

Committee Secretary
Senate Standing Committees on Community Affairs
PO Box 6100
Parliament House
CANBERRA ACT 2600

Re: Submission to the Senate Inquiry into the Northern Territory Intervention

Dear Community Affairs Committee and Senators,

We, a group from the western suburbs of Melbourne – Sunshine, Kensington, Footscray and Hoppers Crossing – have an active interest in global justice and are very concerned about the issues facing Indigenous people, especially the Northern Territory Intervention. We are involved in Westgate Community Church, St Hilary’s Anglican Church and Hoppers Crossing Uniting Church.

This submission about the intervention is especially in regards to:

1. Adherence to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
2. Meaningful consultation within communities
3. Community based approaches to addressing the issues.

We commend the government for recognising that there are many problems faced by Indigenous peoples groups within the Northern Territory, and its strong determination to act and invest in these communities. However, we are very concerned that the government is taking a simplistic, punitive approach. The measures by which the government is attempting to resolve these problems is not compliant with UNDRIP and lacks meaningful community consultation. Only community – led measures can lead to long term sustainable solutions.

1. Adherence to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
Australia is a signatory to UNDRIP. The Annex to UNDRIP affirms the ‘fundamental importance of the right to self-determination of all peoples’ (p.3).
The nature of the intervention ignores this principle – the fact that it is top down, authoritarian intervention, and not cooperation, removes any room for self-determination. The intervention is not compliant with many of the Articles in UNDRIP. These include, but are not limited to, Articles 2, 3, 8, 10, 14 and 19.

Any measures that aim to improve the lives of Indigenous peoples groups must adhere to UNDRIP. Self-determination is important for sustainable improvements in all aspects of well-being.

2. Meaningful consultation within communities
Article 19
States shall consult and cooperate in good faith with the Indigenous peoples concerned ... in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

We commend the present government in its attempts to provide consultation. However, the consultation process appeared to be superficial with predetermined outcomes. Genuine

concerns about the intervention have not been acknowledged or even genuinely listened to. There are striking discrepancies between what people said during the consultations, and what is stated in the Stronger Futures report (Siewert, 2011). The blanket approach of the intervention also shows that communities' views in consultations are not being widely acknowledged: Indigenous communities are all different with different needs. Therefore, any genuine attempts to improve welfare would look different in different communities.

If the present government is serious about Closing the Gap between Indigenous Australians and other groups in Australia, they will genuinely listen to individual communities. The raw data in the government's own Community Safety and Wellbeing Research Study found that people want reliable services, schools and jobs in their own communities (ANTaR, 11/2011), and the values section demonstrated a huge desire to defend the Aboriginal kinship system and Aboriginal culture (Tyler & Gibson, 2011). The CSWRS shows that small communities are seen as safer, more robust and with stronger leadership and healthier, happier people, those in which people have stronger kinship and spiritual connections. The government must abandon the growth town model, and invest in small communities to show that it is genuinely consulting and taking note of the evidence that shows people are healthier, happier and safer within their own homelands.

3. Community based approaches to addressing the issues

The intervention model is strongly top-down, government control. Such methods, even if they do achieve some short term gains cannot lead to sustainable positive changes. Beneficial long-term change is gained from community based approaches.

'The government must recognise that local issues need local solutions' (Dillon in Amnesty, 2011). As Lee says, 'It is time for governments to recognise the diversity in Aboriginal and Torres Strait Islander communities ... and to work with each of the communities in a co-operative way to get better ... outcomes' (ANTaR, 11/2011). It is also time for governments to acknowledge the successes Indigenous communities have achieved despite lack of funding or outside support, such as 80% of homelands becoming 'dry communities' prior to 2007 (Concerned Australians, 6/2011), and to re-fund successful local Indigenous-run programs in health, childcare and other areas that were closed down due to money being spent on the intervention.

The issues faced by Indigenous communities within Australia are not their own fault. Therefore government should not treat them as such by applying punitive top-down measures. Rather, government and others must genuinely consult and work cooperatively to encourage self-determination and support the communities to find and apply positive solutions to their issues. The practical application of solutions will be a long time coming – but a quick fix is never a fix at all.

Yours faithfully,

Pattie Morgan, Philip Hudson, Louise Rothman, Joel Rothman, Derek Morris, Christine Morris

Amnesty International Australia, (10/2011), Stronger futures in the NT must be a product of the people
<http://www.amnesty.org.au/news/comments/27043/>

ANTaR (11/2011) Cooperation not intervention: a call for a new direction in the Northern Territory,
[http://www.ANTaR.org.au/cooperation not intervention a call for a new direction in the northern territory](http://www.ANTaR.org.au/cooperation%20not%20intervention%20a%20call%20for%20a%20new%20direction%20in%20the%20northern%20territory)

Concerned Australians (6/2011)_Children of the Intervention Report,
<http://www.concernedaustralians.com.au/media/Children-of-the-Intervention-June-2011-r2.pdf>

Siewert, R. (12/2011) Another intervention Is not the answer,
<http://newmatilda.com/2011/12/14/another-intervention-isnt-answer>

Tyler, H. & Gibson, P. (12/2011) Still no evidence for Macklin's NT intervention: A review of the Community Safety and Wellbeing Research Study,
<http://crickey.com.au/2011/12/05/still-no-evidence-for-macklin%E2%80%99s-nt-intervention>

United Nations (2008) United Nations Declaration of the Rights of Indigenous peoples (UNDRIP),
http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf