

INFAMY

of the

INTERVENTION

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Updated June 2009

As a result of the Intervention in the Northern Territory, many Aboriginal enterprises, businesses and cooperatives, have been closed down or are under threat of closure. Initiative has been stifled as a result of legislation which claims to protect children.

The Northern Territory Emergency Intervention Bill was rushed through Parliament in August 2007 – on the crest of a wave of hysteria amid claims it was needed to protect Aboriginal children. The Bill was promoted as the Howard government’s response to a “national emergency” (sic) affecting the welfare of Aboriginal children in the Territoryⁱⁱ

Surprise! Surprise! The Bill did not contain either the word “child” or “children” – so what was the Intervention really about?

If the INTERVENTION was intended to protect Aboriginal children, then:

- Why was Native Title suspended?
- Why was the operation of the Race Discrimination Act – that protects people from discrimination on the basis of race – suspended?

Does anyone smell a rat?

Perhaps the first suspect might be John Howard, known as a “lying rodent” inside his own party. Yet the Intervention was continued *after* the 2007 election, with Kevin Rudd as Prime Minister and Jenny Macklin as Minister for Indigenous Affairs. Why? Are other interests involved?

Let us clear away the fog of racism which clouds clear thinking, fed by:

- False allegations of pedophile rings operating in remote Aboriginal communities,
- Sensationalised reports of violence and sexual abuse by Aboriginal men, who are demonised as a result,
- Persistent portrayal of Aboriginal communities, in the targeted communities and elsewhere, as dysfunctional

An examination of events leading up to the Intervention shines a light on the real reasons for government actions that hurt Aboriginal men, women and children in the targeted communities.

ⁱ Northern Territory National Emergency Response Bill 2007, Explanatory Memorandum, Circulated by the authority of the Minister for Families, Community Services and Indigenous Affairs, the Hon Mal Brough MP, Parliament of the Commonwealth of Australia, August 2007.

THE LEAD UP TO THE INTERVENTION:

1996-2006:

A coalition government led by John Howard, elected in 1996, massages racism mixed with fear, and uses this toxic cocktail to win more elections. [For example his *children overboard* claims helped him win the 2001 elections after imposing the unpopular GST.] Government funding for Aboriginal legal services, housing, health services, transport and other infrastructure for Aboriginal communities decreases, both in real terms and as a proportion of government revenue.² This results in intolerable overcrowding – with all the stresses that it places on families – poor health and lowered life expectancy. The shortfall in funding for legal and interpreter services for Aboriginal people facing the court system results in an increase in incarceration levels which rivals South Africa during the time of Apartheid.

January 2006:

PM John Howard rearranges portfolios, moves the Ministry of Indigenous Affairs from *Immigration, Multicultural and Indigenous Affairs* to *Families, Community Services and Indigenous Affairs* and appoints former Army officer, Mal Brough, to run the portfolio. A talented Aboriginal girl dies after being assaulted and raped while trying to walk to her home in a town camp. The town camp is near Alice Springs but has no bus service.

May 2006:

Mal Brough claims on an ABC television program (*Lateline*) that “Everybody in those (Aboriginal) communities knows who runs the paedophile rings”. He withdraws his comments after journalists ask him why – if this is so well known – he has done nothing about it in his capacity as Minister for Indigenous Affairs.

June 2006:

Gregory Andrews, a senior bureaucrat in the federal government’s Office of Indigenous Policy Coordination, appears on another *Lateline* program, face blacked out and voice digitised to conceal his identity. He reinforces Brough’s claims that paedophile rings operate in Aboriginal Communities. Allegations made on the program, that Aboriginal children are being used by pedophile rings as sex slaves, are backed up by a blacked out Andrews, who viewers are told is an “anonymous former youth worker”, which he is not.

Andrews is later found to have misled the Senate. During the stage managed outcry that follows Andrews’ allegations, the government grants the Australian Crimes Commission extra powers to force Aboriginal people to give information to investigators. After two years of investigations, the Crimes Commission confirms during a Senate Estimates hearing that it has found no evidence to support the claims.³

² For example, in a report commissioned by the Australian Medical Association, Access Economics estimated that basic Indigenous health care was underfunded by \$450 million annually, despite budget surpluses that have run into the billions. [Australian Medical Association Discussion Paper 2004 – *Healing Hands – Aboriginal and Torres Strait Islander Workforce Requirements*]

³ *No evidence of organised paedophile rings, ACC says*, in the *National Indigenous Times*, May 29, 2008

August 2006:

The Northern Territory Land Rights Amendment Act passes through the Senate while attention is drawn to a rebellion by three Coalition Senators blocking legislation affecting refugees. The amended Act provides for long term leases where Aboriginal communities may sign away rights to their land for 99 years.

