

# **THE NORTHERN TERRITORY INTERVENTION & THE MINING INDUSTRY**

**What are the results of the Intervention after 2 years?  
What happened in the lead-up to the Intervention?  
What are the consequences for the mining industry?**

**12 Questions and Answers**  
*“The Deadly Dozen”*

Waratah Rosemarie Gillespie, August 2009

# The Intervention began two years ago

*said to be for the protection of Aboriginal children*

When the Intervention was announced in 2007, then Prime Minister John Howard claimed it would ensure Aboriginal children were fed – and improve child health.

## *What are the results?*

### **Question 1: How has the Intervention affected child health?**

#### **A. Incidence of childhood anaemia:**

Anaemia develops when poor nutrition results in an iron deficiency in the body. Children and pregnant mothers are most at risk, and if a family cannot afford to buy enough fresh food containing iron, the children will become anaemic.

Chronic anaemia in childhood can result in poor growth and development – and affects brain development. Anaemia lowers a child's ability to concentrate at school. The child may become listless with low energy levels and be labelled as “lazy” in class – reinforcing racist stereotypes.

If the Intervention was ‘working’ the incidence of childhood anaemia should have *decreased* by now. The Sunrise Health Service serves Aboriginal people in an area covering 120,000 square kilometres in the Northern Territory. Sunrise has been collecting information on child health – including childhood anaemia – for years, both before and after the Intervention began. The incidence of childhood anaemia actually *increased* (almost trebled) *after* the Intervention was imposed.<sup>1</sup>

#### **Percentage of Aboriginal children suffering from anaemia**

|  |      |
|--|------|
| December 2006, before the Intervention                     | 20 % |
| December 2007, six months after the Intervention           | 36%  |
| December 2008, one and a half years after the Intervention | 55%  |

#### **B. Incidence of low birth weight in new born babies:**

Factors which contribute to low birth weight include maternal anaemia and malnutrition. Such factors not only prejudice the development of the unborn baby, they can also result in toxemia, pre-eclampsia or other complications during labour, with an increased risk of death to either the mother or child – or both.

#### **Percentage of low birth weight in newborn babies<sup>2</sup>**

|               |     |
|---------------|-----|
| December 2006 | 9%  |
| December 2008 | 19% |

*In 2009 the Rudd Government decided to end its child health checks*

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<sup>1</sup> “A Body of Evidence: Racism and the Northern Territory Intervention”, by Irene Fisher, CEO, Sunrise Health Service Aboriginal Corporation, published in the “National Indigenous Times”, 2<sup>nd</sup> April, 2009.

<sup>2</sup> As above

## Question No. 2: What do medical doctors have to say?

### A. The Australian Indigenous Doctors Association:<sup>3</sup>

The Australian Indigenous Doctors Association (AIDA) examined the effects of the Intervention on both individuals and communities and noted the following:

- (1) The announcement of the Intervention caused widespread “shock and grief” among Aboriginal people;
- (2) The discriminatory operation of the Intervention has taken away rights from Aboriginal people on the basis of race, disempowered them and undermined their capacity to manage their own lives;
- (3) The Intervention increased feelings of shame, loss of dignity and deepened pervasive feelings of helplessness and lack of self esteem;
- (4) The impact of the Intervention on the social and emotional well-being of communities, families and individuals is a negative one which has caused “lasting harm to Indigenous People”;
- (5) ‘Income management’ (quarantine) has led to many problems, including:
  - Humiliation, loss of dignity, disempowerment
  - Restricts participation in cultural activities – lack of money for travel
  - Contributes to family conflict (less money, more headaches)
  - Reduces the opportunity to shop around for the best food prices
  - And, when the system breaks down, “extreme hunger and starvation”
- (6) Many Aboriginal community members have had difficulty with the ‘income management’ system, as in the following example cited by the AIDA: *“They have no money for travel, and some have not been paid for three weeks since the Shire took over governance of the community. Centrelink started the food card allotments before the (government approved) store was ready online.”*

### B. Diagnosis of 28 medical specialists: “The Intervention is a lemon”<sup>4</sup>

“In the year since the NTER (Northern Territory Emergency Response) was legislated, nearly 11,000 children have had a child health check. This has been resource intensive and disrupted existing health services. Any health benefits remain dubious as almost all health problems diagnosed were already identified. To our knowledge, only one child in Central Australia has been identified with significant health problems that were not previously known ...

“The resources available for the provision of health care in Central Australia are grossly inadequate to provide an appropriate level of care. Ongoing and increased funding are needed for existing health infrastructure, as well as funding for new, long term projects for health service delivery.”

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<sup>3</sup> Australian Indigenous Doctors Association Health Impact Assessment of the NTER Measures, published in the National Indigenous Times, September 4, 2008.

<sup>4</sup> NT Intervention a lemon: 28 medical specialists give their diagnosis, by Dr Hilary Tyler (September '08)

### **No 3: Why has child anaemia *increased* since the Intervention?**

#### **Contributing factors may include two major planks of the Intervention:**

- 1. Abolition of Community Development Employment Programs (CDEP):**  
These programs enabled Aboriginal people to work on useful community development programs and provide essential services (like garbage removal). It also made it possible for families to top up their small Centrelink incomes. The problem of poverty – not enough money to meet family needs – has become worse due to the decision to scrap CDEP. One bizarre result of the Intervention is that as a result, many families now have *less* money to live on than before.
- 2. Imposition of an ‘income management’/welfare quarantine system:**  
Under this system, 50 per cent of Centrelink income is withheld and can only be accessed through a card issued by the federal government. These cards can only be used for government approved purchases at government approved stores.

