.

The Constitution establishes the framework for our political and judicial institutions and sets outs the powers of the Commonwealth Parliament.

However, the constitution is also a product of a time when racial thinking dominated. It not only contains provisions that do not reflect our modern values or our obligations under international conventions to eliminate racial discrimination, but it continues to remain silent about the prior occupation of Indigenous Australians.

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[2] At *(No. 2) [1992] HCA 23, at* 42.

At the time of drafting, the only two express references to Aboriginal and Torres Strait Islander peoples in the 1901 Constitution Act both related to our exclusion.

Section 127 excluded us from being counted in the Commonwealth census and section 51(26) prohibited the Commonwealth parliament from making laws for us.

It was not until the 1967 Referendum, when an overwhelming majority of Australians voted in favour of amending these two sections, that the scope of the Commonwealth's powers were extended to include Aboriginal people along with other races for whom it could make laws.

While the 1967 referendum removed obstacles that denied us full citizenship of the Commonwealth of Australia, the referendum did not deal with the recognition of Indigenous peoples.

Nor did the 1967 referendum eliminate the potential for laws in Australia to be racially discriminatory.

Both section 25 and section 51(26) in their current form allow for the making of laws by reference to the concept of 'race'.

Section 25 gives the states the ability to disenfranchise people on the basis of race, even though there are consequences for the state in terms of their representation in the House of Representatives were they to do so.

Section 51(26), otherwise known as the race power, enables the Commonwealth to pass laws relating to "the people of any race for whom it is deemed necessary to make special laws."

Significantly, there is no requirement for the laws passed under this head of power to be beneficial to a group of people. This means that laws which have an adverse or detrimental effect on a particular 'race' of people can also be passed.

As indicated by the High Court in the Hindmarsh Island case[3], there is nothing in section 51(26) in its current form to prevent it from being applied adversely to a group of people on the basis of their race.

Without an entrenched prohibition on racial discrimination in the Constitution, there is little protection except via the RDA, to prevent the Commonwealth from passing laws that adversely discriminate against a people.

But, as we also saw with the NT intervention, the RDA can be suspended if certain actions constitute a special measure. This means that we still remain vulnerable to the political whims of governments in regards to what they deem to be for 'our own good,' even if it adversely discriminates against us.

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Over the past decade, there has been renewed acknowledgement of the need to consider constitutional recognition of Indigenous Australians.

Last year I had the privilege of co-chairing with Mr Mark Leibler an Expert Panel comprised of twenty two Australians from diverse backgrounds and political persuasions.

[3] *Kartinyeri v Commonwealth* (1998)

Our Panel was given the challenging task by Prime Minister Gillard to search for ways for the Aboriginal and Torres Strait Islander peoples of Australia to be recognised in the Australian Constitution.

The Panel had one year to report back to the Prime Minister on options that were most likely to gain widespread support across the Australian community.

In that time we talked to as many Australians as we could. More than 250 meetings in 84 different locations were held across the country, and we received over 3,500 submissions.

We also sought extensive advice from Indigenous leaders and constitutional law experts and gathered data through research, surveys and polling.

When formulating our recommendations, the Panel were guided by four principles. These principles were that each proposal must contribute to a more unified and reconciled nation, and be capable of being supported by an overwhelming majority of Australians from across the political and social spectrums. In addition, they had to benefit and accord with the wishes of Aboriginal and Torres Strait Islander peoples, and be technically and legally sound.

Having deliberated on the information before us, the Expert Panel recommended five specific changes to the Constitution. These changes would entail the removal of two sections and the insertion of three sections to the body of the Constitution.

- Firstly, we recommended the removal altogether of section 25 of the Constitution. This is a section which still enables the states to disenfranchise people on the basis of race.

- Secondly, the Panel recommended the removal of section 51(26), otherwise known as the race power.

- Thirdly, the Panel recommended that a new power– section 51A - be inserted to replace s 51(26).

  This new section 51A would give the Commonwealth parliament the power to pass laws for Aboriginal and Torres Islander peoples.

  The panel also proposed that this new section incorporate a statement of recognition similar to a preamble. This statement recognises the prior occupancy of the Australian continent by Aboriginal and Torres Strait Islander peoples, and acknowledges our on-going relationship with our land and waters. The statement also acknowledges the need to secure the advancement of Aboriginal and Torres Strait Islander peoples.

- Fourthly, the Panel recommended the insertion of a non-discrimination provision - section 116A - in the Constitution. Such a provision would prohibit the Commonwealth, States and Territories from discriminating on the basis of race, colour or ethnic or national origin. This provision would still allow for laws to address the affects of past discrimination, to overcome disadvantage amongst a group of people, or to protect the culture or heritage of any group.

- Fifthly, we recommended the insertion of a new language provision - section 127A. This section affirms English as the national language of Australia and recognises Aboriginal and Torres Strait Islander languages as a part of our national heritage.

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At the time of finalising the Report, the Expert Panel was confident the changes recommended were capable of gaining overwhelming public support at a referendum.

