



To the Senate Inquiry into the Stronger Futures in the Northern Territory Bill 2011 and two related bills

We are opposed to these Bills because we see them as entrenching and extending the Intervention (Northern Territory Emergency Response) for a further decade. We can't think of anything positive that the Intervention has delivered to Yuendumu's predominantly Warlpiri population.

The 'Little Children are Sacred' Report was used as a "trigger" to launch the Intervention in 2007. The report's recommendations have all but been ignored. We were given false hope when at great expense the so called Peter Yu review took place after the Intervention's first anniversary.

In October 2008 Minister Macklin opened the Yuendumu Swimming Pool. At a meeting preceding the opening she was handed a petition signed by over 300 Yuendumu residents (including a majority of women). The petition, expressing grave concerns with the Intervention, was all but ignored.

The Australian Government endorsed the UN Declaration of the Rights of Indigenous Peoples in 2009. We were again given false hope when subsequently, the UN's Special Rapporteur James Anaya visited Yuendumu.

The Peter Yu review included the recommendation that:
"The current blanket application of compulsory income management in the Northern Territory cease."

James Anaya when speaking about the Intervention said:
"These measures overtly discriminate against aboriginal peoples, infringe on their right of self-determination and stigmatize already stigmatized communities,"

Unlike most visiting bureaucrats and officials, Peter Yu and James Anaya et al listened to us, as is evident from their reports and pronouncements, yet their insights were all but ignored.

Warlpiri priorities are Land, Language, Law and Family.

A 29 page "discussion paper" relating to the Stronger Futures initiative was presented to us at a "community consultation" meeting at very short notice. We had no input into this "discussion paper" and Warlpiri priorities are noticeable absent in it. The head of the FaCSIAH delegation promised us that further "consultations" would take place. They didn't.

The Intervention, contrary to its laudable intentions (to “protect the women and children” and to “Close the Gap”) has been entirely counterproductive. It has done considerable and probably irreversible damage to Yuendumu’s Social Fabric. We can’t remember a time when Yuendumu Community has been as despondent and divided as at present, and hold the Intervention largely responsible. The proposed Stronger Futures legislation we think will make matters worse in that the Intervention’s power/respect imbalance is being strengthened rather than reformed by it.

Yuendumu during the era of self determination made great strides (despite underfunding). Warlpiri and non-Warlpiri people lived and worked side by side in a spirit of mutual respect. By way of example, over a decade ago, our Warlpiri locally elected Council President presided over a Naturalization Ceremony at which some white people became Australian citizens.

We had an Outstation Resources Centre, a Housing Association, locally owned free enterprise such as the Warlukurlangu Artists, Yuendumu Mining Company, Warlpiri Media Association and the Yuendumu Social Club and other local organizations with a high level of local participation and control. Our school at one stage had a Warlpiri teacher or teaching assistant in front of nearly every class. If someone was injured or sick on a week-end, in the first instance they went to the Aboriginal Health Worker on duty, outside whose house or humpy the Ambulance vehicle would be parked.

Today the “them and us” divide between Warlpiri and non-Warlpiri people in Yuendumu is worse even than it was in what we now call “Welfare Days” (four decades ago). Housing is now classified as “staff” and “community” housing. There was a time when the white “staff” was considered and considered themselves part of the community.

Since the Intervention came into force (was made into legislation with bi-partisan support), fences and concrete foot paths have been installed and refurbishments of government “staff” houses have been carried out by outside contractors. “Community” houses that were perceived to belong to the Yuendumu community (by Warlpiri communal consensus) were declared “housing stock” and expropriated by Territory Housing. Rents have continued to be charged, yet only minimal repairs and maintenance have been carried out on these houses. Rents used to be collected by the Yuendumu Community Government Council.

The Yuendumu Community Government Council, which was an effective "voice" for Yuendumu community, was dissolved. All Council assets (such as the grader and council building) were expropriated by the Central Desert Shire, which we are told has a workforce of over one hundred (mostly non-Aboriginal) people based in Alice Springs which isn't even inside the Shire.

Yuendumu Elders play virtually no role in running Yuendumu community and making decisions affecting the future of its members. An increasing number of outsiders are employed to come and run new imposed initiatives. These outsiders then have to be accommodated so that whilst since the Intervention not a single "community" house has been built, several "staff" houses have been erected, including accommodation for the GBM (Government Business Manager). The Commonwealth has advised us that no new community houses will be built in Yuendumu unless the community and the Traditional Owners agree to long term leases. Despite considerable pressure, we have not reached consensus and many of us are entirely opposed to caving in to this blackmail.