*Imagine you have barely enough to feed your family. You can just manage by careful shopping around for the best values. Suddenly the government intervenes in your life and tells you what you can and cannot buy and where to shop – only at government-approved stores. These stores finish up with a captive clientele. Without competition, prices tend to go up and quality often declines. This is not a horror story from the Stalinist era, this is Australia. Welcome to the Northern Territory, where you are not equal if you are black.*

Strategies designed to make small amounts of money go further, such as careful shopping and pooling resources – methods of survival used by both Aboriginal and non-Aboriginal families on low incomes – have been stifled by the Intervention

The problem is compounded by high prices of fresh food in remote areas. A kilogram of broccoli costs between \$3 and \$6 in Canberra, but \$14 to \$17 a kilo on Badu Island. Dr Brimblecombe, a nutritionist at the Menzies School of Health Research, noted that Aboriginal people in remote areas have no real choice when it came to healthier eating, due to high food costs combined with small incomes.<sup>5</sup>

The system of ‘income management’ is based on the presumption that Aboriginal people cannot manage their own affairs. This is both insulting and racist, because it is applied on the basis of race, irrespective of whether the man or woman is a good money manager or not. The Intervention targets Aboriginal people – even those *without* children.

Aboriginal communities managed quite well before the 1788 invasion. James Cook, who visited Australia in 1770, remarked that the people he saw were untroubled by “inequality of station” – in other words, class inequality. The Invasion introduced class inequality, measles, small pox, alcohol and VD. Two hundred years later, Aboriginal people have become the most poverty stricken class in Australia – the result of dispossession (Stolen Land), break up of families and communities by the forced removal of children (Stolen Generations) and exploitation by means of a form of slave labour (Stolen Wages).

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<sup>5</sup> “Spoilt, Rotten” in the National Indigenous Times, 30 April, 2009, pp16-18

## Question 4:

### How does “income management” affect families and children?

“Income management shames those who live under it ... it sets Aboriginal people apart from their fellow Australians.”<sup>6</sup> The system of income quarantine is one of the most hated aspects of the Intervention, partly because of the inconvenience and hardship it causes, and partly because of the humiliation suffered by the people who are lumbered with it. Class and race prejudice combine to create a toxic mix – as Aboriginal people on Centrelink have to line up at a different checkout, singled out from the other shoppers. Separate aisles at supermarkets were also a feature of the Apartheid regime in South Africa, designed to separate and subjugate black South Africans.

*Class prejudice and race prejudice make a toxic mix: poor people are commonly presumed to be unable to manage their own affairs, when in fact they have very little money to manage on at all.*

Aboriginal people are subject to this blanket regime, imposed irrespective of whether they are good money managers or not. Pensioners without the so-called beneficiaries of income management – CHILDREN – are also subject to income quarantine. Aboriginal families in which school attendance is high, families where no alcohol is consumed, families which function well, are all subjected to the quarantine. Income management has stuck, like lumps of food stuck to a kitchen wall after a pressure cooker blows up.

## Question 5: What evidence has been cited to support the claim that income management is helping children?

The Minister for Indigenous Affairs in the Rudd Government, Jenny Macklin, has said: “At the moment we don’t have all the evidence in yet but there is evidence that there has been an improvement, particularly in the consumption of fresh food.”<sup>7</sup> Examination of the “evidence” showed that it was based on telephone calls to 10 stores. When asked if sales of fresh food had increased, six replied “yes”. Three said “no” and one didn’t know.<sup>8</sup> For a government which has thrown a billion dollars at the Intervention, the superficiality of this survey is breathtaking. There is no independent measurement, no attempt to quantify the actual amounts sold. It relies on mere opinion of a small group of people. For a student in social research, such an effort would probably rate an “F”.

Claims that the Intervention is “working” are based on opinion rather than fact. Opinions of Aboriginal people who say they support the Intervention get reported, while the views of those who oppose the Intervention are often ignored. Criticism of the Intervention by prizewinning Aboriginal author Alexis Wright was excluded from the article in *The Age* adapted from her recent piece in a literary magazine. Minister Jenny Macklin rejected her Review Board’s recommendation to stop the blanket quarantine of Centrelink payments.<sup>9</sup>

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<sup>6</sup> “A Body of Evidence: Racism and the Northern Territory Intervention” by Irene Fisher (see above)

<sup>7</sup> Media release issued on July 11, 2008.

<sup>8</sup> Senate Estimates Committee Hearings: response to a question by Greens Senator Rachel Siewert.

<sup>9</sup> Report of the Northern Territory Emergency Review Board, Executive Summary.

## Question 6: What led to the Intervention?

Revelations about government underfunding of services for Australian Aboriginal citizens and the appalling state of Aboriginal health, combined with persistent lobbying by the mining industry for easier access to Aboriginal land, resulted in an unexpected outcome. The Howard Government was trailing at the polls; it was an election year and he looking for another quick fix – a different one this time, not refugees or interest rates.

A report commissioned by the Australian Medical Association in 2004 had estimated that basic Indigenous health care in Australia was being underfunded by \$450,000,000 per year.<sup>10</sup> Federal Government coffers were full to overflowing at the time, with surpluses of billions of dollars. Education of Aboriginal children was also underfunded, to the extent that only 47cents was being spent per Aboriginal child for every dollar spent on a non-Aboriginal child in 2005.<sup>11</sup> In the Wadeye community, 600 children turned up for school at the start of the 2007 school year, but the school had only been funded for 200.<sup>12</sup>

Housing for Aboriginal people was also underfunded, with people still living in shanty town dwellings after decades. The United Nations Special Rapporteur on the Right to Housing visited Australia in 2006 and issued his report on 11 May 2007:

*“Australian governments must urgently address the humanitarian tragedy of the lack of housing and basic services for the indigenous peoples of Australia, living on indigenous lands and elsewhere. To this end, the Special Rapporteur encourages relevant government staff to visit and reside in indigenous communities, including town camps, and rural and remote communities, in order to better comprehend the reality and the challenges faced by populations and communities in these locations.”*<sup>13</sup>

Underfunding of housing had resulted in severe overcrowding, with two or more families crammed into a single dwelling. Anyone who has lived under such conditions knows how difficult and stressful this is. With so many people sharing kitchen, bathroom and laundry facilities, the difficulties of getting children ready in time to go to school are extreme.

