

## **REBUILDING FROM THE GROUND UP – AN ALTERNATIVE TO THE NORTHERN TERRITORY INTERVENTION**

The NT Intervention has been a disaster for Aboriginal communities.

Rather than 'closing the gap', government statistics show Indigenous incarceration rates have risen by almost 30 per cent,<sup>i</sup> school attendance is down in many places,<sup>ii</sup> suicide and self harm have increased<sup>iii</sup> and thousands of workers are being put onto Centrelink as CDEP closes down. There are growing crises in urban centres such as Alice Springs as large numbers of people move in from the bush.<sup>iv</sup>

The suspension of the Racial Discrimination Act to seize land, assets and authority has destroyed trust in government and many well run programs. Much of the unprecedented investment of more \$1.5 billion has been wasted on government bureaucrats and contractors.

Alongside the Intervention, the NT government has introduced policies guided by the same approach of paternalism and assimilation including dissolving Aboriginal community councils, effective cuts to homelands and smaller communities, and bans on bilingual education.

There must be an urgent shift from punitive controls to measures which restore community control, rebuild Aboriginal initiative and capacity, and improve shocking living conditions. This must start with repeal of NTER legislation and the clear application of the Racial Discrimination Act to all laws affecting Aboriginal communities.<sup>v</sup>

The government must apologise for the pain and damage caused by the Intervention.

Development must be based on commitment to land rights, self-determination and recognition of the unique strengths and circumstances of each community.

All policies relating to Aboriginal and Torres Strait Islander peoples must comply with the 46 Articles of the United Nations Declaration on the Rights of Indigenous Peoples which Australia now officially supports.<sup>vi</sup>

**1. Restore Community Governance:** Urgently rebuild Aboriginal community government councils. Restore decision making power and administration of municipal services to these councils. Transfer all assets seized by the shires to the Aboriginal councils and pay compensation for all other assets sold off by the shires.

Remove Government Business Managers installed by the Intervention.

Repeal Business Management Area Powers which grant the Minister the capacity for total control over the budgets and direction of organisations receiving Commonwealth funding.

**2. Increase government investment in ALL communities:** Abandon the 'hub towns' model. Rapid improvements in education, housing, health and community services are required wherever Aboriginal people choose to live - in urban areas, remote communities and on homelands.

**3. Jobs with Justice:** Create a new Aboriginal employment program to replace Community Development Employment Projects (CDEP) that have been gutted through recent reforms and are exploiting Aboriginal workers. Jobs created must pay at least award wages, with rights to join unions and collectively bargain. The program must be administered by community based organisations, with development needs and priorities set through broad community consultation. All willing workers should be employed.

**4. No to Township Leases:** End compulsory 5-year leases over Aboriginal township land taken through the Intervention. Stop pressuring communities to sign extensions on these leases. Lift the requirement that 40-year leases are signed with the government before housing can be built. Rescind all township leases signed since the Intervention began in 2007.

**5. Housing for All:** Return administration of housing stock from the NT Department of Housing to local Indigenous housing committees attached to the community councils. Funds for housing construction and renovation currently going to the Strategic Indigenous Housing and Infrastructure Program (SIHIP) run by government and major constructions firms must be redirected to the local committees.

Funds for new housing must be available to all communities and substandard SIHIP renovations reassessed for further needs. Employment on housing programs should involve 80 per cent Aboriginal workers.<sup>vii</sup> Train and employ a permanent housing maintenance team in every community.

**6. Empowerment through Education:** Lift the ban on bilingual education and allow the expansion of bilingual programs in NT schools where requested. Invest in training and employment of Aboriginal teachers and Aboriginal teachers' aides and ensure they play a central role in curriculum development. Provide resources and employment opportunities to enable schools to become important centres of culture and community life. Invest in staff, infrastructure and equipment to ensure all remote Aboriginal schools have full time qualified teachers and enjoy the same resources per enrolled student as schools across

Australia. Stop punitive programs linking welfare payments to school attendance.

**7. Abolish Compulsory Income Management:** Redirect funding from punitive welfare controls to community based programs. Lift incomes above the poverty line.<sup>viii</sup>

**8. Community Controlled Social Services:** Fund early childhood programs, youth services, men's programs and women's centres, with specific needs determined through the local councils.

