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Committee Secretary

Senate Standing Committees on Community Affairs

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<https://senate.apf.gov.au/submissions/pages/index.aspx>

**Submission to Senate Community Affairs Committee on the
Stronger Futures in the Northern Territory Bill 2011 and two related
bills**

The NT intervention is racist and should be terminated. Legislation aimed at extending it should be withdrawn.

The three proposed 2011 Bills will replace the NTER Act 2007 which will be repealed. The Bills would continue the same special measures and expand them from the original 73 prescribed Aboriginal communities to “states, territories or areas in which vulnerable, long-term welfare” recipients reside. This means any part of Australia or disadvantaged groups, such as unemployed youths, may be compulsorily subjected to income management and/or school attendance plans.

The introduction of the Northern Territory Emergency Intervention (NTER) required the suspension of the Racial Discrimination Act in the Northern Territory for the imposition of ‘special measures’ on 73 prescribed Aboriginal communities. This legislation was rightly condemned as racist discrimination.

Following the expansion of the NTER to include non-Aboriginal people, the Racial Discrimination Act was reinstated but many of the concerns first raised in objection to the NTER remain today.

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The proposed legislation does not provide support and encouragement but instead gives priority to punitive regulatory approaches such as cuts to family support payments, for example, when children don't attend school.

The intervention has largely failed, as surveys show. The NTER was intended to change the behaviour of Aboriginal people. It has been damaging and unsuccessful.

It has had a devastating impact leading to worsening social indicators in many Northern Territory Aboriginal communities resulting in an alarming increase in both imprisonment rates and the incidence of self-harm/suicide.

By undermining peoples' capacity to be actively engaged in planning their lives, they are denied a normal healthy existence and the current disillusionment, depression and despair will only increase. According to Government statistics the incidence of suicide and self-harm in the NT have increased since the introduction of the Intervention in 2007

In 2007, as part of the NTER Legislation, the Australian Crime Commission (ACC) was established in the NT in 2007 to monitor supposed pedophile rings and high levels of child sexual abuse. In July 2009 ACC CEO John Lawler acknowledged that it had found no evidence of pedophile rings in the NT.

It has also been shown that the incidence of child sexual abuse in the NT is similar to that of other states. The so-called crisis of child abuse has been completely disproved.

The proposed legislation undermines the demands by Aboriginal peoples in the NT for a return to control over their communities and the right to self-determination.

The taking of land in the name of the intervention undermines the rights of indigenous people and would not be tolerated if the same measures were used against white Australians.

A large proportion of Aboriginal Elders bitterly oppose the erosion of their rights as citizens of Australia but they believe their views on the NTER are not respected or even heard.

The proposed three Bills are a further step towards total disempowerment. Decisions about every aspect of life will be taken over and implemented through various arms of government.

The legislation, would greatly expand the range of the intervention, including:

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- Extending compulsory income management to recipients of social security pensions or allowances who are referred by State and Territory regulatory authorities.
- Facilitating the extension of compulsory and voluntary income management to recipients of social security payments in five new regions outside the Northern Territory on referral from child protection authorities or Centrelink social workers.
- Extending the suspension of certain income support payments for parents whose children are not enrolled or regularly attending school.

The Stronger Futures Consultation Report quotes community members' alternative suggestions for how to improve school enrolment and attendance.

However only the most punitive solution has been taken seriously, making a mockery of social inclusion principles and any commitment to genuine engagement with communities.

These policies will fail. Governments must stop reinforcing negative stereotypes and work with individual communities to implement local solutions to entrenched social and financial problems.

Proper long term consultation should be undertaken to right the wrongs, solve the serious problems and heal the communities -- not measures forced on people from above for reasons which have been discredited.

There are already laws that address social issues such as domestic violence, drunkenness, and truancy. These laws apply to all Australian citizens.

The NTER Act 2007 must be repealed. The Stronger Futures in the Northern Territory Bill 2011 and two related bills must be withdrawn.

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