The gap in life expectancy between black and white Australians remained at 17 years. Between 2000 and 2006, imprisonment rates of Indigenous People jumped 32 per cent. Prue Power, executive director of the Australian Healthcare Association, commented that Indigenous health concerns needed to be addressed in the context of related issues:

“Increasing access to health services is important. However, the impact of this will be limited while Indigenous Australians continue to be incarcerated at 13 times the rate of the rest of the population, while Aboriginal children experience high rates of abuse.”<sup>14</sup>

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<sup>10</sup>“Healing hands – Aboriginal and Torres Strait Islander Workforce Requirements”, Australian Medical Association Discussion Paper 2004.

<sup>11</sup> “Opportunity Costs of the Status Quo in the Thamarrurr Region”, Working Paper No 28, by John Taylor & Owen Stanley, Centre for Aboriginal Economic Policy Research, Australian National University, 2005

<sup>12</sup> “The 2007 **BLACK LIST**” in the National Indigenous Times, December 13, 2007

<sup>13</sup> Report on the Mission to Australia by the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, UN Document A/HRC/4/18 Addendum 2, para 133, May 2007

<sup>14</sup> AAP report, cited in “National Indigenous Times” 14 June 2007, page 8

The resulting crisis stemmed from the repeated failure by both Northern Territory and Commonwealth governments to meet their obligations to Aboriginal people. At the same time, Aboriginal Land Rights were being dismantled, piece by piece. The Northern Territory Land Rights Amendment Act of 2006 was promoted by the Howard government as an attempt to help Indigenous Australians buy their own homes. This is contradicted by the explanatory memorandum: "*The principal objectives (of the bill) are to improve access to Aboriginal land for development, especially mining ...*"<sup>15</sup>

Mining industry leaders wanted more, and continued to lobby the Government to further amend native title laws to "provide greater certainty to the mining industry". They argued that Aboriginal land rights were "preventing them from discovering mineral deposits". At the same time, concern was expressed that their proposed changes were likely to "reignite controversy over Aboriginal land rights".<sup>16</sup>

John Howard tried to pull off another hat trick and achieve three results at the same time:

- (1) Deflect attention from the federal government's neglect of its responsibilities and the appalling conditions under which many Aboriginal people live
- (2) Give mining companies easier access to Aboriginal land
- (3) Resurrect his re-election chances.

Howard needed scapegoats. Mal Brough, appointed Minister for Indigenous Affairs in January 2006, was a fresh face whose skills in the blame game were finely tuned. He blamed the health and other problems on the former Aboriginal and Torres Strait Islander Commission (ATSIC). The Government had disbanded it in 2005, so ATSIC was not in a position to defend itself. Prior to its dissolution, ATSIC had *advised* the Commonwealth Government on spending priorities, but could not decide on these matters because the power was in government hands. ATSIC was used as a convenient whipping boy.

In June 2007, Howard accused Claire Martin, then Northern Territory Chief Minister, of delaying the release of the "Little Children are Sacred" report (it had been released). He seized on the report and declared that the situation was "akin to a national emergency". Six days later he announced a set of measures he claimed were to save the children:

- (1) Suspension of Aboriginal land rights in communities targeted by the Intervention
- (2) Abolition of Community Development Employment Programs
- (3) Quarantine of 50 per cent of Centrelink payments
- (4) Abolition of the permit system, in which Aboriginal people decide who may enter their communities
- (5) Imposition of federal government "business managers" to manage the Aboriginal communities targeted by the Intervention
- (6) Government seizure of computers used in the targeted Aboriginal communities

An astonished Pat Anderson, co-author of the report "Little Children are Sacred" commented: *There is no relationship with their emergency powers and what's in our report.* All 97 recommendations of the report were ignored.

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<sup>15</sup> Explanatory memorandum to the Northern Territory Land Rights Amendment Bill 2006, page 4

<sup>16</sup> "Native title overhaul hands win to miners" Australian Financial Review, 21 August 2006

During August 2007, the Northern Territory Emergency Response Bill and associated bills – 500 pages of them – were pushed through Parliament, despite strong objections from both Aboriginal and non-Aboriginal people. The law of Australia now permits the federal government to seize control of Aboriginal land, computers and other equipment in the Northern Territory, and withhold Centrelink income entitlements on the basis of race.

The Race Discrimination Act was suspended to make way for these extraordinary measures. Mal Brough claimed it was necessary in order to protect children:

*“Why did we do it? So that people could not go to the courts in a way to stymie, slow the process down. We can’t put roadblocks, artificial and unnecessary roadblocks, in the way. My drive for urgency today is because, as you know, there will be children at risk tonight and still tomorrow night and the sooner we act the fewer that will be at risk.”*<sup>17</sup>

A strange twist of logic, equating child protection with loss of human rights!