Captains of the mining industry lobby the Government to further amend native title laws to “provide greater certainty to the mining industry”. They say native title is “preventing them from discovering mineral deposits,” native title negotiations have “hampered land release” and that native title groups are able to frustrate the outcome of negotiations. The proposed changes are seen as likely to “reignite controversy over Aboriginal land rights”⁴

December 2006:

A Labor Party leadership spill results in Jenny Macklin (formerly Deputy Leader) being handed the shadow portfolio of Families, Community Services and Indigenous Affairs.

Late 2006 – Early 2007:

The Nguuu Aboriginal community of the picturesque Tiwi Islands is targeted in an attempt to pressure the community into signing a 99 year lease over an area which could be profitably used by the tourist industry. Mal Brough visits the Tiwi Islands and offers a \$10 million secondary college on condition that the community signs up. The community is already suffering from acute shortages of housing, health services and educational facilities – as a result of years of neglect by the Howard government.

March 2007: Minister Brough reportedly threatens to withhold further expenditure on housing and other infrastructure unless the community signs up. The Chief Minister of the Northern Territory, Claire Martin, warns the Nguuu community against being rushed into signing an agreement. Mal Brough takes over control of Aboriginal land tenure from the Northern Territory Government in an attempt to speed up the process.⁵

Despite the pressure, only the Nguuu community signs up to a 99 year lease under the Act

May 11, 2007:

The United Nations Special Rapporteur on the Right to Adequate Housing, who visited Australia in 2006, reports:

*“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”*⁶

⁴ *Native title overhaul hands win to miners*, in the *Australian Financial Review*, 21-8-06

⁵ *Tiwi islanders bullied by Brough: NT Senator*, in the *National Indigenous Times*, 22-3-07

⁶ *Report on the Mission to Australia* by the United Nations Special Rapporteur on the Right to Adequate Housing, UN Document A/HRC/4/18/ Addendum 2, para 133, 11 May 2007

End May-early June 2007:

The Minerals Council of Australia (MCA) sponsors its annual *Minerals Week* to

- “showcase issues and initiatives affecting the mining industry”
- “position it effectively in influencing government and other opinion leaders ...”

“*A crucial element of the success of Minerals Week*” boasts the Minerals Council, “*is the participation and contribution of industry leaders ... Ministers and Shadow Ministers, in reinforcing the importance of government and industry partnerships*” John Howard is the Guest of Honour and keynote speaker. The Minerals Council complains industry growth is being limited by Native Title.⁷

June 2007:

MCA, in a submission to the Annual Review of Regulatory Burdens on Business, claims:

- the current *supercycle* in global demand for mineral resources is a “once in a generation” opportunity
- limited access to land – due to Native Title claims – and shortages of labour, are among the “artificial constraints” restricting the growth of the mining industry.

The Minerals Council argues that a “third wave” of regulatory reform “*founded in a partnership between government and industry*” is necessary.

June 15, 2007:

Prime Minister John Howard sidelines Clair Martin, the Northern Territory Chief Minister and releases the report “Little Children are Sacred”. He describes the situation as being “akin to a national emergency”. The UN report on indigenous housing is ignored.

June 21 2007:

Howard announces a series of measures he claims are designed to meet the “emergency”:

- the federal government to forcibly acquire leases over land held by Aboriginal communities, including both freehold and Native Title land in 73 “prescribed” towns and communities
- the Community Development Employment Program (CDEP) to be abolished
- 50% of Centrelink payments quarantined, to be spent on food at selected stores
- Federal government “business managers” to be recruited to take control of all Commonwealth Programs (and many Territory Government programs)
- removal of the permit system by which Aboriginal communities can decide who may or may not enter their country
- compulsory medical examination of all Aboriginal children
- alcohol to be banned on all Aboriginal land, with the suggestion that “wet canteens” be established on communities – *even on those who don’t want them*

The “Little children are sacred” report is used as a pretext for the use of “emergency” powers to mount the Intervention. An astonished Pat Anderson, co-author of the report, comments: “*There is no relationship between their emergency powers and what’s in our report.*” All 97 recommendations of the report are ignored.