Having said this, the difficulties and challenges that go with achieving constitutional reform cannot be underestimated.

History tells us Australians approach reforms to the Constitutional with caution.

Only *eight* out of 44 proposals to amend the Constitution have been approved by voters since federation. The circumstances and timing of the referendum will therefore be crucial factors.

There must also be sufficient time to build public awareness of the proposed changes.

Importantly, there must be wide spread support for the changes, of which bi-partisan support is absolutely essential.

Clearly, there is no point in going to a referendum if there is minimal chance of success. The stakes are too high, and failure would likely have disastrous consequences for reconciliation.

Our report was handed to the Prime Minister in January this year.

While the Gillard Government has not formally responded to our report; the Minister of Indigenous Affairs, Jenny Macklin, has since agreed to fund a public information and community awareness campaign. This will be spear-headed by Reconciliation Australia and supported by a reference group of business and community groups, the Australian Human Rights Commission, the National Congress of Australia's First People and members of the Expert Panel.

If we went to a referendum, we would have before us a historic opportunity to reset the relationship between indigenous people and the settler state.

As a modern Australian society comprised of Australians from all walks of life, we must ask ourselves:

Do we have the courage to break the constitutional silence about the prior occupation of the land and waters of this continent by Aboriginal and Torres Strait Islander people?

Are we fair-minded enough to eliminate racial thinking from our constitution, and recognise that the unique identity of Aboriginal and Torres Strait Islander peoples derives not from a racial identity, but from our status as Indigenous people of the continent that we now share and call Australia?

Ultimately, for any of this to occur a majority of Australians in all states and territories will need to vote in favour of constitutional reform.

This is unlikely to happen if the ground work for a successful referendum is not laid.

The momentum for change must be built, and Australians should be encouraged to engage in the conversation about what constitutional recognition of Aboriginal and Torres Strait Islander people would mean for us as a nation.

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Constitutional recognition of Indigenous Australians is an opportunity for us, both Indigenous and non-indigenous people alike, to repudiate the fallacy of terra nullius from the conscience of our nation.

But the amelioration of disadvantage and the creation of a just and reconciled nation cannot be re-set by constitutional recognition alone.

There must be both the political will, and a genuine commitment on the part of governments to engage with Aboriginal people as partners in resetting the relationship.

Amongst other things, the incorporation of Indigenous people's rights and interests within the modern Australian nation requires inclusive land tenure and planning regimes, equitable natural resource extraction practices and effective public funding and citizenship services that embraces Indigenous cultural imperatives.

Reforms in these areas should not be marginalised as Indigenous benefits but rather as necessary changes to a paradigm that has alienated Indigenous people from modernity.

Government policies and strategies should be driven by a genuine desire to establish a new relationship with Aboriginal and Torres Strait Islander peoples. They should be about assisting us to navigate the pathways to modernity rather than trying to coerce us in directions that consistently require us to throw overboard the strengths and values that underpin our societies and cultures. This is assimilation and it has failed. These changes are needed to build a resilient nation confronting overwhelming social and environmental challenges.

For our part, there must be strong leadership at the family, local community and regional level amongst Aboriginal people so that we can encourage members of our community to take control of their own destinies, and build a better, resilient and stronger future for the next generation.

Self-determination, governance and economic development are essential building blocks for this. To establish these building blocks as foundations for a resilient pluralist society we need a new philosophical narrative; a new paradigm of thought to replace the doctrine of discovery and "terra nullius".

Indigenous people, the greatest victims of modernity, have a special status to lead a global discourse about such a doctrine – one that exalts their values at the discovery of western philosophy and policies proclaiming discovery of them. It should be a way of thinking that embraces the interconnected Indigenous worldview of sustainability and reliable prosperity at the interface with aging industrialism, resource exploitation and ever greater wealth pursuits.

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Tony arrived in the NT in 1978 to work for the Aboriginal Legal Service.

This was a time when the push for land rights was gaining momentum, when the effects of the 1967 referendum were just catching up to the NT, and when Aboriginal people were overtly discriminated against and treated as second class citizens before the law.

I do not know if Tony Fitzgerald came to the Northern Territory from New South Wales to fight for truth and justice or whether he thought it might be a good place to demonstrate his football skills.

I don't understand much about either League or Union but I'm told that Tony was a formidable front rower!

Tony was one in a long line of young and enthusiastic lawyers who came to the Northern Territory during the 1970's and 80's.

I am not sure what brought these young lawyers to the North. I dare say some were in search of adventure and challenge. Others were seeking to rebalance the scales of justice in a part of Australia where justice for some in the society, in particular Aboriginal people, bore no resemblance to the system of justice available to most other Australians at that time.

They came to work in Aboriginal legal services and community legal centres, for Land Councils and to help Traditional Owners come to terms with the complexities of the Northern Territory Land Rights Act.

For the first time prosecutors and police in the Territory found themselves across the tables in courts in the regional towns and distant communities facing defence lawyers. Aboriginal people, many for the first time, understood there was such a concept as making a plea and pleading "not guilty" in the courts of the dominant society.