### **Question 7: Is child abuse a serious problem?**

Child abuse is a problem – in *some* communities. The genesis lies in the violence of the invasion of Australia, the violence with which Aboriginal children were removed from their families, their communities and their culture, the cruel manner in which many stolen children were treated following removal. This has left a painful legacy, which ricochets down the generations. Professor Judith Atkinson documented this in “Trauma Trails”.<sup>18</sup>

Aboriginal people have been struggling to deal with the effects of invasion and its legacy of child abuse for a long time. The Howard government chose to ignore the issue during most of his eleven years in office. As the years passed by, these problems grew worse due to chronic underfunding of Aboriginal health, housing, education and legal services.<sup>19</sup>

On 11<sup>th</sup> June 2003, Mick Dodson raised his concerns in a speech to the National Press Club. He called on Federal, State and Territory Governments to join with Aboriginal leaders in taking action on child abuse. A few weeks later, on 23<sup>rd</sup> July, a National Summit on child abuse led to the formation of a working group of Aboriginal leaders and senior government officials. Members of the working group were appalled at the violence in some Aboriginal communities and called for an “immediate intervention”.<sup>20</sup>

The type of intervention they were calling for was based on the idea of a *partnership with Aboriginal people* – working together to solve the problem. Aboriginal leaders wanted a cooperative effort where the knowledge of both Aboriginal and non-Aboriginal people could be used constructively. Lowitja O’Donoghue, Alison Anderson, Ian Anderson and Mick Dodson all supported a cooperative approach. [The top-down intervention imposed four years later represents the reverse approach, and put any trust and cooperation between the two races that had been nurtured over four decades into reverse gear.]

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<sup>17</sup> Race laws could have delayed Intervention: Brough” in National Indigenous Times, 9 August, 2007, p 20

<sup>18</sup> “Trauma Trails” by Professor Judith Atkinson.

<sup>19</sup> “Justice Through Aboriginal and Torres Strait Islander Legal Services”, by Neil Gillespie, CEO, Aboriginal Legal Rights Movement, in “Reflections: 40 Years on from the Referendum”, page 68

<sup>20</sup> “One Notion of no real value” by Brian Johnstone, National Indigenous Times, March 19, 2009, p 19



***Howard declined to act in 2003. Systemic underfunding health services, legal services, education and housing and its consequences ticked away like a time bomb.***

Fast forward to 2007: Howard suddenly decided child abuse in Aboriginal communities constituted a national “emergency” and imposed an Intervention that took away rights, income and resources from the very people who could least afford it.

“It’s been a national emergency for many, many, many years,” commented Professor Lowitja O’Donoghue, who was calling for action back in 2003. “And there have been many reports – and where has (John Howard) been? Where has his government been?”<sup>21</sup>

The events leading up to the Intervention are a textbook case in media management and manipulation of public opinion – ***the manufacture of belief.***

May 2006: Mal Brough claimed on ABC Television that “Everybody in those (Aboriginal) communities knows who run the paedophile rings” but later withdrew this.

June 2006: Gregory Andrews, a senior employee in Brough’s Office of Indigenous Policy Coordination, claimed on ABC *Lateline* that paedophile rings operated in Aboriginal communities. Andrews’ face was blacked out and his voice digitized. He was presented to viewers as a “former youth worker” with the Multijulu Aboriginal community.

In the furore that followed, Howard granted the Australian Crimes Commission (ACC) extra powers to force Aboriginal people to give information to investigators. After two years of investigations, the Crimes Commission confirmed during a Senate Estimates Committee hearing that it had found no evidence to support the claims.<sup>22</sup> Despite the expenditure of \$4 million, not one arrest had resulted from these investigations in 2 years.

Repeated talk of paedophile rings, dysfunctional families and child abuse had created a whirlwind of emotions, inflamed racism, crowded out reasoning and substituted opinion for fact. This process was driven by carefully crafted government media releases.

Many journalists, under pressure to put out more “information product”, had little time to check the content of politically motivated statements emanating from the government. While the Howard government put whatever spin it could on a situation to improve its re-election prospects, many journalists had less time for analysis – or even check the facts.

***The result was a media circus in which the public were fed misinformation, sometimes deliberately planted by government, as in the case of the lead up to the Intervention. The perception that the Intervention was about protecting children became entrenched.***

After two years, the myth that the Intervention was protecting children had begun to unravel. Kim Hill of the Northern Land Council had the courage to state the obvious:

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<sup>21</sup> “Government should provide safe houses: prof” in the National Indigenous Times, July 26, 2007, p 5

<sup>22</sup> “No Evidence of Organised Paedophilia Rings, ACC Says” in the National Indigenous Times, 29 May 2008

“I cannot see any factual evidence base supporting the work that the ACC has done. Where are the arrests? Where are the outcomes? Can the ACC or anyone else produce proof of these claims? We have the national apology to the stolen generations, Mick Dodson as Australian of the Year and high levels of goodwill from all corners of the community – and we continue to be dogged by these hysterical, baseless accusations.”<sup>23</sup>

Undeterred, Russell Skelton reported a “scoop”, published in *The Age* under a headline remarkable for its sensationalism, as follows:

#### **NT Taskforce closure threat confirmed**

The Australian Crime Commission has confirmed its key taskforce investigating Indigenous child abuse, drug trafficking and alcohol-related crime, was likely to be wound up in June. Opposition spokesman on Indigenous Affairs Tony Abbott described the decision as “reprehensible” and blamed the Rudd government for failing to provide the ACC with sufficient funding. ... Without fresh funding the 30 strong taskforce, which has spearheaded nationwide investigations into child prostitution in the trucking industry, and systemic failures in reporting child sex abuse, faces closure.<sup>24</sup>

Not to be outdone, *The Australian* wheeled out Mal Brough, architect of the taskforce:

Former Indigenous affairs minister Mal Brough has accused Kevin Rudd of abandoning the radical Northern Territory Intervention in Aboriginal Communities and destroying it step by step. Mal Brough, who spearheaded the intervention when he was minister in 2007, said the Rudd government’s refusal to commit to funding the Australian Crime Commission’s specialist taskforce investigating Indigenous child abuse, drug trafficking and alcohol crime was one example of a systematic downgrading of the intervention.<sup>25</sup>

Paul Toohey, a reporter with *The Australian*, followed up with:

In a further sign of a weakening of the intervention, the federal government has abandoned support for the Australian Crime Commission’s Indigenous intelligence desk out of Alice Springs. While not strictly part of the intervention, it was a strong ally. It was trying to crack child sex abuse with mixed results.

According to Toohey, failure to make any arrests was a “*mixed result*”.

Chris Munro, an independent journalist, rang the Northern Territory Police and asked *How many arrests have been made as a result of the work of the ACC taskforce?*

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<sup>23</sup> “A Fishbowl Journalism Revival: The Circus is back in Town” by Chris Graham, National Indigenous Times, March 19, 2009, page 17

<sup>24</sup> *The Age*, 2<sup>nd</sup> March 2009

<sup>25</sup> *The Australian*, 3<sup>rd</sup> March 2009.

Answer: *The NIITF (National Indigenous Violence and Child Abuse Intelligence Task Force) has passed some information on to the Northern Territory police; however this information alone has not lead to any arrests.*<sup>26</sup>

***It took Munro one phone call to debunk the “successful child abuse taskforce” myth.***

Paul Toohey, in talking up the Intervention, wrote: “... *one of [the taskforce’s] most successful areas was tracking drug movements into communities.*”

When telephoned about the drug trafficking issue, the Northern Territory police replied: “*The NIITF has passed information on to the Northern Territory Police in relation to drug trafficking in communities; however this information alone has not resulted in any arrests.*”

Such departures from objective reporting in our mainstream media may be cause for amusement, but the media storm surrounding the child abuse claims resulted in the government decision making on the run – apparently to avoid adverse publicity:

The ACC has a specific reference to develop intelligence and provide a report to the ministerial council on the extent of sexual assaults in Indigenous communities around Australia, not just in the Northern Territory. Vince Kelly, head of the Northern Territory Police Association told the National Indigenous Times:

*“They (the ACC) were to be called to a meeting in June of the Ministerial Council and the federal government would have waited until that phase was concluded before committing another \$5.5 million to the Australian Crime Commission (taskforce) based in Alice Springs.*

*“We also think because of the rushed announcement during the week, the federal government has missed an opportunity to work cooperatively with the Northern Territory government to phase out federal police from the Northern Territory altogether.”*

Rudd and Macklin had caved in under pressure and approved ongoing funding for the taskforce without waiting for the June meeting – simply to make the story go away.<sup>27</sup>

**Instead of the “evidence based” policy we were promised, we are witnessing policy making driven by politically charged attacks from pro-interventionists.**

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<sup>26</sup> Barbara Sampson, Principal Prison Psychologist in the Northern Territory, said it is “extremely” hard to prove child sexual abuse. While this concern is shared by the writer, ***no arrests at all in two years*** means something is wrong. The “shock and awe” of the Intervention has created a chasm of mistrust.

<sup>27</sup> “A fishbowl journalism revival: The Circus is Back in Town” by Chris Graham, National Indigenous Times, March 19 2009, pages 16-18.

## Question 8: If the intervention isn't working – why not?

“In many ways, the intervention in the Northern Territory is a textbook example of why government policies continue to fail Aboriginal people,” commented Professor Larissa Behrendt, for the following reasons:

1. The policy approach was ideologically led rather than making any reference to the research or understandings about what actually works on the ground;
2. The approach contained in the intervention is in direct contradiction of what the research shows has worked;
3. The rhetoric of doing what is in the best interests of Aboriginal people, or children, masks a list of other policy agendas – that are unrelated to effective approaches to dealing with systemic problems of violence and abuse, and instead have the effect of undermining community control over their land and resources;
4. The approach is paternalistic and top-down rather than a collaborative approach that seeks to include Aboriginal people.

“The most powerful example of this is the quarantining of welfare payments and its spurious links to improving school attendance. Not only does it illustrate why key policy approaches in the intervention were flawed, it is a policy that, despite the evidence that it is problematic is increasingly being rolled out across the country,” Behrendt added.”<sup>28</sup>

The quarantining of Centrelink payments was sold to the public with seductive rhetoric suggesting it would be linked to regular school attendance by Aboriginal children. This fitted neatly with the widely held belief that low attendance rates and lack of progress at school are caused by bad parenting. Such assumptions, based on a toxic mix of class and race prejudice endemic in Australian society, are untenable.

The Halls Creek *Engaging Families* study was undertaken from February to July 2008. Parental attitude was found to be one of several factors affected school attendance. The evidence also pointed to the pivotal role of teachers and the school culture itself.

The *Engaging Families* study showed that school attendance rates do not necessarily run in families. For example, in one family of five children, attendance ranged from 14% to 88%. The housing situation in Halls Creek – where overcrowding is a critical problem – was contributing to lowered school attendance.

Overcrowding involves sharing beds and bedrooms, sleeping on the floor, being woken up by other people during the night, waking up tired. Many mouths to feed may mean there is nothing left to eat for breakfast in the morning. Even basic activities, like taking a shower and looking for clean clothes to wear, have to be negotiated when two or three families are crowded into one house where there is only one toilet and one shower. Under these circumstances, children may go to school hungry – if they get there at all. Lack of food reduces a child's ability to concentrate in class and can expose the child to embarrassment, ridicule – or even being labeled as “lazy”.

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<sup>28</sup> Professor Larissa Behrendt: text of the Juanita Nielson Memorial Lecture, June 1, 2009, page 6

There is *no evidence* to support claims that penalising parents for non-attendance by their children will make the children go to school. Reducing an already low income to a point where there is just not enough money to live on puts a family in an impossible situation and simply intensifies the stress the family is under.

## Question 9: What does work?

Effective strategies to improve attendance at school include the following:

1. School breakfast and lunch programs
2. Programs that bring the Aboriginal community, especially Elders, into the schools
3. Aboriginal teachers aides and Aboriginal teachers
4. Curriculum that engages Aboriginal children
5. Promotion of self esteem and confidence, by connecting Aboriginal culture with the subject matter of formal lessons which teach skills such as reading and writing, while at the same time encouraging and rewarding academic excellence

Programs introduced to help children of the Murray Darling area – which has been hit by long term drought conditions leading to financial stress and impoverishment of ‘white’ families – emphasise positive support strategies such as school breakfast programs<sup>29</sup> rather than punishing parents for non-attendance. There is no suggestion that the parents there are being blamed for the tragedy they are facing.