⁷ *Minerals Week 07: positioning Australia in a supercycle of change*, 28 May-1 June, advertised by the Minerals Council of Australia and posted on the web.

The speed with which the Intervention was imposed suggests John Howard was waiting for an opportunity to remove Aboriginal land rights to assist the mining industry, while at the same time giving the appearance of acting in the national interest. For more than twenty years, the mining industry had been complaining of a “paralysis” in exploration and mining in the Northern Territory as a result of the NT Aboriginal Land Rights Act.⁸ Coincidentally, the Intervention targets all land held by Aboriginal people under the Land Rights Act, all Aboriginal town camps and community living areas.⁹

Concerns about government underfunding of essential services and infrastructure in Aboriginal communities, which was exacerbating existing problems, were swept aside as a new wave of racism spread like excrement from an outhouse.

June 29 2007:

Captain Noel Johnson of the Australian Defence Force tells the ABC the military’s role is to “provide transport and communications support” for the Intervention and “win hearts and minds” (the language of counter-insurgency warfare). *Is the “Intervention” a new form of Invasion?*

July-August 2007: Community discussions are held concerning the illegal nature of aspects of Howard’s Intervention and the possibility of challenging it in a court of law.

August 7, 2007:

Mal Brough introduces the Northern Territory Emergency Response Bill into Parliament – a necessary measure to give the Intervention a fig leaf of legality. He declares the Bill and related bills are “all about the safety and well being of children”. The Bill runs to more than 500 pages but does not mention “child” or “children” once.

What does the Mal Brough Intervention Legislation really do?

- imposes government control over 73 targeted Aboriginal communities in the Northern Territory
- suspends Native Title Rights and removes the permit system
- denies Aboriginal people in the targeted communities any say as to whether their land will be leased, to whom it will be leased or under what conditions – or whether mining licenses will be granted
- gives the federal government broad powers to impose income control regimes on Aboriginal people in receipt of some form of income from the government
- suspends the operation of Part II of the Racial Discrimination Act
- abolishes Community Development Employment Projects in the target areas
- gives the government power to monitor activities and seize the assets of organizations providing services in the targeted communities
- gives the federal government power to deploy Australian Defence Force soldiers into the targeted communities

⁸ For example *Mr Justice Woodward, Land Rights and the Mining Industry*, in *Mining Review*, October 1985.

⁹ *Report of the Northern Territory Emergency Response Review Board*, Executive Summary

As a result of Brough's bluff, many Australians are led to believe all this is to protect little black children. This is a fraud – like selling flying pigs. *When prejudice walks in, logic goes out the door.* A surprising number of otherwise intelligent and well educated non-Aboriginal people still think the Intervention is acceptable, even when it is founded on race discrimination.

Months of lurid articles depicting horrific forms of violence had breathed life into deeply rooted race prejudices lurking below the surface of White Australia. This prompted wide acceptance of an Intervention that depends on suspension of the Racial Discrimination Act in order to be put into effect. A sustained media campaign created a smoke screen around the true purpose of the Intervention – control of Aboriginal people and their land.

When Brough rushed the legislation through the lower house within 24 hours, Jenny Macklin, then Shadow Minister for Indigenous Affairs, seemed out of her depth. Her office seemed to be in chaos and it was difficult to get any sense out of people there. All they were prepared to say was *vote Labor at the elections.*

Some members of the Labor Opposition spoke out against aspects of the Bill, but they all supported it in the end, repeating the mantra, “We believe that, *on balance*, the legislation will help children.” Close examination of the legislation shows this is nonsense.

The federal Government, while holding little black children hostage and claiming to be acting to protect them, had seized control of Aboriginal land in the Northern Territory. Now the Government has power to grant mining leases and exploration licences over this land while Aboriginal land rights remain suspended. Is this a step towards the “one stop shop” the mining industry was lobbying for?

In May 2007, the Mining Council of Australia recommended that Federal/State regulations be overhauled to ensure “minimum effective regulatory outcomes” through “a single instrument of approval through a single agency” It seems as if the Intervention is being driven by the mining boom rather than concern for the well-being of children.
*If the concern was about children, then why was only one race of children targeted?
What are the actual results of the Intervention?*

CONSEQUENCES OF THE INTERVENTION

In summary, the results of the Intervention include:

- closure of Aboriginal-run businesses and cooperatives and loss of jobs
- insufficient money for people to live on, hunger deprivation and hardship
- heavy travel expenses involved in reaching government-approved food outlets
- exodus of Aboriginal people from the targeted communities to townships and town camps – as far south as Ceduna in South Australia
- a fall in school attendance¹⁰

¹⁰ *NT data paints a grim picture*, in the *Koori Mail*, 16-7-08. Marion Scrymgour, Minister for Education in the Northern Territory, reports that although school enrolments increased in 2008, attendance levels have fallen in several remote communities.

