

NORTHERN TERRITORY GOVERNMENT SUBMISSION TO

THE SENATE STANDING COMMITTEE ON COMMUNITY AFFAIRS

INQUIRY INTO

THE STRONGER FUTURES IN THE NORTHERN TERRITORY BILL 2011

AND TWO RELATED BILLS

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1. INTRODUCTION

The Northern Territory Government (NTG) is committed to closing the gap of Indigenous disadvantage. This commitment is recognised in the NTG's key policy frameworks such as *Working Future* and *Territory 2030*, and its increased investment in services such as health, education, community safety and child protection over the last decade. Strong partnerships with both the Commonwealth Government and Indigenous Territorians are fundamental elements of the NTG's efforts to enhance services to Indigenous Territorians and improve outcomes in the areas of early childhood, schooling, health, economic participation, healthy homes, safe communities, and governance and leadership, agreed by the Council of Australian Governments (COAG) in 2008 as the seven 'building blocks' underpinning a sustained commitment to overcome Indigenous disadvantage.

"I welcome this new and more collaborative approach to tackling Indigenous disadvantage...Acting in partnership with the Northern Territory Government, the Federal Government has announced the Stronger Futures 2011 Bill to Close the Gap and end Indigenous disadvantage. All levels of government need to work together with communities to tackle disadvantage and improve opportunities for Indigenous people across the Territory."

Chief Minister Paul Henderson 23 November 2011

Indigenous Territorians comprise over 30 per cent of the Northern Territory's (NT) population compared to 2.5 per cent nationally, while 44.5 per cent of children attending government schools are Indigenous and Indigenous Territorians account for 50 per cent of public hospital separations (excluding renal dialysis). The 2010 *Indigenous Expenditure Report* found that 53.9 per cent of NTG expenditure was related to its Indigenous population.

This level of expenditure recognises both the high cost of service delivery in the NT arising from its large landmass, a small, dispersed population with a high proportion of Indigenous people and the additional investment required to improve Indigenous outcomes. Based on data from the Commonwealth Grants Commission's 2011 Update, it is estimated that the per capita cost to deliver the standard level of services in the NT is about 2.15 times higher than the national average and about 3.4 times higher in relation to welfare and housing services. This does not recognise the additional effort required to significantly reduce Indigenous disadvantage in the NT where the gap is larger than in other jurisdictions. For example, to halve the gap in Year 3 reading performance between Indigenous and non-Indigenous students (a COAG target), the NT is required to improve performance by 30.1 per cent, whereas in Tasmania a 1.6 per cent improvement must be achieved to meet the same target.

2. STRONG STEPS ALREADY TAKEN

The context and history of the NT demands steadfast, long-term and strategic action to deliver improved well-being for the Territory's Indigenous peoples. For the NTG, achieving this change is not a 'side-bar' to government business – it is core and fundamental to the future well-being of all Territorians.

The NTG values the strengths brought to the Territory's economy, society, culture and environment by the rich traditions and knowledges of Indigenous people. The NT is privileged to retain thriving Aboriginal languages, systems of land and sea management and understandings of how to live sustainably with the NT's abundant environment.

Simultaneously, the NTG is acutely aware that creating a future that closes the gap in areas such as education, health, justice and safety outcomes between Indigenous and non Indigenous Territorians can only be delivered through the dignity and security offered by economic participation; for all Territorians regardless of where they call home.

Over the last decade the NTG has worked across both the economic and social policy fronts when facing up to the challenges of addressing unacceptable levels of disadvantage facing many Indigenous Territorians.

The NTG's 2007 *Closing the Gap of Indigenous Disadvantage: a Generational Plan of Action* provided over \$286 million and a plan for the future socio-economic well-being of Indigenous Territorians, including targets up to the year 2027. Achievements under this plan of action include:

- the introduction of the Children's Commissioner from June 2008;
- establishing Targeted Family Support Services in Alice Springs, Darwin and Katherine, to provide early intervention for high needs families whose children may be at risk of entering the child protection system;
- deploying additional child protection workers;
- an additional \$42.32 million for construction of new Government Employee Housing to facilitate service delivery in remote areas;
- \$9.6 million for ante-natal and early childhood care education programs over five years; and
- the appointment of the Indigenous Affairs Advisory Council to provide expert advice on a range of policy areas.

The NTG's 2009 *Working Future* policy is a long term, place-based strategic framework for a hub and spoke service delivery model for remote NT that will enhance services and economic development. *Working Future* sets the platform for transparent, coordinated decisions about how to deliver services and where to deploy appropriate infrastructure. Features of the framework include:

- Local implementation plans establishing formal agreements between the three tiers of government, the non government sector and local people about service delivery and infrastructure priorities for Territory Growth Towns and their surrounding areas.
- Putting in place fundamentals like town plans, lot boundaries, zoning maps, urban design plans, street names, infrastructure plans and secure land tenure for residents in the Territory Growth Towns.
- A commitment to delivering, over time, the same services and infrastructure in Territory Growth Towns as towns of a similar size and location would expect anywhere in Australia.

- Creation of the Coordinator-General for Remote Service Delivery to oversee, monitor, assess and advise in relation to the implementation of the *Working Future* policy and achievements in achieving Closing the Gap targets in remote towns and communities.

Over the past decade job creation has been a critical priority and platform for social policy outcomes in the NT. Since 2001 around 27 000 jobs have been created. A suite of Jobs Plans were released between 2003 and 2009. The NTG has made significant progress in the area of Indigenous employment and economic development. The *Indigenous Employment and Career Development Strategy* has seen a rise in the number of Indigenous people working in the Territory public sector, lifting the percentage of Indigenous employees from 5 percent to 8 percent between 2003 and 2011.

The NTG's *Indigenous Economic Development Strategy* sets out to significantly increase Indigenous economic participation through growing Indigenous employment, business participation and ownership, and wealth. The strategy has resulted in:

- Job guarantees to every student from a Territory Growth Town who graduates with their Year 12 Northern Territory Certificate of Education and Training.
- 500 positions funded to ensure continuity of Indigenous employment opportunities post Community Development Employment Program (CDEP).
- A strong Indigenous local government workforce. Since local government reform in the NT, total employment positions in the shire councils has increased by 40 per cent. This excludes CDEP positions. The eight large shire councils employ 2 508 staff in total, of whom 1 852 are Indigenous. The average percentage of Indigenous workforce in the large shire councils is 72 per cent. This percentage is significantly above the average level of Indigenous employment in other local governments across Australia.

The 2010 *Growing them strong, together: Promoting the Safety and Wellbeing of the Northern Territory's Children* report of the Board of Inquiry into the child protection system of the NT provided a series of recommendations that were addressed by the NTG's *Safe Children, Bright Futures* strategic framework. This framework strengthens the Government's child protection and well-being capacity and provides an investment of \$130 million over five years for initiatives such as:

- creation of a dedicated agency to support child safety and wellbeing;
- creation of an additional 42 frontline child protection worker positions;
- establishment of an Indigenous child, youth and family peak body – Stronger Aboriginal Families, Together - to support the development of other Indigenous agencies, including Aboriginal Child Care Agencies in Darwin and Alice Springs;
- partnerships with the non-government sector to expand family support services and trial a child protection intake service; and
- establishment of a Child Protection External Monitoring and Reporting Committee to oversee implementation of the Review findings.

The *Every Child, Every Day* Strategy and Action Plan is the Territory Government's commitment to improve school enrolment, attendance and participation of young Territorians through focused effort, stronger leadership, clever and strong strategies and real partnerships. Five Priority Action Areas have been identified under the strategy:

- Getting everyone on the same page – shared beliefs and understandings: Children and young people are more likely to be enrolled in school, attend regularly and take part in training or work when parents and communities understand how important it is. Developing habits of good attendance in early childhood will give children a head start at school.
- Making leadership in improving attendance and participation front and centre: High quality school and departmental leaders and the involvement of parents will improve enrolment, attendance and participation. Roles, responsibilities and procedures must be clear to make sure no child or young person falls through the cracks.
- Making schools safe and welcoming places: Schools need to make sure they are safe, welcoming places by building strong relationships within the school and providing, or referring children to appropriate help and support.
- Real home, school, business and community partnerships: It is important for schools to build strong partnerships with parents, businesses and the community. Making sure children and young people are enrolled, attending school regularly or participating in training or work is everyone's business and everyone's responsibility.
- Relevant and interesting learning pathways: Students are more likely to attend school regularly or take part in training or work after Year 10 if the learning is interesting and they can see that it is leading somewhere.

These five Priority Action Areas under the NTG's *Every Child, Every Day* school enrolment and attendance strategy are supported by over 35 new and innovative strategies to help parents, schools and communities to overcome some of the barriers to success and include both incentives and consequences.

Since 2001 the NTG has committed to addressing the disparity between health outcomes of Indigenous and non-Indigenous Territorians through the provision of extended primary health care services and Indigenous health promotion. Two of the many highlights of this commitment include:

- the 2005 *Pathways to Community Control* strategy to provide an integrated, flexible and innovative approach to partnerships in Indigenous health, and in particular to support community controlled Aboriginal health service delivery, continuous quality improvement and health promotion; and
- establishment of Indigenous community based workers in NTG health centres to improve access to health promotion programs and community engagement, with 34 Indigenous people employed in these roles at December 2011.

The Territory Government has also successfully negotiated a number of National Partnership Agreements (NPAs) with the Commonwealth government which have delivered significant investment in the NT in the areas targeted by *Stronger Futures*. These include:

- *Closing the Gap in the Northern Territory NPA (CTG NPA);*
- *Remote Service Delivery NPA (RSD NPA);*
- *NPA on Remote Indigenous Housing (RIH NPA);*
- *NPA on Closing the Gap in Indigenous Health Outcomes;*
- *Smarter Schools National Partnerships for (i) Low Socio-economic Status School Communities; (ii) Improving Teacher Quality; and (iii) Literacy and Numeracy; and*
- *Closing the Gap: NPA on Indigenous Early Childhood Development.*

The CTG NPA has delivered a total funding package of \$890.5 million from the Commonwealth government over four years to 30 June 2012 to bolster the NTG's investment in a range of critical services targeting Indigenous wellbeing and in particular the safety and wellbeing of children and families in remote NT.

The RIH NPA delivered a ten year funding strategy totalling \$1.7 billion to reform responsibilities between the Commonwealth Government and the Territory Government in the provision of housing for Indigenous people in remote NT. The RIH NPA has delivered 475 new houses, 1 523 refurbishments and 403 rebuilds to Indigenous Territorians from 2007 to December 2011. In addition, a target of 20 per cent Indigenous employment has been set across the Strategic Indigenous Housing and Infrastructure Program (SIHIP), incorporated into the RIH NPA. The SIHIP is currently exceeding this target with a rate of 28 per cent Indigenous employment, and over 1 200 Indigenous people have been employed since the commencement of SIHIP across all packages.

3. WHAT IS NEEDED GOING FORWARD

While these strong steps have been taken over the past decade, continued Commonwealth Government funding targeted at reducing the disadvantage of Indigenous Territorians is required to support the NTG's effort given the level of investment required and the NT's small budget, which reflects the size of its economy. The likely generational timeframe to reduce Indigenous Territorians' disadvantage requires significant long-term Commonwealth Government funding to support continued NT service improvement. Like other jurisdictions, the NT receives Commonwealth Government funding in recognition of the Commonwealth's greater revenue raising capacity and the states' greater service delivery role. However, the majority of this funding is not tied specifically to reducing Indigenous disadvantage, and although the NT receives the highest per capita share of GST revenue, this is premised on the basis of providing the Territory with the capacity only to deliver a national average level of services, not the level of service required to close the gap of Indigenous disadvantage.

Additional Commonwealth Government tied funding to address the disadvantage of Indigenous Territorians has been provided through the 2007 Northern Territory Emergency Response (NTER) and the subsequent CTG NPA, with some of this funding directed to the NTG to enhance its service delivery effort for Indigenous Territorians living in remote areas.

The NTG welcomes the Commonwealth Government's continued commitment to Indigenous Territorians and believes that *Stronger Futures* provides an opportunity for

both governments and the community to work together in a partnership to continue the progress that has been made in important service delivery areas. The NTG provides comment in this Submission on key issues associated with the Commonwealth's proposed *Stronger Futures* legislation as well as on other relevant matters.

4. IMPROVING SCHOOL ATTENDANCE AND ENROLMENT

Key message:

The NTG considers that the School Enrolment and Attendance Measure (SEAM) included in the *Social Security Legislation Amendment Bill 2011* provides a mechanism to enhance school attendance. However SEAM alone will not achieve governments' goal of improving regular school attendance by Indigenous students without complementary re-engagement processes for disengaged children and young people and targeted family support programs tailored to the needs of remote Indigenous families. This will require continued investment by the Commonwealth Government in remote NT schools and communities.

The NTG is progressing a vast reform centred on maximising engagement with learning from as early an age as possible, especially for our most disadvantaged students in very remote areas of the NT. This is consistent with the NTG's commitment to the COAG target to halve the gap in literacy and numeracy achievements of Indigenous and non-Indigenous Australians by 2018, and necessitates significant effort given the literacy and numeracy outcomes for Indigenous students in very remote NT are the lowest in Australia.

"Our kids are as bright, if not brighter than kids anywhere else in Australia. We have kids who, at a very young age, have mastered quite a number of languages. They also understand a very complex social system, particularly with regard to relationships and culture...We recognise our kids are bright, but we have to work with families to try to prepare kids for school, so they get a good start in school. I am sure if we give the kids and the families that sort of support, those kids will just excel; they will be absolutely brilliant in their schooling."

The Hon Dr Chris Burns, NT Minister for Education 25 November 2010

Investment from the Commonwealth has supported the Territory's reforms to school education in recent years, enabling additional teachers to work with remote Indigenous communities to improve educational outcomes. For example:

- teacher retention has improved over the last four years by around 18.5 per cent;
- approximately 500 extra students are attending on any given day in locations where Attendance and Truancy Officers have commenced under the NTG's *Every Child, Every Day* strategy;
- the largest gains in Australia are being achieved by NT Indigenous students who sat NAPLAN in 2008 and 2011 in Reading, Spelling and Grammar and Punctuation at year levels 3, 5, 7 and 9; and
- a 43 per cent increase has been achieved in Indigenous NT Certificate of Education and Training (NTCET) completions between 2007 and 2011, from 74 in 2007 to 106 in 2011.

However, the multifaceted nature of improving educational outcomes requires health, housing, alcohol, employment and community safety challenges to also be addressed, necessitating integrated strategies and strong collaboration between governments.

The challenges in achieving continued improvement in educational outcomes in remote NT remain considerable, and will require sustained and aligned effort across and between the NT and Commonwealth Governments. The NTG brings to this partnership a footprint of services throughout remote NT and the detailed understanding of what will and will not work.