Back to black Australia: Aboriginal parents, whose poverty flows from the invasion and occupation of their homelands, cannot be blamed for the fact that the invasion was real, even though not officially recognized. For some bizarre reason, punishing Aboriginal people for their predicament seems to be attractive to many in middle Australia. Is this a deep form of racism – or an attempt to offload a profound sense of guilt onto the victims of invasion, land theft, massacres and other atrocities that stain Australian history?

The federal government is now attempting to take over the Alice Springs Town Camps using its powers under the Intervention. **Town Camp residents have voiced sustained criticism of the Intervention, and have become a focal point of resistance.** Toni Vine Bromley, executive of Northern Territory Shelter, asked why this town camp is targeted: *“We question why Tangentyere (the land council representing Alice Springs Town Camp residents) is being singled out to trade freehold title to land in return for basic housing and services, as this is not the case for some other town-based Indigenous community housing managers and service providers, such as in Katherine and Darwin.”*<sup>30</sup>

Questions are also being asked at the United Nations: *In May 2009, the Committee on Economic, Social and Cultural Rights called on Australia to take effective measures to address homelessness in its territory, act on recommendations of the Special Rapporteur on the Right to Adequate Housing made in 2007, implement a human rights framework, and “take immediate steps to improve the health situation of indigenous people”.*<sup>31</sup>

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<sup>29</sup> “Murray towns are living hand to mouth” in the “Sydney Morning Herald”, 9 March 2009, page 4

<sup>30</sup> “Tangentyere urges Rudd not to walk away (from negotiations)” National Indigenous Times, 28-5-09

<sup>31</sup> Committee on Economic, Social and Cultural Rights, UN Document E/C.12/AUS/CO/4, 22 May 2009

## Question 10: Who benefits from the Intervention?

Here are some facts:

- (1) 78 per cent of land in the Northern Territory is owned by Aboriginal people.
- (2) The Northern Territory Intervention suspended Aboriginal Land Rights in the areas targeted by the Intervention.
- (3) After the Intervention began, 396 exploration licences were granted to mining companies in the Northern Territory during the financial year 2007-08 alone (see Table A below). In September 2008, a licence to explore for uranium deposits in the Angela Pamela area, 25 kilometres south of Alice Springs, was granted. This is a cause for concern for Alice Springs residents of all races.
- (4) Prior to the Intervention, the grant of mining and exploration licences was subject to negotiations with Aboriginal Native Title holders.
- (5) The Australian Mining Industry Council had persistently lobbied successive Australian governments over Aboriginal land rights, complaining that land rights were impeding the mining industry, and with it, economic growth and prosperity.
- (6) During his tenure as Prime Minister, John Howard was showcased as Guest of Honour and Keynote Speaker at the annual Minerals Week Conference, sponsored by the Council, on several occasions. He was paraded before the mining industry once again in 2007 – only weeks before he announced the Intervention, in conjunction with the former army officer he appointed Minister for Indigenous affairs, Mal Brough.

**Table A: Grant of exploration licences<sup>32</sup>**

|  |                   |            |
|--|-------------------|------------|
| Financial Year: 2003-04  | Licences granted: | 173        |
| 2004-05  |                   | 133        |
| 2005-06  |                   | 180        |
| Northern Territory Aboriginal Land Rights Amendment Act passed August 2006 |                   |            |
| 2006-07  |                   | 257        |
| <b>Northern Territory Intervention commenced on June 21, 2007</b>          |                   |            |
| <b>2007-08</b>   |                   | <b>396</b> |

**Table B: Grant of Mining Tenements (including mining licences)<sup>33</sup>**

|                         |                   |           |
|-------------------------|-------------------|-----------|
| Financial Year: 2003-04 | Tenements granted | 16        |
| 2004-05                 |                   | 29        |
| 2005-06                 |                   | 9         |
| 2006-07                 |                   | 19        |
| <b>2007-08</b>          |                   | <b>33</b> |

*Was the intervention to protect children or to benefit the mining industry?*

### **You be the judge**

<sup>32</sup> Annual Report of the Department of the Northern Territory Department of Primary Industries, Fisheries and Mines, 2007-08, page 103

<sup>33</sup> As above

## Question 11:

### What do Aboriginal people say about the Intervention?

“Although the punishment of the intervention into Aboriginal communities in the Northern Territory was implemented without the permission of the Aboriginal people, it was not done without strategy. No-one can tell me that the plan did not have the goal of breaking down Aboriginal cultural attachment to land by making it difficult for Aboriginal people to live on it.”\*

Alexis Wright, member of the Waanyi nation and author of *Carpentaria*, winner of the Miles Franklin Literary Award, 2008.<sup>34</sup>

“We have seen Aboriginal people leave their communities en masse and they have come to the suburbs (of Darwin) because of the confusion, the anger and the anxiety that is out there”

Marion Scrymgour, member of the Nguui community and former Northern Territory Deputy Chief Minister (resigned)

“Politicians like Alison Anderson say people are welcoming the Intervention. So *why are so many now in town, homeless and jobless?*”

Barbara Shaw, leader of the Mount Nancy Town camp near Alice Springs [one of the town camps the federal government plans to take over, by force if necessary, using its powers under the Intervention]

Alice Springs now is full of many people who, because of ‘welfare quarantine’, cannot afford to get back to the bush. Only certain shops in town can accept the invasion tickets (food vouchers)”

Vince Forrester, Elder of the Multijulu people

“I thank you Prime Minister for your apology ... (but) it’s an invasion all over again. We are being told where to shop, what to eat, how to act and how to live.”

