



Alice Springs – Chris Hawke

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Alice Springs Convention Centre, Alice Springs

Speakers: Chris Hawke

Chris Hawke: Chris Hawke, Christopher Joseph Hawke, on behalf of my two grandsons. The grandchildren of Tuv Tuvalu in the middle of the Pacific and the grandchildren, of some Aboriginal people I was sitting with the other night, and also the social justice awareness group of the local Catholic church, here in Alice Springs, part of the Our Lady of the Sacred Heart Alice Springs community.

Hon. Justice
Rachel Pepper: Whenever you're ready, Sir.

Chris Hawke: I'd like to share my concerns based on ... I have extra copies of it if you wish ... 'Fracking has no social licence yet' statement that we made in 2000, November 2015, through an oversight I sent it to the wrong department and not to you specifically when you placed an inquiry, and I was told this was the opportunity to share some of that.

And so, I'll read the relevant sections, since you haven't got it in front of you that I'd like to address.

Hon. Justice
Rachel Pepper: Has it been submitted to the inquiry?

Chris Hawke: Yep.

Hon. Justice
Rachel Pepper: It has been submitted?

Chris Hawke: No-

Hon. Justice
Rachel Pepper: Oh well it hasn't-

Chris Hawke: What happened was it went to the government, it went to the wrong department and-

Hon. Justice
Rachel Pepper: We're not the government, you know that?



Chris Hawke: I know that now, I made a mistake, thank you.

Hon. Justice
Rachel Pepper: Alright well, by all means read out whatever you wish but, so that we have ... And this is why I'm asking you these questions, so that we have a complete copy of the document, just hand a spare copy to any of those sitting at the table-

Chris Hawke: Over there-

Hon. Justice
Rachel Pepper: Just behind you, on your way out. They're the inquiry task force and then it'll be treated as a submission and loaded on to the website.

Chris Hawke: Thank you.

Hon. Justice
Rachel Pepper: Thank you.

Chris Hawke: Who monitors fracking operations? Will the monitors include those who do not support fracking, to ensure wider community confidence, transparency and social licence to operate? Will there be unrestricted 24/7 access to sites, fracking sites? Will there be pre and post tests of all water, soil and air testing to be publicly available? Will this cover the actual chemicals used? Is there an independent umpire or review body with no conflict of interest? Are there strong legal sections, sanctions to prosecute violations without delay? Will whistle blowers, within companies, government, or wider community be supported by legislation? Can government employees, or those in contracts share their views without risk of retribution? How do we contaminate underground water, and who pays for it? Are rural and remote territory landowners being made sacrifice zones for the short term business or government benefit? Who pays the increased costs, from climate change increases?

So these are all part of the bigger question of who benefits and who loses in central Australia and around our world, now and in the future, from fracking Northern Territory gas. When will we transition to a cheaper, healthier renewable energy economy, if not now? Let's carefully consider how we change our world before it changes us. So that's the core of the statement, and the core of what I'm saying.

So I'd like to take the time to explore some of the implications of that. I spoke with my Parish Council last night, and they're aware I'm talking briefly with you this morning. And two nights ago I spent time, two nights ago I sat around a camp fire with ten Aboriginal leaders who are not in a position for me to publicly name them here, for a whole range of reasons. A number of them are leaders of consequence, and one of the things that they shared



was how do we talk to the white decision makers about our land? And the concept of land, and their connection with the land is not about dollars, and 50 dollar notes, and how much money you can get out of the rocks at the bottom, but it's a whole relationship, which you have documented well, which is great.

I really support your move to get a lot more information and connection with them. The emptiness of that group, in terms of how do we communicate who we are and feel part of this process with you, as a representative body who is making recommendations to the leadership that we elected in this Northern Territory left them speechless, and there was a silence and some tears in that group, about that inner conflict and how we deal with it.

It was reflected ... I've been working ... I worked as a mental health specialist on an Aboriginal community for eight years, dealing with really difficult issues, and at one level there's a lot of deeper, unresolved issues with our relationship with Aboriginal people, that this becomes another little flash point with, we need to explore and be aware of. And, if we're talking about long term change, it's about that relationship and how we move forward with them. And there's almost no point of this, very little point of access there in that relationship with people and how you make ... They make decisions and we make decisions, and the consequences of the recommendations you make will either feed in towards the healing or the not of it.

As I've only partly read, and not fully understood a lot of the details that you people have put together, and thank you for your efforts, I've become really aware that the devil is in the detail, but as a Christian I'd rather hope that the inner detail is the common ground, or the common good. That the common ground is in the detail. But there's a wide spread lack of confidence that government will make decisions on the half of the majority, not only of Aboriginal people but of the wider community.