The NTG considers that the SEAM provides a mechanism to enhance school attendance, through its integration with the NTG's *Every Child, Every Day* school attendance strategy and its *Strong Start, Bright Futures* comprehensive service delivery model in Territory Growth Towns. However the SEAM alone cannot deliver the educational outcomes being sought. It must be complemented by effective engagement with families, further enhancing teacher quality and numbers, including growing a strong Indigenous education workforce, teacher housing, and student reengagement strategies. Investments in the area of re-engaging disengaged students are needed to ensure the desirable impacts of the SEAM legislative reform do not have unintended consequences of disrupting the learning of students who have been more consistently engaged with schooling, as is coordinated support for families of disengaged students.

This investment would importantly build on the early encouraging signs of improved outcomes from the collective NT and Commonwealth government investment in remote Indigenous schools and communities.

5. JOBS

There is a clear link between patterns of economic participation and improving school enrolment and attendance, as well as other outcome areas targeted by *Stronger Futures*. Jobs for Indigenous Territorians and economic participation are central to achieving *Working Future* and *Stronger Futures* outcomes.

As highlighted throughout this Submission the NTG is committed to ensuring every Territorian, regardless of where they call home, will benefit from the economic development and prosperity being driven and delivered in the NT. Having choices, feeling proud and providing a safe and nurturing home are buoyed by economic participation. Achieving these benefits for Indigenous Territorians requires collaborative policy effort across governments and partnership with communities and the private and not-for-profit sectors.

The public sector has an important role to play in delivering job pathways in remote towns of the NT. Education, health, policing, housing, local government and child protection jobs are being deployed into Territory Growth Towns in increasing numbers as a consequence of the NTG's *Working Future* framework, other NTG reforms, the CTG NPA and the RSD NPA. Coordinated approaches to attracting, developing and retaining Indigenous people from Territory Growth Towns and surrounding areas into these jobs is an important priority for the NTG. Innovative approaches such as specific jobs plans for each remote town or region; public sector cadetships; joined up vocational training across sectors and appropriate mentorship arrangements will all be vital to success.

The NTG considers that the Commonwealth Government's current Review of Remote Employment and Participation Services offers a significant opportunity to reform the approach taken in remote NT to improve economic participation and jobs across all sectors.

6. TACKLING ALCOHOL ABUSE

Key Message:

The NTG supports the Commonwealth Government's commitment to work jointly with the NTG to drive reductions in alcohol-related harm in the NT and is supportive of legislative change to enable referral to income management from the Alcohol and Other Drugs Tribunal.

The NTG has delivered the most comprehensive reforms in the nation to tackle alcohol-related harm. These new laws (the *Enough is Enough* package) took effect on 1 July 2011. Early analysis indicates these reforms are having an impact with NT Police data reporting a 15 per cent drop in alcohol-related assaults and a 22 per cent drop in alcohol-related incidents across the Territory in the first three months of operation.

There are a number of risks with the proposed provisions of the Stronger Futures legislation relating to Alcohol Management Plans, liquor penalties and the Liquor Licensing Commission that will need to be addressed prior to passage of the Bills.

Realising the full effectiveness of the proposed legislative provisions will require adequate resourcing and continuation of existing funding.

The NTG considers that tackling alcohol abuse is a critical issue for Territorians and the NTG has invested significantly in a range of initiatives to reduce alcohol abuse and its impacts:

A number of alcohol-related reforms have been progressed in the Territory over recent years, including some which have been the result of collaboration between the NT and Commonwealth governments. Reforms include:

- Introduction of Supply Plans and Alcohol Management Plans (AMPs) in every regional centre as well as a significant expansion of AMPs being developed or implemented in remote communities and town camps. AMPs are now in place or being developed in over 40 communities and 16 communities have signed off on an AMP since May 2010.
- Reductions in hours of sale, restrictions on problem products and restrictions on the volume of alcohol sold under Supply Plans. In every regional centre where there is an AMP that includes a Supply Plan, there have been significant reductions in pure alcohol wholesale consumption. For example, there has been a 34 per cent reduction in pure alcohol wholesale consumption between 2008 and 2010 in Nhulunbuy; and a 12 per cent reduction in pure alcohol wholesale consumption between 2006 and 2010 in Alice Springs.

- Expansion in compliance and enforcement capacity beyond Darwin and Alice Springs through the employment of 12 additional licensing inspectors servicing regional and remote communities.
- Introduction of an electronic identification (ID) system to enforce supply restrictions in Alice Springs, Katherine and Tennant Creek and to enforce individual permit purchase limits in East Arnhem and Groote Eylandt. The ID system has been highly effective in denying access to alcohol, evidenced by more than 10,000 denials in 2010 in Katherine and Alice Springs.
- Maintenance of the 2006 moratorium on new take away licenses. In 2011 the NTG negotiated the successful buy back of licences from two liquor outlets in Alice Springs, seen as being out of step with community values and causing alcohol-related harm. The effect of the Buy Back Program and the moratorium has seen a 5 per cent reduction in take away licences in the NT, in the context of national growth in takeaway licence numbers.

The decrease in per capita consumption of alcohol in the NT from 15.3 litres in 2005 to 13.6 litres in 2010 provided evidence that these reforms were having an impact,

In addition to these measures the Territory Government introduced further reforms under the Enough is Enough package, a \$67 million five year initiative to target problem drinkers who commit harm to themselves, their families and the community.

These reforms include:

- Banning and Treatment notices, without criminalising chronic alcoholism;
- Banned Drinker Register ID system at the point of sale to enforce the bans at takeaway alcohol outlets;
- a new Alcohol and Other Drugs Tribunal;
- a new Substance Misuse and Referral for Treatment Court; and
- a \$34.2 million Territory-Government funded five year package to boost treatment and rehabilitation services, particularly through the primary care sector and in remote areas across the Territory.

These measures target off-premise alcohol consumption that makes up around 70 per cent of all alcohol consumption in the Territory. Further, this alcohol is consumed in an unsupervised environment.

Alcohol bans are enforced through a Territory-wide Banned Drinker Register (BDR) and electronic ID scanners at point of sale in take away outlets. Triggers for a ban and being placed on the BDR include repeat protective custody incidents; high range and repeat drink driving; repeat alcohol infringement notices; alcohol-related offences such as assault, domestic violence or other breaches; and knowingly supplying alcohol to someone on the BDR.

The Northern Territory Police have described the Banned Drinker Register as the most effective tool to fight alcohol-related crime and anti-social behaviour.

Assistant Police Commissioner Mark Payne has stated:

“Police did see it as one of the most powerful tools if not the most powerful tool available to police to actually deal with the source problem of antisocial behaviour and the violence that was occurring in the community. I think these early indicators prove that the initiative is working. From a policing point of view we see some tremendous results from this initiative.”

Channel Nine News 17 October 2011

STRONGER FUTURES LEGISLATION

The NTG considers the expansion of income management under the *Social Security Legislation Amendment Bill 2011* will complement the NTG's *Enough is Enough* program by enabling the inclusion of referral to income management as one of the suite of options open to the Alcohol and Other Drugs Tribunal (the Tribunal). The Tribunal, established under the *Enough is Enough* alcohol reforms, assesses and refers people with alcohol and drug misuse problems who are at risk of harm or who place others at risk.

While the NTG welcomes the Commonwealth Government's commitment under *Stronger Futures* to reduce alcohol related harm, the following risks in the proposed legislative package will need to be managed collaboratively by both governments:

- To date the AMP process has enabled responsiveness to local priorities. AMPs aim to deliver local responses to alcohol issues within a local community or region, developed through local community leadership. Currently, AMPs recognise that alcohol problems are not the same in every part of the NT. The codified approach to AMPs proposed under the *Stronger Futures* legislation may not provide sufficient flexibility to meet the needs of both communities and government. The NTG considers that minimum standards linked to program guidelines are preferable to codifying in regulation or legislation what an AMP must contain, to ensure AMPs continue to be sufficiently flexible to meet local needs.
- Local ownership has been found to be a critical success factor in the development of AMPs. The risk of complex and bureaucratic approval processes has been demonstrated under the current system where communities seeking to lift alcohol restrictions are subject to a lengthy review process, which include input and sign off from a number of Committees, to inform the Commonwealth Minister's decision under the existing Act. Currently, 17 communities have signed off on their AMPs. Of these, 12 are still waiting for completion of the approval processes.
- The power provided to the Commonwealth Minister to request information from the NT Licensing Commission (the Commission) at any time requires the Commission to take all reasonable steps to provide this information. This has the potential to create an administrative tension given the Commission is an independent statutory authority whose members are appointed by the NTG Minister, as well as creating an administrative burden in responding to such requests. This needs to be addressed to ensure that an appropriate governance arrangement is developed to facilitate and action these requests.
- The NT Anti-Discrimination Commission has reported an increase in dealings with Indigenous Territorians under existing NTER legislation and associated policies. There would appear to be merit in the Commonwealth Government providing specific outreach programs to advise people of their rights in this regard and what they can do if they feel their rights are being impeded.

Regulatory efforts to reduce chronic levels of alcohol-related harm in the NT can only be effective if accompanied by resources to support implementation of the legislation and its intent. Adequate resources are required to implement the legislative review and referral powers introduced in the *Stronger Futures* legislative package.

Continued investment is also essential to assist communities to develop, implement, monitor, review and manage AMPs as well as to support broader alcohol harm reduction initiatives and appropriate treatment and rehabilitation programs.

7. COMMUNITY SAFETY AND CHILD PROTECTION

Key Message:

Community safety and child protection remain key priorities for the NTG. The NTG welcomes the Commonwealth Government's ongoing commitment to work in partnership to continue to improve outcomes in these areas. Children, families and communities feeling and being safe in remote NT relies upon the continued investment of both the NT and Commonwealth governments, and effective community development strategies.