Lyle Cooper, Elder of the Bagot Aboriginal community.

***“At the moment, many people in communities are bewildered, angry or frightened.”***

Olga Havnen, Combined Aboriginal Organisations of Northern Territory

***“Put simply, all measures to address family violence and child abuse should themselves respect human rights. It would be outrageous to suggest that it is not possible to achieve this.”***

Tom Calma, Social Justice Commissioner

\*This criticism of the intervention, which was highlighted in the “Overland” article, was inexplicably excluded from the version published in “The Age” on November 15, 2008 under the title “Rebel Voice”

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<sup>34</sup> “A Weapon of Poetry” Alexis Wright remembers Oodgeroo Noonuccal, in “Overland” magazine, No 193, Summer 2008, page 21

## Question 12:

### WHOSE COUNTRY IS IT???

#### The stolen wealth of the Commonwealth

Invasion, massacres and land theft rip the heart out of a community whose land is stolen. From the beginning, the theft of Aboriginal land at the point of a gun was resisted by the First Peoples of Australia.

The legal term for theft at gunpoint is armed robbery – if the robbers are local criminals. When the thieves come from another country, international law labels the acts as piracy. When the theft is sponsored by a sovereign state, this is a form of colonialism which may involve invasion, subjugation and forced dispossession – all of which are violations of international law.

It would be surprising to find people of goodwill agreeing to such violent unlawful acts, particularly people committed to peace – even accounting for the different meanings ascribed to that word. Yet even now, many people would rather describe the Invasion of Australia as “peaceful settlement”. This turns the notion of “peace” upside down. Perhaps some people prefer an aphasic approach which ignores uncomfortable facts.

The wreckage caused to Aboriginal communities – by the invasion, the use of armed terror and other forms of coercion to force them off their ancestral lands – would normally be regarded as inhumane, repugnant, cruel and unjust. From the beginning, racism was used to oil the consciences of those who enriched themselves through colonial aggression. This practice continues – under various guises – to this day.

From the beginning of the Invasion in 1788, Aboriginal people have resisted attempts to remove them from the land of which they are a part. Even today, Aboriginal communities are resisting forced removal from their land. Aboriginal people are resisting the draconian powers the Federal Government has assumed under the Northern Territory Intervention and sticking to their hard won land rights. *In many Indigenous cultures, Land is Life.*

Instead of falling for the racist and absurd myth – that Aboriginal people cannot manage their own affairs and need white managers to do it for them (regurgitating the sick myths of the old mission days) it is time to listen to what Aboriginal people are saying. Jimmy Pascoe, a traditional owner and Chairman of Bawinanga Aboriginal Corporation at Maningrida, West Arnhem Land, recently said in the Koori Mail:

We are concerned and angry. But it need not have come to this, had the Government genuinely consulted us and listened to what we had to say. When Mr Henderson (Northern Territory Chief Minister) visited Maningrida this year he seemed to listen, but then seemed to twist our stories to make them fit his own. (Mr Pascoe was referring to government plans to concentrate Aboriginal people into 20 ‘regional economic hubs’)

Sometimes we feel like we are part of a game we can’t play. And it keeps changing. Maybe next month there’ll be another new policy; then next year



another; all the time without actually talking with us about what works best for us. Some residents of the 32 outstations around Maningrida live in their homelands all year round – others nearly all year round. “This is my home. This is where I feel safe,” they say again and again.

My good friend David, a 78 year old at the Djebenna outstation says: “Bush is better! Peace and quiet. In the bigger centres all you hear is *boom, boom, boom, dong, dong, dong* music. You go crazy.”

Ahead of barge weekends (when grog travels into Maningrida once a fortnight by barge), young women flee the centres and travel to their homelands with their grandparents to escape the problems.

The lifestyle (in the homelands) is healthier in all sorts of ways. George, who is 75 and lives on his homeland most of the year, makes large fish traps from wild rope found in the bush. He sells them to the Maningrida Arts and Culture Centre, which has a thriving national and international trade. He uses the same traps to catch fish in local creeks and billabongs. Artists appreciate the tranquility and spiritual connection they get on their homelands. Their stay helps them keep alive their cultural practices and knowledge. It gives them a purpose, an income, and encourages them to pass on their skills to future generations.

David and George and I share our harvesting skills with our kids and grandkids ‘on country’. We enjoy fishing together, collecting yams. It strengthens our relationships. And it’s healthier than town takeaway tucker. We hunt introduces species like buffalo and pig, improving the country. We manage the lands and we make use of bush medicine.

As the older men tell me repeatedly: “In the big towns you can buy everything: cigarettes, ‘white man’ food – too much takeaway. That’s why people die.”

The Menzies School of Health Research recently published a paper in the Medical Journal of Australia showing Aboriginal people’s health improves when they live and work on their homelands. It found lower rates of heart disease, diabetes and renal failure. People exercise more and are less stressed.

Homelands are like banks.<sup>35</sup> Not for money but for security, knowledge and culture. Traditional owners and their families benefit and so does the rest of Australia.<sup>36</sup>

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<sup>35</sup> The statement by Bougainvilleans that *Land is the bank* reflects the same concern. An estimated 20,000 Bougainvilleans died during a nine year war sparked by massive destruction of homelands by what was once the world’s largest open cut copper and gold mine. After decades of genocide and the violent invasion and theft of Aboriginal land, Aboriginal people are now a minority in their own country. Many of our people live in extreme poverty as a result of the theft of the source of their living. Now we are being overwhelmed by the whitewash, a tsunami of lies and half-truths about our people.