An increasing number of Warlpiri men find themselves in gaol. A large proportion of these men are in trouble with the white-fellow laws because of traffic/motor vehicle related offences, or offences such as "not turning up in court". They're caught up in a legal spiral from which it is very difficult for them to pull out. A generation of Yuendumu children are growing up without fathers, grandfathers and uncles, and are themselves doomed to become the prisoners of the future.

A family dispute has been festering in Yuendumu since the tragic death in Alice Springs of a Yuendumu Warlpiri young man in 2010. We are of the opinion that if the Warlpiri families involved in this dispute had been allowed to deal with their differences their own way without outside socio-political interference, a resolution would have been found. Intervention legislation specifically prevents police and the judiciary to allow the application of customary law. The proposed Stronger Futures legislation perpetuates this non-recognition of Customary Law, the only concession being in relation to damage to sacred sites.

At Yuendumu School there has been a significant increase in discipline problems. This doesn't surprise us. School children's elders are completely disempowered and shown little respect by mainstream society (including by non-Warlpiri residents of Yuendumu). These elders in turn are getting increasingly frustrated and antagonistic towards non-Warlpiri people. Children are constantly receiving the "message" that their culture and language are not

important, and somehow inferior. That if they are to "succeed", get a job and "have a future", they must embrace the mainstream and reject their own Warlpiri identity (which is "holding them back"). That their communities are dysfunctional, and that their elders are constantly fighting or drinking and don't know how to run their own lives. They see their elders being humiliated at Centrelink and pushed around by the police and increasingly fighting amongst themselves. They're being deprived of their role models and denied a future in which they are self-respecting members of Australian society, comfortable in their own Warlpiri identity yet being able to confidently step into the "mainstream" world.

Without prior consultation, Yuendumu has been declared a Growth Town. The only growth we have witnessed is in non-Warlpiri "services" such as Centrelink (in its new multimillion dollar building that was delivered on five trucks and installed by Bendigo, Vic. based contractors) and ITEC which requires its "clients" to attend compulsory interviews to discuss "career paths" for non-existent jobs. The Yuendumu Warlpiri population is decreasing. More and more people feel that this community is no longer theirs and that they have no role to play in it. They are increasingly drifting into Alice Springs and elsewhere.

Local businesses such as Yuendumu Mining Company and the Yuendumu Social club are struggling for survival not least because the Intervention installed a third shop that has a monopoly on Income Managed food sales. Whilst this third store is locally owned (by the Yuendumu Womens Centre) it is managed by Outback Stores and control is not local. FaCSIAH intends to build a multimillion dollar store in Yuendumu using ABA money to do so. The two pre-existing stores were not consulted or advised about this proposal. Negotiations are being held in semi-secret and are very divisive. Should the proposed store go ahead it would spell the end of these two local organisations that have been here almost half a century, should they survive that long.

The heavy handed top down approach being taken by the authorities will not succeed in making these communities better. All they are doing is engendering a mood of frustration, defiance, non-co-operation and indeed anger.

Signed:

Harry Jakamarra Nelson

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The Authors:**Harry Jakamarra Nelson-**

On three occasions Harry was elected President of the Yuendumu Council. He is a qualified school teacher. He was a Justice of the Peace. He was a member of the Steering Committee on NT Statehood.

The Central Land Council appointed him as a member of the Aboriginal Benefits Account ("ABA") Advisory Committee. He is also on the ABA Homelands Sub-committee. He is a Director of the Yuendumu Mining Company and of the Yuendumu Old Peoples Programme.

Frank D. Baarda-

Frank is a qualified Geologist. He and his family have lived in Yuendumu since 1973. He has managed the Yuendumu Mining Company since 1974. He has Aboriginal grandchildren living in the NT. A fluent speaker of several European languages, he can hold a conversation in Warlpiri.

Valerie Napaljarri Martin-

Has a Diploma in Broadcasting and Journalism from Batchelor College, and was involved in the setting up of Aboriginal Language broadcasts by CAAMA. She worked for five year at Warlpiri Media Association in Yuendumu.

She is an accredited Warlpiri interpreter with the Aboriginal Interpreter Service in Alice Springs.

She has been an elected member of Yuendumu Council and has been on the Yuendumu Social Club and Warlpiri Media committees. She is a Director on the Yuendumu Womens Centre board.