No twist of logic can equate such results with the well-being of children. The mantra, *wait and see if the measures are working*, is based on the myth that the Intervention is about saving children, which it is not.

THE INTERVENTION: CIRCUS or FRAUD?

Marion Scrymgour, a Minister in the Northern Territory Government (now Deputy Chief Minister) and member of the Nguui community, lashed the Intervention with the 7th Charles Perkins Oration in October 2007:

“There have been three advance parties of Howard and Brough’s second Commonwealth Intervention* ... led and accompanied all the way by the Army.” The first to go out were “assessment teams”, to survey housing, health, education and employment in the 73 targeted communities. “*It’s been a circus: no more, no less,*” says the Minister.

- One small community in central Australia with a population of a few hundred was visited by 164 Commonwealth public servants and consultants in relation to the Intervention over a period of ten weeks. This included a departmental visit – from public servants flown in from Canberra – to download data from the community’s computer on to a Government memory stick. That same data had been emailed to the same department – to their Canberra headquarters – ten days beforehand.
- The assessment teams noted that in 1998 the housing backlog for Aboriginal people in the Northern Territory was measured at \$465 million. In 2001 the figure was calculated at \$850 million; by 2005 it was around \$1.2 billion. It is now over \$2 billion ... The assessment teams had found out nothing the Commonwealth and Territory Governments did not already know.

“The so-called *survey* is little more than window-dressing,” the Minister continues. “We know the results. They will tell us that – for generations – Aboriginal Territorians have endured poor housing, poor health, low educational outcomes and few job prospects.”

“The cruellest part of the fraud being perpetrated as part of the second Intervention relates to the abolition of the Community Development Employment Program ... Of the 7500 people currently on CDEP, some 5,500 people will be thrown out of work. This will push Aboriginal unemployment rates in the Territory to over 50 per cent and in remote areas to over 75 per cent ...

“The loss of CDEP incomes – including the capacity of those wages to be topped up through extra hours of work and relegation to capped welfare incomes – will massively reduce family incomes, leading to less money for food for their kids. Thousands will be deprived the dignity of productive work ... *It is difficult to escape the conclusion that the interests of the current regime in Canberra lie elsewhere.*”

The shortfall in federal funding for Aboriginal health, housing and schools over the 11 years of the Howard Government, had contributed the situation the same Government was seeking to exploit to its political advantage – to rescue its re-election prospects.

*The First Federal Government Intervention was imposed in 1918

The hypocrisy of the Intervention becomes clear when the course of events following the 1788 invasion of Australia is taken into account. At first the invasion resulted in land being taken from Aboriginal people living in areas near colonial outposts such as Sydney and other “settlements”. During the nineteenth century, Aboriginal communities in north and central Australia continued to live as they had before the Invasion began – living on and in harmony with the land, the basis of both material and spiritual well-being.

After the first Intervention by the federal Government in the Northern Territory, which began in 1918, large tracts of land were taken from Aboriginal communities and leased to cattlemen and mining companies. As a result, many communities were deprived of their means of subsistence and forced into a dependency situation.

During the second half of the twentieth century, a brief wave of enlightenment swept the western world. World War II, which engulfed Europe and weakened the western powers, was followed by a global wave of resistance to colonisation. Australia, still tied to the British apron strings, was slow to catch up with the rest of the west, but signed up to an array of international human rights instruments during the 1970s and 1980s. In 1992 the High Court finally recognised native title to land in the Mabo judgement. This belated recognition of land rights, to which the Indigenous Peoples of Australia are entitled, was heavily criticized by sections of the mining industry and others as “judicial activism”.

Has White Australia turned its back on the enlightenment and accepted the Intervention, with all its destructive results – loss of jobs, hunger, hardship, and an exodus of people from the areas targeted by the Intervention, *resulting in a fall in school attendance?*

For anyone trapped in the net cast by the broad powers the government has assumed under the “emergency” Intervention legislation, it is a nightmare, *another invasion*. **Forced acquisition of land and removal of permits does not contribute to the protection of children – it is extraordinary that anyone could imagine they would!**

Many non Aboriginal people had been confused by the toxic mix of lies and half truths emanating from the back end of the Howard government during its dying days. Aspirations for a fair go for all became muted as opportunist politicians played on deep-seated racist sentiments rooted in Australia’s colonial past.

