11 December 2003
CLP in clean-up mode doesn’t wash

Justice Minister Dr Peter Toyne said the CLP is back-pedalling from CLP Opposition Leader Terry Mills’ comments on customary marriage and sex with under age girls.

“There is no mistake that Terry Mills said the CLP would consider reinstating customary law as a legal defence in cases involving sex between under-age Aboriginal girls and men.”

“While Mr Mills has tried to hide his arguments behind a concern about whether the Government has consulted on this issue I challenge him to consult Territorians, particularly Indigenous women and young girls on two laws for sex with young girls.”

“I can assure you the mums and dads across the Territory would call on all young girls to be protected, regardless of where they live, and whether they are Aboriginal or non-Aboriginal.”

“This Government believes it has a responsibility to protect all young girls wherever they live and that the age of consent is 16 for all young Territorians – we will not back away from that.”

However, despite Mr Mill’s comments flying in face of Ms Carney’s position she has being today tried to downplay the issue.

Shadow Attorney-General Jodeen Carney is on the hansard record supporting the Government actions to ensure young Aboriginal girls are given the same protections as non-Aboriginal girls from exploitation. (* see attached)

“Ms Carney presented a bill to Parliament herself to remove the customary marriage as a legal defence to under-age sex yet her leader in some short-sighted reaction has said he would consider re-introducing such a loophole.”

“As a parent and former school principal, I am totally appalled that Mr Mills would consider watering down the law and watering down the toughest child sexual abuse penalty regime in the country, and reintroducing veiled discrimination.”

Refer also: Carney comments on customary marriage defence