<sup>36</sup> “Why homelands are better for our people” by Jimmy Pascoe, Chairman of the Bawinanga Aboriginal Corporation based in Maningrida in West Arnhem Land, Northern Territory, in “The Koori Mail” June 17 2009, page 21

## **An appeal for action:**

*Why do so many good people hesitate about raising raise their voices against the Intervention and the hardship it is causing?*

*Like the “good men who do nothing”, referred to by Martin Luther King over forty years ago, their silence enables the evil continue.*

## **What you can do:**

*Speak up:*

*Tell your friends; talk to your local Member of Parliament, your state senators. Only by the actions of the good citizens of Australia can the wrongs be righted.*

“Deep listening is required to heal this nation of the scourge of colonization,” says Muriel Bamblett of the Victorian Aboriginal Child Care Agency. “Deep listening means hearing beyond the racist dog-whistling of manipulative leaders and beyond misconceptions and prejudices. But deep listening must then lead to deeper action. It must be involving – our story is also your story ...

“Do it because you believe in the future of Aboriginal children. And do it for yourselves because, as Aboriginal poet Lilla Watson said – your liberation is bound up with ours. Please turn your words into your actions for justice for my people and ultimately for all the peoples of this nation.”

## **THE INTERVENTION IS AN INSULT!**

**There are more sensible and fairer measures available. For example, equal government spending on essential services such as health, housing, education and legal services for Aboriginal and non-Aboriginal people would be a good start!**

**Another Question: Where is support for the Intervention coming from?**

**Example:** Warren Mundine, portrayed as an Aboriginal leader, appointed to leading positions by both major political parties but lacks grass roots support. His partner is General Manager of the NSW Minerals Council – Marketing and Business Development. Source: Koori Mail, Wednesday, 20 May, 2009, page 54.

## **AND ANOTHER THING:**

**Opposition to the Intervention is widespread across Aboriginal Australia**

**Aboriginal organisations opposed to the Intervention include:**

Northern Land Council  
Central Land Council  
Tangentyere Land Council  
Prescribed Areas People's Alliance (PAPA)  
Queensland Aboriginal Council Mayors Roundtable  
Sunrise Health Service (Katherine, Northern Territory)  
Black GST (GST, ie Genocide, Sovereignty, Treaty)  
Aboriginal Tent Embassy (Canberra)  
Victorian Aboriginal Child Care Agency  
Combined Aboriginal Organisations of the Northern Territory

**Aboriginal people who have registered their opposition to the intervention include:**

Harry Nelson – Yuendumu, NT  
Phillip Wilyuka – Titjikala  
Barbara Shaw – Mount Nancy Town Camp, NT  
Michael Mansell – lawyer and former head of the Aboriginal Provisional Government  
Marion Scrymgeour, former Deputy Chief Minister, Northern Territory Government  
Sam Watson  
Robbie Thorpe – Victoria  
Les Malezer – director of FAIRA, Queensland  
Nicole Watson  
Pastor Ray Minniecon  
Millie Ingram  
Donna Jackson – Yirrkala  
Tiga Bayles  
Irene Fisher – CEO, Sunrise Health Service, Katherine, NT  
Professor Larissa Behrendt – professor of law and member of the Kamilaroi nation  
Elaine Peckham – Iwupataka  
Valerie Martin – Yuendumu  
Nala Mansell-McKenna, State Secretary, Tasmanian Aboriginal Centre  
Gracelyn Smallwood  
Rosalie Kunoth-Monks  
Robin Granites – Yuendumu  
Bertha Nakamarra Spencer – Hidden Valley Town Camp  
Rex Granites Japanangka – Yuendumu  
Caril Conners – member, Mindaribba Local Aboriginal Land Council Member  
Muriel Bamblett – CEO Victorian Aboriginal Child Care Agency  
Alexis Wright – Waanyi woman, author and winner of multiple awards  
Olga Havneen – CEO, Combined Aboriginal Organisation  
Vince Forrester – Multijulu Elder – and many more

REMEMBER – ABORIGINAL COMMUNITIES ARE AS DIVERSE AS THE LANGUAGES SPOKEN – FROM YOLGNU COUNTRY IN THE NORTH TO PORT AUGUSTA IN THE SOUTH.

To treat Aboriginal people as if we were all tarred with the same brush is as absurd as assuming all people from Europe look the same and think the same.

RACISM ASSUMES WE ARE DYSFUNCTIONAL CHILD ABUSERS, BAD MONEY MANAGERS, AND IN NEED OF BEING CONTROLLED BY THE GOVERNMENT

**IT PROMPTS TOP-DOWN BLANKET MEASURES WHICH SINGLE OUT PEOPLE FOR SPECIAL TREATMENT ON THE BASIS OF RACE.**

**THE INTERVENTION IS BOUND TO FAIL, BECAUSE IT IS BORN OF A RACIST MENTALITY WHICH IMAGINES THAT “ONE SIZE FITS ALL”.**

**THE INTERVENTION HAS CREATED A CHASM OF MISTRUST.**

**THE FRUITS OF MANY YEARS OF WORK, BUILDING UNDERSTANDING AND TRUST BETWEEN BLACK AND WHITE AUSTRALIA, ARE BEING UNDERMINED BY THE INTERVENTION**

**IF THE INTERVENTION IS ALLOWED TO CONTINUE TO DO ITS EVIL WORK, WHITE AUSTRALIANS WILL FINISH UP FEELING THE KIND OF DEEP SHAME THAT WHITE SOUTH AFRICANS FELT WHEN THEY HAD TO FACE UP TO THE RACISM OF THEIR APARTHEID REGIME**

**THE INTERVENTION IS A VIOLENCE AGAINST ABORIGINAL PEOPLE**

**WAKE UP AND LISTEN TO ABORIGINAL PEOPLE – DON’T DISMISS ABORIGINAL KNOWLEDGE – YOUR FUTURE IS BOUND UP WITH OURS**

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