I helped door knock part of the electorate, this local electorate I'm in, which the previous chief minister was in and it was amazing when you had the time to sit and talk beyond the spin and the rhetoric and the public debate, how much common ground there was about this not happening. So it's not about finding a way to make it economically happen for the short term benefits of the community, it's about the long term issue. And even people who ... One was a miner, who fully supported it and said you are just a mob of rat bags? And after half an hour of talking he began to see that there are really important issues here. How do we create that space for the future? And I think it's really important that somehow you reflect that in your decisions.

The current water and power, for example, have you got results of all the fracking that's been done on water? Has the water of those fracking wells been tested at the well site, and around the well site, and is that publicly available? And will that be available in the future? And so, often commercial



and confidence arguments then prevent people ... And are people able to access that a 24/7? And I have this image of Aboriginal Elders, or people who don't support the fracking who have permission to have access at any time, and perhaps with some rules like a camera on them, so they everything they do is visualised. And maybe it's taken to an independent supplier, person that that camera is instantaneous so they can go and look and check at what's happening.

I've met and talked to people working in the mining industry, who are sub contractors, to reputable companies and they talk about the things that happen on the ground, workers taking short cuts and not doing it effectively. And that happens in all industries, and all government, and my church is a good example of some of the failings that we've got. We need to have really clear regulation of how to do that, and it's almost unenforceable here in the Territory, and that's a realistic thing. It's just impossible. I drive these things up to Kintore and whatever, and it's just almost impossible to arrive at a mine site unannounced to check that something's happening correctly. And because it's almost unenforceable, and because you can't undo what's done, that's something we need to look at.

I often reflect on it's a bit like the asbestos thing. Asbestos, when I was growing up, was the ants pants. Fire resistant, good for us, and then we discovered that it kills people. The government resisted the company, Hardy resisted at all costs, and a lot of public people resisted. Now the community has come around and we realise that this unseen thing in asbestos is killing people. And it's almost in the air. This is the third thing. The air, the land and the water is what we're trying to protect for our, my grandchildren and our grandchildren here and around the world.

Or it's another image that I find useful is it's a bit like the cane toad decision. With the best of will the scientific decision was made to release that in to the community and we're still suffering the consequences. Or it's a bit like the Maralinga decision, the government, without a lot of community consultation, agreed with the British government to conduct the tests, and we've had one of their leading advocates recently pass away in this fair city. They are images that help me to stay focused on supporting that change.

Silence. Is there anything that you want to ask, or might comment about?

Hon. Justice
Rachel Pepper:

Are you finished with your presentation? 'Cos we'll save our questions to the very end.

Chris Hawke:

Oh there is a ... Is there questions after you give me the zero out of ten then, or are the questions part of the half an hour?

Hon. Justice
Rachel Pepper:

Yes.

Chris Hawke:

They're part of it, okay?

Hon. Justice



Rachel Pepper: Yes.

Chris Hawke: I'll ask questions now. I have lots more information but I think.

Hon. Justice

Rachel Pepper: Or we will wait till after your presentation, so please say everything that you wish to say and then we'll ask you questions. Thank you.

Chris Hawke: I was stunned to discover that I'd been removed for the previous selection, of the Northern Territory election, as a worker in the Northern Territory electoral commission. I'd been working for years, and it turns out that I'd written a letter to the paper about fracking and someone in the government department said, gave my name to the person in charge of the department and then has verified this as someone who had made public statements that were a political electoral issue, and I've since discovered that he has the power to not employ people because of their position, publicly. Now I've been through the whole process of updating all my stuff and I was told that it was just a matter of them letting me know, and I was stunned to discover that I wasn't employed. And, of course, they have no ... They don't have to legally say why, and he in the end in writing, has apologised to me for not letting me know for ... Ian has done the right thing.

I've since discovered that there are in built processes in the department that, I think, are very fairly protect what happens in the public. But the dilemma is that the way in which decisions get made, inadvertently can work against change or particular groups in the department, in the community. And that's one of my concerns about how decision get made around this issue as well.

And, for example, one of the ... And so I'm now asking the department to be ... Up talking through the chief minister and my local member, about getting a lot clearer about how are those decisions made within their ... Like, was anyone, that the person in his department, in the electoral NTEC, Northern Territory Electoral Commission, who found my name off a newspaper article, was that person also scanning for people who supported fracking, and had written letters to the papers saying the economic benefits, or whatever? Or were the keywords of their due diligence test only about no fracking, which is a negative image that reflects the position I come from? And did the also key in, and use the due diligence test on all the other employees reflecting the other view? I have no issue with not having, with having it as long as the rule is applied fairly.