A NEW GOVERNMENT – HOPES FOR A CHANGE

The time has come for the nation to turn a new page in Australia’s history by righting the wrongs of the past and so moving forward with confidence to the future.

Prime Minister Kevin Rudd, National Apology to the Stolen Generations, 13 Feb. 2008

Australians, like most people, grow tired of being lied to, and the Howard Government was routed at the 2007 elections. Mal Brough had claimed his intervention had general support within the community. Aboriginal people, whose concerns were largely ignored by the mainstream media, spoke through the ballot box. The seat of Lingiari includes all

73 communities affected by Brough's intervention/invasion. Across the electorate as a whole, the swing was five per cent towards Labor. Looking at the results more closely:

- At the Wurankuwu booth on the Tiwi Islands, where Brough forced the community to sign over their land for 99 years or else plans for a new school would be dropped, 1202 voters delivered a swing against the Coalition (CLP) of more than 10%
- On Groote Eylandt in the Gulf of Carpentaria the swing against the CLP was 13%
- At the Mbunghara booth in Central Australia, the swing was also 13%
- In Wadeye, where the swing was 15%, the CLP received only 26 out of the total of 723 votes cast – less than four per cent.
- At the Gunbalunya booth in Arnhem land, the swing against the CLP was 16%
- At the Angkarripa booth in Central Australia, the swing was 17%, with the CLP receiving a miserable one per cent of the vote.
- At Yirrikala, home of Galarrwuy Yunupingu, a former CLP candidate for the Senate, who voiced support for the Intervention after being lobbied by Mal Brough and Noel Pearson, the voting booth delivered the biggest swing against the CLP of all – *almost eighteen per cent*.¹¹

But there are no black voices in the federal Parliament. It seems that both major parties have lost the plot when it comes to respect for Aboriginal rights. Despite the Apology, the Rudd government continues with the Intervention. *Plus la change, plus le meme chose*, as the French say. (The more things change, the more they stay the same)

Aboriginal people think – and vote – but the genocide which accompanied the bloody invasion that began in 1788 has reduced us to a minority in our own land. Who will listen? Who will tell the politicians they got it wrong?

BLACK VOICES FROM THE LAND:

“Do they know about the devastating impact that these welfare policies have had here in our communities? That we went without over Christmas? That people are struggling to get food? ... The quarantine is causing chaos for our people.”

Barbara Shaw, resident of Mt Nancy town camp near Alice Springs, NT

“Too much money is being spent on the wrong things. This is supposed to be about looking after children, but after 100 days, there are no additional child protection services. Instead we have 700 new public service positions, including 300 positions in Centrelink to manage the income quarantining of around 25,000 people, at a cost of \$88 million in the first year alone.”

Olga Havnen, CEO of the Combined Aboriginal Organisations of the NT

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

Vince Forrester, Multijulu Elder

¹¹ *A fool Nelson and a Brough boycott*, in the *National Indigenous Times*, 29-5-2008

“We have seen Aboriginal people leave their communities en masse and they have come into our suburbs because of the confusion, the anger and the anxiety that is out there.”

Marion Scrymgour, Nguiu Community and Northern Territory Deputy Chief Minister

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

Olga Havnen

“I thank you Prime Minister Rudd 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

“This legislation and government action is a form of terrorism used specifically against our people. They are entrenching racism with these actions. The police in the Territory, especially in the remote communities, are acting like cowboys. I have had a shotgun pointed at me by police as part of a clear strategy of intimidation.”

Vince Forrester

Police have been given increased powers under the NT Intervention. In April 2008, police took 188 people into custody in a *special operation* in Alice Springs. “Arresting people will only set their lives back even further,” commented Mt Nancy town camp leader Barbara Shaw. “Politicians like Alison Anderson say people are welcoming the Intervention. *So why are so many now in town, homeless and jobless?*”

The population of Bagot has risen from an average of around 500 to 1200 since the Intervention began. Only one in five houses in Bagot has either a stove or a refrigerator. Many stoves have only one element of the stove top in working order. All the houses are overcrowded, including one three bedroom house with nine families under the one roof. An ever increasing number of newly homeless people are being forced from more remote communities and are moving into “the long grass” just outside Darwin and becoming fringe dwellers. A third-world style shanty town is springing up as a legacy of the Intervention which has deprived Aboriginal communities of their ancestral lands!