Child protection has been a key issue associated with both the NTER and the CTG NPA. The *Ampe Akelyernemane Meke Mekarle, Little Children are Sacred* Report released in June 2007 was a significant trigger for the Commonwealth government's NTER and arose from the Territory's 2006 Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse. Subsequent investments from both the NT and Commonwealth governments enhanced child protection service provision in the NT.

The NTG's child protection system was further strengthened following the 2010 Inquiry into the Child Protection System in the Northern Territory. Responding to the Report of the Inquiry, *Growing them Strong, Together*, the NTG has committed an additional \$130 million over five years to ensure the NT's child protection system meets the needs of NT children.

Effective services to ensure the safety of children and communities in the NT must have regard to the unique demographic, geographic, economic and historical characteristics of the NT. This requires contextualization of any service delivery model to suit the NT.

While the NTG has a strong commitment to continue to invest in child and community safety, the increased service provision that has arisen from the Commonwealth Government's investment under the NTER and CTG NPA must continue to sustain community safety outcomes. Ongoing long-term Commonwealth Government investment is required to keep:

- additional police on the ground in remote communities, and the required back-up resources and infrastructure needed to ensure community safety outcomes are met;
- additional child protection practitioners, Safe Houses, trauma counseling services for children and Remote Aboriginal Family and Community Workers on the ground in remote communities;

- dedicated resources on the ground to develop and progress Community Safety Planning, to coordinate the various efforts to achieve safer communities and ensure that community safety issues and solutions are responsive to the point-in-time needs of communities;
- gambling awareness campaigns flowing to regional and remote Indigenous communities, to develop local responses to problem gambling and reduce gambling related harm; and
- successful delivery of classification education and awareness programs to equip members of remote communities with the skills to protect children from exposure to restricted material particularly in relation to emerging technologies as a platform for classification related offences.

These individual measures must also be complemented by an overarching commitment between the two governments to work together with, not for, Indigenous people. The NTG recognises the vital role that feeling valued, safe and proud has upon individual and community wellbeing, and upon the safety of children, young people and communities. Jobs for Indigenous people; support for Indigenous businesses; and establishing the conditions that enable Indigenous land owners to develop their land all play a vital role in community building and safety. Similarly, cultural continuity; local Indigenous leadership in decision making; and respectful engagement by government with Aboriginal peak organisations in policy development and implementation all contribute to the conditions that will deliver improved wellbeing of children, young people and their families in the NT. The NTG looks forward to working collaboratively with the Commonwealth government in the important realms of community engagement and community development as well as government service delivery to support safer communities and children in the NT.

8. FOOD SECURITY

Key Message:

The proposed legislative provisions relating to food security are supported. Continued Commonwealth Government funding to support community store operators and their Boards will be needed to achieve continued success and development in this area.

Community stores' licensing has been an element of the NTER and CTG NPA that has contributed to improving store functioning in remote communities. Eighteen community stores incorporated under the NT *Associations Act* have transitioned to incorporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, and governance training and support has been provided by the NTG to their management committees. This has resulted in communities having a better understanding of the management of their community store and in turn has helped the stores to provide a better range of quality food to the community.

As community stores are typically a focal point for communities, strengthening governance and management skills are important to the economic and social development of remote towns and communities. The strengthening of Indigenous governance and management skills is currently being fostered through training and mentoring delivered under the NTG Community Stores program.

Continued Commonwealth Government investment is needed to maintain the program.

Successful implementation of the food security legislative provisions will require the Commonwealth government to work with small business operators throughout regional NT to achieve the desired outcomes from community stores licensing whilst supporting a thriving small business sector.

9. HOUSING, ESSENTIAL SERVICES INFRASTRUCTURE AND LAND REFORM

Key Message:

The NTG shares the Commonwealth Government's commitment to housing and land reform in the NT. Given commitments and progress being made in this area, the NTG considers provisions in the *Stronger Futures* legislative package providing powers to the Commonwealth Minister to make regulations to change NTG law relating to town camps and Community Living Areas will be unnecessary. The existing investment by the Commonwealth Government in housing in remote NT is vital to closing the gap in Indigenous disadvantage in the NT. Effective land tenure arrangements will protect this investment and ensure tenancy and property management arrangements and economic development into the future. Continued efforts are required to meet the essential services infrastructure needs of growing remote communities.

The NTG supports and has taken significant action to achieve reform in housing, essential services and land administration arrangements in remote NT. The need for land reform arises as around 45 per cent of the NT land mass is Aboriginal-held land. Most of this land is held under the Commonwealth *Aboriginal Land Rights (Northern Territory) Act 1976*. There are complex legal arrangements that apply to the land upon which many remote Indigenous communities and town camps are located.