**9. Health:** Implement the recommendations of the Health Impact Assessment by the Australian Indigenous Doctors' Association (2010), which recognises the importance of self-governance, housing, education and cultural respect in determining health outcomes.<sup>ix</sup>

Adequately fund health services in all communities. Consult with communities and health service providers to ensure programmes are appropriate and not duplicated. Support Aboriginal-managed health services. Fund and train Aboriginal health workers and Aboriginal liaison officers.

**10. Non-Discriminatory Alcohol Management:** Repeal blanket alcohol bans in Aboriginal communities. Provide resources to allow communities to develop local solutions to alcohol misuse that are driven by and appropriate to the needs of the community. Resource culturally appropriate and accessible alcohol treatment programs in all communities. Broader measures to empower communities, employ Aboriginal people in rewarding work and ensure delivery of basic services are crucial for dealing with problems associated with alcohol.

**11. Justice not Jail:** End all discriminatory laws that have led to increased police harassment and incarceration of Aboriginal people. This includes race-based alcohol restrictions, the capacity to suspend the need for a warrant to enter premises on Aboriginal land, blanket pornography bans, stigmatising signage in Aboriginal communities, and local council by-laws in Alice Springs which target the homeless. Repeal 'star chamber' powers that suspend the right to silence for Australian Crime Commission investigations in Aboriginal communities.

Remove NTER prohibitions on the consideration of Aboriginal customary law in bail and sentencing. Recognise customary law as an important vehicle to empower communities to take responsibility for offending and improve community safety.

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<sup>i</sup> From 699 Indigenous inmates in Sept 2007 to 908 in June 2010, *Northern Territory Quarterly Crime and Justice Statistics*, Issue 21: Sept Quarter 2007 and Issue 32: June Quarter 2010

<sup>ii</sup> Attendance rates in NTER communities down from 62.3 per cent in June 2007 to 60.7 per cent in June 2010, *Closing the Gap in the Northern Territory Monitoring Report* June 2009 and June 2010.

NT government figures from December 2010 show some significant drops in school attendance, including 23 per cent at Lajamanu <http://www.smh.com.au/national/education/northern-territory-schools-stick-to-english-despite-attendance-falls-20110117-19u5d.html>

<sup>iii</sup> Confirmed instances of suicide and self harm up from 105 in 2006-7 to 162 in 2009-10 *Closing the Gap in the Northern Territory Monitoring Report* June 2010

<sup>iv</sup> Walter Shaw, CEO of Tangentyere Council detailed the crisis and its impact on town camp residents in a press release published at <http://caama.com.au/take-a-leadership-role>

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<sup>v</sup> Despite amendments made by the Labor government in 2009, the RDA still does not apply in full to Intervention laws. See Human Rights Law Resource Centre fact sheet <http://www.hrlrc.org.au/files/Fact-Sheet-2-NT-Intervention.pdf>

<sup>vi</sup> The full text of the UNDRIP can be found at <http://www.un.org/esa/socdev/unpfii/en/drip.html>

<sup>vii</sup> Health Habitat, an NGO with extensive experience on housing projects in Aboriginal communities, have maintained a successful commitment to 80 per cent local Indigenous workers for the past decade. See [www.healthhabitat.com](http://www.healthhabitat.com) or an interview with director Paul Pholeros at <http://www.radioaustralia.net.au/pacbeat/stories/200907/s2635068.htm>

<sup>viii</sup> A report *Impact of Income Management on store sales in the Northern Territory* by the Menzies School of Health found that Income Management did not lead to increase in sales of fruit and vegetables. However, these sales did increase, along with sales of all other items, through the three month period following the government's stimulus package. The report is available at <http://www.menzies.edu.au/research/research-news/welfare-quarantining-may-not-lead-healthier-purchases-indigenous-community-st>

<sup>ix</sup> The full AIDA report is available at <http://www.aida.org.au/viewpublications.aspx?id=3>

This document puts forward a list of demands that have come consistently from Aboriginal communities since the announcement of the NT Intervention in 2007.

It has been widely endorsed by Aboriginal community leaders, along with the Intervention Rollback Action Group (Alice Springs), Stop the Intervention Collective (Sydney) and 'concerned Australians' (Melbourne).

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