Gaol was not a guaranteed nor pre determined outcome.

The judiciary also had to hone up on the law or it could find a senior at the Court of Petty Sessions arguing law as well as facts.

Skilled and informed legal advice and advocacy became available to Aboriginal people as a matter of course and the judicial system in the Northern Territory finally began to come into some form of balance.

This rebalancing of the judicial scales did not come without consequences. Some people, who in other days had asserted authority and power in many aspects of Northern Territory life, found the challenge presented by these "troublemakers from the south" was not something to be countenanced and sought to make life difficult for these young jurists who had wanted to ensure legal representation and support were available to all Territorians.

In those early days many young advocates were socially excluded from the institutions of the settler society. They were abused and insulted on occasion and they often had the tools of the gate-keeping bureaucrat used against them very effectively.

Agents of change and justice are not always welcome in societies that have existed for a century with a very defined and rigid pecking order. In the Territory – this was in many cases determined by your racial standing.

I'm sure that for some here tonight this has been a part of your own personal journey and you will have your own stories to tell about those times.

Certainly the alumni from that vanguard period, has provided the Australian Legal system with many of its finest judges and advocates, and I'm sure the experiences they had in the Northern Territory greatly informed their future careers and judgements.

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The legal activism in the Northern Territory that was a central part of the development of human and legal rights for Aboriginal people in the latter part of the last century and was greatly reflected in the achievements of people like Tony Fitzgerald appears to have waned in more recent years.

Many of the activists from that era have gone on to other outstanding careers. Some have become part of the legal institutions they played such a critical role in reforming - to give us the sound legal institutions we now take for granted in the Northern Territory.

There are not many jurisdictions of comparable size in the world that can boast such a range of legal minds and advocates as there are in the Territory from criminal lawyers, outstanding refugee advocates, heads of Commissions and administrative lawyers. The people of the Northern Territory should feel well served.

But in this contentment lies the potential seeds of our demise.

The law and the institutions which produce the legislation and the practitioners' who hold responsibility for maintaining the balance of justice in our society must never become complacent and allow our own sense of contentment and well being to blind us to the threats that lurk on the fringes of our society.

We must be prepared to critically examine our system and the laws that are enacted under it when that system fails or discriminates.

We must all ask whether what we are doing is effective when we have a system that has seen the incarceration rate of Aboriginal people double over the past 20 years.

Indigenous Australians now constitute 26 percent of the national prison population, which for a people who comprise less than two and half percent of the Australian population is appalling.[4]

In the NT, ABS statistics indicate that Indigenous people make up 82 percent of the Territory's prison population.

Research shows that Indigenous children are also over represented in juvenile detention centres, and our children are also much more likely to be the subject of child protection orders.[5]

On the basis of these statistics, it seems at least 25% of our young people will have an encounter with the criminal justice system at some point in their young life.

The statistics are indicative of the disadvantage experienced by many Aboriginal people, but they are also telling us that the response to addressing disadvantage has not been so effective, despite the efforts made to date.

The situation is certainly not aided by policies and administrative responses that disempower and punish Aboriginal people, rather than engage them in devising solutions to the problems that confront them.

We must be vigilant that we do not make lazy judgements on the merits of the rights of any group of people that seek redress from our legal system and ensure the quantum of justice does not become dependent upon our perceived ability to pay for the delivery of justice.

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[4] Australian Bureau of Statistics, *4517.0 - Prisoners in Australia, 2011*.
[5] Australian Health and Welfare Institute, *Juvenile Detention in Australia 2011 Report*

My old friend the Melbourne lawyer Ron Castan once described the law as “a very civilizing pursuit.”

For Tony Fitzgerald it was also about courage and justice at whatever end of the spectrum you might reside.

It is a little known fact of history that when Tony was the Anti Discrimination Commissioner in 2007 he was asked to provide an exemption under the Northern Territory Anti Discrimination Act to a subsidiary of the multinational arms company Raytheon Australia Pty Ltd on the basis that “a failure to grant the exemption would substantially undermine Australia’s defence capability”.

Raytheon were proposing to undertake substantial contracts in the Top End with the potential for jobs and manufacturing opportunities. The NT Government must have smelt the roses.

The Commissioner considered the application and declined to provide the exemption on the basis that simply asserting that position was not enough and that “the important subject of national security deserves a rigorous analysis” and that Raytheon had put forward their application “without making any attempt to convince me of the accuracy of the assertion”

You can bet there were some people at high levels of the NT and Federal Government who blanched when they were advised of that judgement.

But similarly at the outset of his term as Anti Discrimination Commissioner Tony fought for the resources for offices to be established in regional centres so that all people in Territory society might avail themselves of their rights under the Act and for education programmes to be resourced so that people might better understand how the Act works and how they could seek redress when confronted with discrimination based on the colour of the skin.

Tony believed that Justice had to be for all Territorians no matter where they lived or their circumstances. He was a remarkable man and his life and the values he asserted should continue to be recognised and considered.

Kulia