Steps taken by the NTG to achieve housing and land reform in the NT include:

- taking the decision to make lease payments for parcels of Aboriginal land, where sole possession by the NTG is required, enabling leases over hundreds of parcels of land in remote NT to move to settlement;
- negotiating housing precinct leases in 14 remote towns receiving significant new housing packages under the National Partnership Agreement for Remote Indigenous Housing (NPA RIH);
- implementing a program of developing and gazetting formal town plans and zoning maps in Territory Growth Town locations;
- implementing a program of formal cadastral surveys in remote communities;
- implementing a program of 'whole-of-town' sub-divisions to enable execution and registration of long-term leases;
- establishing a single unit to deal with remote leasing issues across the NTG;

- commencing a project in Alice Springs to take forward required changes and negotiations to enable home ownership on Alice Springs town camps;
- commencing reforms to the *Associations Act* (NT) to allow for a broader range of leasing on Community Living Areas; and
- in a staged and consultative manner, extending the benefits of a statutory Building Code system to remote areas of the NT.

The NTG welcomes the Commonwealth Government's decision not to extend the compulsory five-year leases acquired over Aboriginal land under the original NTER legislation and instead encourage and facilitate long-term voluntary leasing.

Long-term tenure protects government investments over the life of publicly-funded assets and ensures that assets can continue to be used for their intended public benefit. To this end, the NTG is working through the staged roll-out of lease acquisition over non-housing NTG infrastructure assets on all Aboriginal land throughout remote NT.

The NTG notes, however, the urgent need to settle future lease arrangements for public housing, currently subject to Commonwealth compulsory five-year leases. The NTG will continue to work with the Commonwealth Government as it negotiates suitable alternative lease arrangements over assets in smaller communities.

The NTG has worked closely with the Commonwealth Government to develop and deliver the NPA RIH, which provides \$1.7 billion over 10 years, encompassing the Strategic Indigenous Housing Investment Program, for the expansion of public housing throughout remote NT. Continued investment and land tenure certainty are necessary building blocks to ensure the intended outcomes are achieved from this investment.

The task of reducing overcrowding and occupancy rates for housing remains a critical challenge, and it is recognised that existing investment will be insufficient to address this issue across the NT.

The ongoing sustainability of remote communities will also be dependent on the upgrade and expansion of essential services infrastructure (particularly power, water, sewerage and roads) to meet the needs of growing populations, expanding economies and additional services. Significant investment is required in rapidly growing remote towns and communities across the NT to expand and replace aged electricity, water and wastewater infrastructure, upgrade roads and bring assets up to a serviceable condition. Past and present initiatives aimed at rectifying this situation have made some improvements but the need is so considerable that a very large infrastructure investment is needed to address the issue. This investment is essential to support the broad-ranging housing and other initiatives in remote towns and communities targeted by the *Stronger Futures* initiative. This required investment is on top of existing programs and initiatives that are unable to meet the extent and immediacy of the issue. Developing effective funding mechanisms to meet essential services infrastructure constraints is a fundamental challenge for all tiers of Government.

Up to 10 000 Indigenous Territorians (or approximately one-seventh of the enumerated Indigenous population of the NT) have connections to more than 500 outstations and homelands as part-time or permanent residents.

Stronger Futures would be enhanced with identification of the role and place of outstations and homelands in *Stronger Futures* initiatives. As the majority of outstation and homeland infrastructure has been established by the Commonwealth over the past 30 years, ongoing support for outstations/homelands fits within the policy rationale of *Stronger Futures* and the Commonwealth government's continuing obligation to provide support for outstations and homelands.

Stronger Futures provides an opportunity to reaffirm the integral role of outstations/homelands in the cultural, social, economic and environmental fabric of the NT.

In practical terms this could include the *Stronger Futures* package contributing to:

- the provision of long-term certainty and clarity for residents of outstations and homelands about the type of support available from the NTG Commonwealth government over the next 10 years;
- residents of each outstation/homeland in the NT having the opportunity to determine their own plans for maintaining and developing their outstation/homeland;
- effectively targeting the existing suite of recurrent and capital resources available for outstations/homelands, in cooperation with service providers and residents themselves;
- partnerships with a strong network of outstation/homeland organisations, delivering quality services through best-practice systems, measured against transparent standards; and
- residents of outstations being able to make informed decisions about access to services, education and jobs from their outstations/homelands and the level of private investment required to sustain outstations/homelands infrastructure over the longer-term.

Achieving these outcomes will require working closely with key Indigenous groups, such as Land Councils, the NT Indigenous Affairs Advisory Council and the Aboriginal Benefits Account Advisory Committee on systems of coordinated support for outstations and homelands, including regional approaches to low-cost housing, transport and employment.

The NTG has the necessary knowledge and service delivery footprint to manage and monitor housing and land reform in the NT. Historic steps to achieve reform in this area have already been taken by the NTG, including in regard to Community Living Areas and town camps, and the NTG therefore looks forward to continuing the positive relationship already established in this area with the Commonwealth.

10. SUNSET AND REVIEW PROVISIONS

The level of disadvantage in remote NT necessitates realistic timeframes and effective review mechanisms if government investment is to deliver results:

Implementation science tells us that if things are done well, it will take time to see any improvements; but even if we have the most effective strategies, if they are implemented poorly, we will never see positive changes.

Growing them Strong, Together: Promoting the safety and wellbeing of the Northern Territory's children, Summary Report of the Board of Inquiry into the Child Protection System in the Northern Territory, p14

The NTG welcomes the Commonwealth Government's ten year commitment to Indigenous people in the NT and acknowledgement that it will take time and determination to deliver results.