In Bagot, the only previous viable community enterprise, the community store, is excluded from the Welfare quarantine system – which can only be used in selected chain stores in population centres. People subjected to welfare quarantine are forced to travel long distances at great expense to obtain food for their families. Families without enough money to get back home may become stranded in town with nowhere to go.

In addition to income quarantine, which takes 50% out of the fortnightly Centrelink payments, recurring charges such as rent, gas or electricity bills are also deducted, leaving people with as little as thirteen or fourteen dollars to meet all other costs.

How could anyone now imagine that the Intervention is helping children?

Muriel Bamblett, Victorian Aboriginal Child Care Agency CEO, points to the hypocrisy:

“Once again we are being threatened with assimilation. Once again our culture is being denigrated. Once again our land is being taken away. Once again we are being told that our future lies in being subservient to white authorities. And once again we are being told that this intervention is for the protection of children.

“We know only too well what that means. We have been victims of colonial protectors before. We have had the authorities deciding what is in the best interest of our children before. But we know that taking away land, taking away control and denigrating culture will NOT protect Aboriginal children. In fact it is those very areas – land, control or self determination and culture which are the sources of real protection for our children ...

“Some would say that at least the issue has been raised at a national level and there is a commitment to resource a response. **But, and this is a very big but: the Federal Government’s response confounds logic and confounds any sense of decency.** ... and it’s not by accident that the phrase ‘emergency response’ was used by (Howard) – emergency responses are what you do when you believe you have to suspend people’s rights in order to deal with a crisis.”¹²

It is extraordinary that so many non-Aboriginal Australians were willing to accept Howard’s *fix* despite the fact that the Intervention involved suspending internationally recognised human rights. The suspension of the Race Discrimination Act is just the most blatant among the plethora of human rights breaches on which the Intervention relies.

SPACE FOR CARTOON

¹² *LISTENup!* a joint newsletter from ANTaR Vic and Reconciliation Vic, October 2007, page 6.

Alexis Wright, author of the prize winning book “Carpentaria”, also sees through the Intervention:

“Although the punishment of intervention into Aboriginal communities in the Northern Territory was implemented without the permission of Aboriginal people, it was not done without strategy. No-one can tell me the plan did not have the goal of breaking down Aboriginal cultural attachment to land by making it even more difficult for Aboriginal people to live on it”¹³

Attempts have been made to deflect criticism of the Intervention by attempting to create artificial distinctions between human rights – as if they were some esoteric concept – and concrete outcomes. Apologists for the Intervention say that it is “working”, that suspension of human rights is necessary get results, and that the Intervention springs from good intentions.

Social Justice Commissioner Tom Calma counters this last claim with characteristic tact:

“If the Intervention was well-intentioned, it has fallen far short of its stated objectives. It represents the danger of unilateral action – without recognising the importance of undertaking action in partnership with Indigenous communities. In the Intervention, this is reflected in processes that treat Indigenous peoples as passive recipients of policy rather than active agents for change.

“I am a firm believer that many answers to Indigenous problems can be found in Indigenous communities. This is why it is so crucial to learn from successes ... (which) restore some confidence and dignity to Indigenous Australians who have suffered from the wholesale negative portrayal of Indigenous society by some politicians and media.

“The most successful programs are community generated, created with genuine community engagement, recognizing the need for community development, built on partnership and adopting a holistic approach ... measures that violate the human rights of the intended beneficiaries are more likely to work in ways that undermine the overall well-being of the communities in which they live ... 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.*”

Concerning the results of the Intervention, people on the ground in the affected areas are best able to gauge the effects it is having on the people. The Board set up in 2008 to review the Intervention observed: “The absence of a sound data baseline as a platform for evaluation gave greater weight to consultations and discussions in assessing the various NTER measures.”¹⁴

Criticisms come from doctors, child care workers, and most importantly, the people directly affected by the Intervention.

