

Federal Government Intervention in the Northern Territory

WHAT YOU NEED TO KNOW

Key Issues

Below are key concerns about the Federal Government Intervention expressed by the Combined Aboriginal Organisations of the NT:

1. Lack of time to consider the legislation

500-700 pages of multiple, inter-related pieces of legislation received barely a week to review the legislation and understand all its implications, and a one day inquiry. This is not enough. Legislation so complex and important needs scrutiny and proper parliamentary process.

2. The Emergency Response doesn't address child abuse

Nothing in the 'Emergency Response' legislation goes to the heart of addressing child abuse or child protection. The recommendations of the *Little Children are Sacred* Report, which it is claimed has triggered the Government's 'Emergency Response', have been entirely ignored, although they are the product of months of consultation and sensitive inquiry. The Government's response is based on no evidence and ignores the advice of experts.

3. Funding for welfare and bureaucrats, not for programs that address children's needs

Too much of the funding for the Intervention is for bureaucrats and administration and not enough is for programs that will support child protection. \$88m is for the administrative cost of quarantining welfare payments. \$205.8m – nearly half the funding of the total package – is for welfare. The allocation for child and family services is pathetically small in comparison.

There is no additional money this year for housing even though overcrowding (average 15-20 per house) is a critical issue underlying child abuse. There is a \$2.3 billion shortfall for NT remote community housing and infrastructure needs. Funds will be provided, however, for accommodation for government staff who are located at or need to visit communities.

4. Racially discriminatory legislation

The legislation ignores the principle of non-discrimination and is exempted from the *Racial Discrimination Act*, even though it purports to be a

'special measure'. Aboriginal people in the NT are being singled out for 'special treatment' on the basis of race, regardless of their personal circumstances or actions.

5. Lack of consultation with affected Aboriginal people and communities

These measures affect some 40,000 Aboriginal Australians who have not been consulted. The first recommendation of the *Little Children are Sacred* Report called for collaboration between the Australian and NT Governments and *genuine consultation with Aboriginal people*. Neither has been done. Indigenous people must have ownership of measures that affect them, or the measures will fail. These measures are being forcibly imposed, and are strongly opposed by Aboriginal representatives from the NT.

6. Compulsory acquisition of property rights and assets

The Government is forcing compulsory 5-year leases on all communities. "Just terms" compensation will only be paid "if warranted". It has been suggested compensation might be given in the form of services or infrastructure rather than proper compensation for Aboriginal landowners.

The legislation also provides for the Commonwealth and NT Governments to have continuing ownership of buildings and infrastructure on Aboriginal land that are constructed or upgraded with government funding – in other words, to gradually strip communities of their assets.

7. Alcohol measures ineffective

The great majority of NT Aboriginal communities are already 'dry' but the existing laws have not been properly policed and enforced. The bill provides "new, harsh penalties" for drinking, possessing, selling and transporting alcohol – however there will be NO restrictions on selling takeaway alcohol (such as from roadhouses which are the main suppliers of alcohol illegally taken into communities), nor any reduction in the number of takeaway outlets. As expert Peter d'Abbs pointed out, "it's a joke to think you can control drinking in this way, especially when the rest of the Territory is awash with alcohol" (*SMH*11-12 August, p.33).

8. **Partial removal of permits to access Aboriginal land will not prevent child abuse**

Aboriginal landowners and NT Police strongly support the continuation of the permit system. There is no evidence at all that the incidence of child abuse is greater where permits apply. Permits in no way inhibit the delivery of government services as has been claimed.

Although it is claimed that only a small percentage of Aboriginal land will be affected, it will be impossible to police offences where permits do apply. Removal of permits will make it easier for potential child abusers and grog runners to access communities and will deny Aboriginal people their right to privacy and ability to protect sacred sites. The proposal to remove permits has been raised before and has been comprehensively rejected by Aboriginal people.

9. **Welfare provisions**

The legislation allows for “income management” of **up to 100% of welfare payments**. Income management will be “used as a tool to assist state and territory governments to meet their responsibilities” in relation to school enrolment and school attendance. There is no explanation of how the schools, desks, teachers and classrooms will be provided. [Note: Neither the Federal nor NT Govts have provided adequate funding to enable all NT Aboriginal children to attend school!]

All individuals who receive welfare payments will be subject to income management, regardless of their ability to manage their affairs. Any people who move into a community will be subjected to income management and the new arrangements

will follow any individual if they leave the community, to make sure they can't avoid it.

50% of the welfare payments of all individuals in 'affected communities' will be income managed for the first 12 months.

10. **Abolition of CDEP / transfer of CDEP participants to welfare provisions**

CDEP (Community Development Employment Projects), the primary source of employment and income for most Aboriginal people in remote communities, will be phased out to force individuals onto welfare so that their incomes become subject to income management.

Many essential community services, community organisations, artists' cooperatives, night patrols, community stores etc. are staffed by CDEP workers. Abolition of CDEP is likely to have a shattering impact on remote communities and town camps.

An abuse of power and wasted opportunity

The Federal Government's Intervention in the Northern Territory represents a massive abuse of power and waste of taxpayers' money, leading to no long-term sustainable solutions to preventing the sexual abuse of children. Instead of engaging Aboriginal communities and individuals, the Government is assuming total control over their lives and diminishing their rights as citizens.

In failing to engage with the NT Government and Aboriginal communities, the Federal Intervention is missing an historic opportunity to use its record surpluses (\$17b this year!) to overcome decades of neglect in addressing the critical issues underlying child abuse and broader Indigenous disadvantage.

WHAT YOU CAN DO TO HELP

- Call the “**Northern Territory Emergency Response Hotline**” to express your concerns
1800 333 995
- Log on to these websites to find out more about what's happening in Indigenous communities and for actions and support you can contribute:
www.womenforwik.com
Women for Wik network
www.clc.org.au
Central Land Council Fact Sheets
www.federalintervention.info
Local Intervention info site
www.icnn.com.au
Indigenous Community News Network
www.antar.org.au
Australians for Native Title & Reconciliation (ANTaR)
- Come along to the **Intervention Reform Coalition meetings** at the Environment Hub, Shop 9, Rapid Creek Village, Trower Rd.
Next meeting: Tues 18th September, 6pm
- Next event: **Walk for Strong Communities**, Thursday 27th September @ 5pm, Raintree Park : walk to Mindil Beach.