Continued investment to underpin any legislative provisions is critical to achieve the purposes of the Bills, and the NTG considers that sunseting of the provisions under the *Stronger Futures* legislation should be aligned with the duration of Commonwealth funding.

11. RELATED MATTERS

The NTG takes the opportunity to provide comment on a number of related matters to *Stronger Futures*. The NTG considers that:

- Strong and creative collaborations between government and Indigenous communities are required to build a sustainable future for remote NT. It is clear, and outlined in publications such as the 2011 Closing the Gap Clearinghouse's '*What works to overcome Indigenous Disadvantage: key learnings and gaps in the evidence*', that community involvement and engagement, Indigenous-driven programs and a commitment to doing projects with, not for Indigenous people, are key to success. The Indigenous Affairs Advisory Council (IAAC), appointed by the NTG, highlighted the importance of a partnership with Aboriginal people in the Charter of Principles presented to the Commonwealth Indigenous Affairs Minister in 2011. Strong relationships with representative and peak bodies, with groups such as the IAAC, and at a local level between NTG officers and communities, are key enablers for sustainable outcomes in the policy areas targeted by the *Stronger Futures* legislation.
- *Stronger Futures* should focus on service delivery and minimise administrative burden.
- Withdrawal of Commonwealth Government investment will impact upon service delivery in the NT; longer-term funding certainty will enhance the viability of service delivery in remote communities.
- Sustainable service delivery in the NT needs to take into account the dispersed nature of the Territory's population, and in particular of its Indigenous population, 80 per cent of whom live in remote and very remote areas. This is recognised in the NTG's *Working Future* policy, which aims to improve the lives of remote Territorians, and provides a framework for coordinated and integrated action for remote NT. Under *Working Future*, Territory Growth Towns are becoming the economic and service delivery centres for their regions that may include smaller communities, properties, outstations and homelands. This is also consistent with the intent of the Remote Service Delivery National Partnership Agreement to which both the NT and Commonwealth Governments are signatories.

The NTG welcomes the opportunity to work collaboratively with the Commonwealth Government to ensure the effective integration of *Stronger Futures* initiatives with the *Working Future* policy framework.

- Local government is a key partner in service delivery in remote areas, but their limited capacity to raise revenue requires continued Commonwealth and NTG support.
- Addressing Indigenous disadvantage in the NT requires a holistic and multi-sector approach. Health and interpreter services are fundamental enablers to close the gap in Indigenous disadvantage and have been core components of the NTER and CTG NPA. Continued Commonwealth Government investment in these two areas will enable continuation of critical services. Similarly, continued Commonwealth Government investment is necessary for initiatives supporting young people, with an emphasis into the future on those that integrate a range of services from different sectors. In particular, better integrated services that support a successful transition to adulthood and employment, with strong foundations in culture, tradition and family, and that support coordinated access to health, education and recreation programs relevant to the remote NT context.
- Well-coordinated government services maximise outcomes. Under the NTER and CTG NPA the Commonwealth Government has placed Government Business Managers (GBMs) into a lead role in service coordination. While there has been debate about the efficacy of GBMs, a more systematic merging of the Commonwealth Government's significant investment and experience in local coordination with the NTG's footprint of services in remote towns is the next logical step in stabilising arrangements commenced under the NTER to underpin success in the further roll out of the NTG's *Working Future* strategy and the *Stronger Futures* initiatives. This will facilitate improved coordination of government services across both the NTG and Commonwealth Government and cannot occur without joint action across and between the two levels of government. In particular, a coordinated and strategic approach to workforce recruitment, development and retention, including the growing of a local Indigenous workforce, in remote NT across the full range of *Working Future* and *Stronger Futures* programs is needed if the respective implementation goals of both governments are to be delivered.
- A strong and viable non-government sector will be a key player in rolling out future services across the NT. The NTG notes that the Commonwealth Government is also supportive of the non-government sector. Reports such as *Growing them Strong, Together* have consistently highlighted the vital role of Aboriginal organisations in the overall system of service delivery in the NT. Capacity building of the NT's non-government sector will be essential if the sector is to assume a significant role in service provision under *Stronger Futures*. There is also an opportunity for the Commonwealth Government to complement the *Stronger Futures* legislative package with a structured program of non-government sector support to build the capacity of the Aboriginal non-government sector in the NT. In particular this should examine options for shared services arrangements that support the governance and corporate services operations of this sector.

12. CONCLUSION

The NTG has welcomed the Commonwealth government's *Stronger Futures* package. The gap in outcomes between Indigenous and non-Indigenous people is largest in the NT, and requires a commitment to action in the NT above that required in any other jurisdiction. Action must be coordinated between all levels of government, be built upon a partnership with Indigenous peoples, and be delivered via a coherent and intelligent policy, program and implementation framework.

The NTG looks forward to working successfully with the Commonwealth government to build on achievements made to date, and achieve permanent improvements through joint action.