And so one of the reactions I have is does that mean if people speak up, in town, about a issue that the current government, or people in government departments don't accept, that we will not get work in the future? And that's a powerful incentive, that's a powerful influence in the Northern Territory, where if you haven't got a job you can't pay to stay, and you often need to move back somewhere else. And I ask ... I use that as an example of what needs to be thought through, that even the best legislation in the world can be ... Now maybe they were quite correct in their process, or



maybe the government of the day was able to influence the process, which in a sense, I felt, I was discriminated against in terms of employment.

Anyway that's a specific example that I think we need to be really careful of. And that, for me, is an example that leads in to the lack of public confidence in the whole, and those who support hydraulic fracturing, and making a lot of money at the moment from it. I have support people making money, but it needs to be done in a healthy way. I actually want to really support the renewable energy model community. And we need to be putting all our money into jobs for that ... Over 80%, something like 95% of Territorians want renewable energy, and the short term thinking, the short term benefits of this most people don't want.

And applying what happened to me, in another, wider context I have been working with various government departments over many years and when I'm representing that department I don't talk about things that are part of the, my role. And there are a lot of people on, for example, a lot of people in positions of influence in this town who really don't want fracking but won't say anything because of their jobs, and probably all of you are in the same boat. You've got a position where you have to publicly, your role is to be a public commissioner here, and you're not supposed to say yeah or nay, or where you really are. And that's one of my concerns, that ... And there's a public confidence, there's a perception that the political process is being undermined.

It was clearly an election issue, there was change of government, people of the Northern Territory clearly don't want it in the majority, and yet here we have a process set up by you and your part of integrity, or part of this process, which, in the long term, could undermine the very democratic principles that we're setting up. So I'm really glad that you're ... that at least I have the opportunity to share with you. My concern is that the business of decision making, and of government can be undermined by the processes that are either in place or not in place.

Look I'd like to leave it there. I find it really hard to just talk with people. That's the ending. Just take the last few minutes for questions.

Hon. Justice
Rachel Pepper:

Thank you very much, Mr Hawke. I just wanted to better understand, I think your suggestion is that we, this process, this inquiry is undermining the democratic process. How is that, given that my understanding is, and I don't live in the Territory, that the now government of the Northern Territory went to the election with a promise to, if got in to power, have a ... enact a moratorium, or not enact a moratorium but put in place a moratorium and set up this inquiry process? How are we undermining? How is this process, given that it appears to be consistent with what the government was doing, undermines the democratic process?

Chris Hawke:

There's a really positive side to this process, where I am at least getting the chance to air it. Often what happens is ... The series Yes Minister showed this dynamic often, and you yourself have said in the report that you're not



telling them what to do, you're just providing a report, and the government will decide what they want. And a lot of public believe commissions like this ... A number of people said I'm wasting my time coming here 'cos with the best of will, you'll do your job, which is to write down all the different vies and make recommendations, which can be totally ignored by the government and they can go ahead and do what they want. So the weakness of the process is exactly that, and so that it becomes this is just a public spin charade where we all get the chance to come and vent our spleens or say something that's legitimate.

But the actual decision making process at the end of the day is influenced heavily by the politics of the day, which is a short term political survival, for many of them. Or it's short term economic benefits, and so there is a lot of benefit in fracking, in the short term, mostly for the people of companies and shareholders whom, we're not sure who they are. And that money will go overseas, and we ... That's my concern is, that the overall process, the context in which you are all operating as an inquiry, in the broader political and global context can be undermined.

Hon. Justice
Rachel Pepper:

Now I understand, so you're not impugning the integrity of this inquiry?

Chris Hawke:

You're doing ... I hope you are doing, you're being really honest and doing your job. From what I see, you're doing what you are asked to do. It's what they do, you limit the inquiry. One of the reason I wanted to talk about Tuvalu is this country. I was also talking with someone last night, at the Parish Council, and he is from Fiji, Fatherprobably wouldn't mind me saying. And he's a leader in his Fiji, in his place. They've put aside land for the people of Tuvalu to come and live there when their land is uninhabitable. The Australian government's not even thinking about the economic refugees, which is one of the implications of fracking. Every ounce of that gas, wherever it ends up in the world will be burnt and contribute to climate change. Every ounce of it, which will contribute to further extreme weather issues. Now that's not part of your brief, as such. You've got a much narrower brief, looking at that but fortunately it was expanded to include something of that, so that's part of my plea.

So it's the grandchildren of Tuvalu and Father Russ's family who will be inconvenienced by extra economic, environmental refugees coming to his home. But he's here and sharing his life with us here in Alice Springs, and I think it's lovely. We are a global community, and as such you can really can contribute to that. And it's my real desire that we move it in from an issue of how do we accept the minimal consequences, which seems to be the direction of the report. You haven't made ... I think you've said something either way. But it looks like the predominant feeling, from most of the discussion at the public level is we'll name it as acceptable consequences and go ahead with it. And I think that would be disastrous.