¹³ *A weapon of poetry: Alexis Wright remembers Oodgeroo Noonuccal*, in *Overland*, Vol 193, 2008, p.21

¹⁴ *Northern Territory Emergency Response: Report of the NTER Review Board*, Executive Summary, p.9

The Australian Indigenous Doctors Association (AIDA), established in 1998, examined the effects of the Intervention on Aboriginal people in the targeted areas and found:

- The NTER has had a considerably negative effect on the social and emotional well-being of communities, families and individuals and has caused “immediate and lasting harm to Indigenous people”
- The announcement of the Intervention caused widespread “shock and grief” among Aboriginal people
- An NTER taskforce claim that the initial suspicion and distrust of the Intervention had been lifted was unfounded; the distrust in Aboriginal communities had hardened
- The Intervention had increased feelings of shame and loss of dignity and increased their sense of “helplessness, hopelessness and worthlessness”
- The Intervention has further disempowered Aboriginal people due to its discriminatory operation
- Many people interviewed referred to the feelings of shame, humiliation and loss of dignity that characterised the earlier “protectionist” period
- The highly publicised NTER health checks had “largely been an exercise in duplication”
- Welfare quarantining has led to further loss of dignity and disempowerment by Aboriginal people
- Income management (welfare quarantining) limits cash income and as a result, restricts cultural activities such as travel for ceremony and funeral costs. It also causes family conflicts and reduces the opportunity to shop around for cheaper prices
- Some Aboriginal people experienced “extreme hunger or starvation” as a result of welfare quarantining
- The government has not delivered on its promises in relation to housing
- The public debate leading up to the Intervention was emotionally charged
- Many community members have also experienced difficulty with the income management deliver system: *“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 store was ready online. The baby bonus was taken over by income management – people need permission to spend it now.”*¹⁵

In addition, 28 medical specialists gave their diagnosis: *The Intervention is a lemon:*

“In the year since the NTER 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 ...

¹⁵ *Australian Indigenous Doctors Association Health Impact Assessment of the NTER measures*, reported in the *National Indigenous Times*, September 4, 2008

“Many children were referred for unnecessary investigations at great cost, causing further disruption to existing services ... It has been disappointing that governments have not sought to engage our expertise and many years of experience in developing more effective long term strategies for health care delivery. 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.”¹⁶

Aboriginal people from across the Northern Territory gathered in Alice Springs in September and formed the Prescribed Areas People’s Alliance (PAPA), to campaign for an end to the Intervention. The gathering voiced their concerns about the impact the Intervention was having on them and their communities. Communities represented included Yuendumu, Multijulu, Titjikala, Lajamanu, Apatula, Kalkaringi, Iwupataka, Tennant Creek, numerous town camps of Mparntwe (Alice Springs) and Darwin. Many more who could not attend sent statements.

The consensus of the meeting was that the Intervention was harming people and had brought no delivery of critically needed service. In fact it had closed down many services causing further hardship to people living in the Prescribed Areas (areas targeted by the Intervention). After a combined meeting, the Prescribed Area People broke into men’s and women’s group. The women’s group put out the following statement.

“We Aboriginal women from the Prescribed Area People’s Alliance meeting yesterday, September 29, 2008, met to talk on issues that affect us the most out of this Intervention. We have made a statement. We don’t want the Intervention.

1. We call on Quentin Bryce, the Governor-General, to come and meet with us women
2. We call on Jenny Macklin to have proper consultation with us women.
3. Stop the Intervention. We want to manage our communities the proper way, the way we want it, this is our community. We are the ones who live there, listen to us and our cultural ways.”¹⁷

A protest rally was held in Alice Springs on September 30, to coincide with the promised release of the Review of the Intervention commissioned by the federal Government. The lawn in front of the Alice Springs courthouse was covered with people, some standing, some sitting on the grass, black people, white people, people who had come from the “Top End”, from the east, the south and the coast, to demonstrate their opposition to the Northern Territory Intervention. There we learned that the Review would not be released for another two weeks.

“Our people are being insulted,” said Valerie Martin of the Yuendumu community. The Intervention had taken away Aboriginal rights and culture. “We’re just nothing (to the Government) at the moment. It’s heartbreaking. But I’m proud to be black.”

¹⁶ *NT Intervention a lemon: 28 medical specialists give their diagnosis*, by Dr Hilary Tyler, a medical specialist in Central Australia, forwarded on email by Karen Gough, 8 September, 2008

¹⁷ *Alliance Voices Concerns*, in the *Koori Mail*, 8 October, 2008

Two weeks later, Tony Abbott called on Jenny Macklin, the Minister for Indigenous Affairs, not to soften the Intervention. Mr Abbott, who as Minister for Health in the former Howard Government opposed the release of a particular contraceptive pill for use by Australian women, tried to rebrand himself as a “protector of women” – in his new role as Shadow Minister for Indigenous Affairs.

Tom Calma, the Aboriginal and Torres Strait Islander social justice commissioner, pleaded with the government to follow the review board’s recommendations: “Efforts to improve safety for families and children in remote Indigenous communities must be done in collaboration with Aboriginal people and in a manner that treats Aboriginal people with dignity and respect – it is really that simple.”¹⁸

Tom Calma’s words, and the words of the women from the Prescribed Areas People’s Alliance, fell on deaf ears. Critics of the Intervention have been sidelined as the Rudd government continues with policies previously imposed by Howard and Brough. The Minister said: “From the women that I’ve spoken with, they have pleaded with me to continue with compulsory income management.”¹⁹ Perhaps the Minister is only listening to women who tell her what she wants to hear, or that the only women who get to speak to her are those prepared to say what they know she wants to hear – or both.

The Minister is not listening to the women who organised the Prescribed Areas People’s Alliance in Alice Springs and issued their statement three weeks earlier, or to child care experts like Muriel Bamblett, or the President of the Australian Indigenous Doctor’s Association, Tamara Mackean. Perhaps that is one of the perks of office – only listen to the people who tell you what you want to hear – the “Yes Minister” syndrome.

Muriel Bamblett had said all those months before: “It all adds up to LISTEN. Deep listening is required to heal this nation of the scourge of colonization ... 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 these words into your actions for justice for my people and ultimately for all the peoples of this nation.”²⁰

In October 2008, Barbara Shaw, an organiser of the Prescribed Areas People’s Alliance, spoke at an international gathering of Indigenous Peoples in Melbourne convened by LASNET (Latin American Solidarity Network), which was attended by both Indigenous and Non-Indigenous Australians. On the final day of the gathering, the people there unanimously passed the following resolutions:

“We call on this gathering to support the Northern Territory Prescribed Peoples Alliance (PAPA) to lobby all tiers of government to (1) reinstate the Racial Discrimination Act (1975) and the anti-discrimination act of the Northern Territory and (2) put an end to the

¹⁸ *Women seen as endangered if NT intervention softened*, in *The Age*, 15 October 2008

¹⁹ *Aboriginal Policy to Continue*, in *The Age*, 24 October, 2008

²⁰ *LISTENup!* page 7

NT Emergency Response (NTER). We call on the gathering to lobby all union branches around the country to put an end to the NTER.”

On November 7, the Prescribed Areas Peoples Alliance met and issued a statement: “The NTER must be immediately repealed ... We call on everyone who supports Aboriginal rights to converge on Canberra for the opening of Parliament in 2009.” The convergence has been endorsed by the full council of the Central Land Council, the key representative body for the 24,000 Aboriginal people living across the region. There will be two days of workshops and discussion at the Aboriginal Tent Embassy on February 1 and 2 followed by a rally on February 3. The Northern Territory delegation is also planning to meet with politicians to lobby for repeal of the Intervention laws and substantially increase funding for community controlled services.

In December 2008, Marlene Hodder of the Intervention Rollback Group called on individuals and group to support a national statement to mark International Human Rights Day. The statement points out that an Intervention that relies on suspension of the very Act designed to protect people from racism makes mockery of any claim that it is for the benefit of Aboriginal people, and signed by the Prescribed Areas Peoples Alliance, more than 130 people who are directly affected by the Intervention, numerous Indigenous Rights groups from around Australia and many other people, both Aboriginal and non-Aboriginal.

“Resistance to the Intervention is strengthening across the Northern Territory. People from NT are preparing to take their protest directly to the federal government on the first day of parliament, February 3, 2009.”²¹

On 23 December, the Northern Land Council issued a media release stating that the Council “has unequivocally expressed its full support for Aboriginal traditional owners who wish to live on their homelands ... Aboriginal people have a right to choose where they wish to live and are entitled to the same level of service provision as every other Australian to ensure a reasonable standard of living.”²²

We need to lobby members of the Labor Government to:

- (1) Repeal of the Northern Territory Emergency Intervention legislation
- (2) Commence community consultation with Aboriginal communities – who have been discriminated in relation to funding of health, education and housing during the life of the Howard Government – in order to remedy past injustices.
- (3) Sign the International Declaration on the Rights of Indigenous Peoples and implement its provisions by passing appropriate laws to protect those rights
- (4) Respect the sovereign rights and the inherent right to self determination of the Aboriginal and Torres Strait Islander peoples of Australia

This means more than writing a letter; it means finding out who your local member is – or Senator – and meeting with him or her to give the reasons why the NTER should stop.

²¹ Media release issued 22 December, 2008

²² Media release issued by the Northern Land Council, 23 December, 2008