Anyone else?

Hon. Justice
Rachel Pepper:

Any further questions coming ... Yes, Dr Andersen.



Dr Alan Andersen: Well thanks Mr Hawke, I want to go back to a comment you made at the start of your presentation about your discussions with senior Aboriginal people-

Chris Hawke: Yeah.

Dr Alan Andersen: And how they were feeling disengaged and not clear how they can engage with this sensitive white fellow sort of process, and I'm sure you know that the land councils have set up specifically to do that. That is their function and-

Chris Hawke: Yep.

Dr Alan Andersen: I was just wondering the extent to which you think the people you were speaking with appreciated that is the process for them to engage?

Chris Hawke: Yep, exactly. And in my perception, there are three groups that really benefit particularly from fracking. The companies that will make the most money out of it, most of those will be their shareholders, wherever they live, wherever they are in the world. The government has a real benefit, and part of my concern is that the government has a conflict of interest, they stand to gain political, economic credibility as managers, by allowing it to go ahead because it will help balance the economy. And the economy of the Northern Territory is in trouble, and our reliance on impacts and the short term developmental phase, where there are lots of jobs is similar. We're doing the same ... This will provide lots of jobs in the short term, but once it's set up its minimal employment to continue it.

And, obviously I've lost your point where am I?

Dr Alan Andersen: Yes about the landowners-

Chris Hawke: Oh the landowners, yes so. And the third group, are that the politics. And the third is the traditional owners, and yes there is a structure by which the traditional owners have some feedback. The current legislation is that, virtually, they have to be consulted. They have no power to say not to mining. That rests with the government, and your recommendations can influence that. And part of it, there's a deep frustration where it's not an issue for them to say no to it, the issue is well we have to have dialogue. So what's the dialogue become, it becomes about money. And so, and there's a tension within some communities where some of the traditional owners will end up getting, hopefully ... And that again, is your recommendation is still the model whether they get royalty money right up front, or only when the company makes a profit.

But, a number of communities struggle, because their traditional owners will end up with extra four wheel drives and economic benefits, some of which will be shared really fairly, some of which just for their own family, and so it creates tensions in Aboriginal communities that I know of and have experienced there. But most of them, and including, and I've talked with



some of the people at depth who actually TOs who get royalty money and who will benefit from this. They also are deeply concerned about what we're doing for the land. And for them, as leaders, they're struggling 'cos they're in an economically in positions where there are very few jobs, and their economy doesn't work well for them, and part of my thing, as the social justice person is to support the people, the cry of the earth and the cry of the poor. And people on remote Aboriginal communities are part of the poor.

And their leadership is struggling, and so within communities, what does a leader do? Here's the mining company coming with big dollars and big because he's offering that, which is good. And so they'll get some short term benefits, but at the price of their long term water supply. And what is the plan? There was no plan over what happens if their community water supply gets destroyed and we have another unintended consequence like the Maralinga fallout that was un ... People were un ... That Mr Lester was unaware of when he was part of that process. Like the frogs, the-

Dr Alan Andersen: Cane toads-

Chris Hawke: Cane toads, thank you. Yes so that's complex at that level. There are some benefits for them, in the short term. Most of them, when they're talked to want a stronger relationship. Not just ... It's not just about them ... So the dilemma is it's about dollars. Many of them want a good relationship with us, and this group I was talking with had a strong spiritual base, and many of us are realising there's a spiritual issue here. That is a deeper meaning issue about how we relate to one another. And this is just another flash point, of well how are we going to relate to Aboriginal people? How do we consult with them? How do we sit with them when they're feeling ... And she almost came with me this morning ... I was trying to get some of them to come with me, but this is very daunting to speak with you. How do they share, not only the pain of their stolen generation, and all of those issues we know well, but their love of the land and their love of relationship and people, in terms with a group of people who are only talking about whether to make dollars out of the gas that will have some benefit for some, mostly fly in fly out workers?

It's all part of a complex bigger picture, in which a poor or oppressed people find it really hard and yes, they're decision making framework is very limited, the land councils. And even the land councils are structured so, and the land councils themselves have a vested interest in royalties 'cos they take a percentage to keep themselves going. And so there's a network of self interest in things that can undermine the long term benefit for the communities they actually represent.

Hon. Justice
Rachel Pepper:

Thank you. It's now nine o'clock. Thank you very much for attending here today Mr Hawke. I appreciate it's daunting but we're very grateful that you made the effort and the time today, and time out of your busy day and we're very appreciative for engaging with the inquiry and the panel. Thank you very much.



Chris Hawke:

Thank you all.