

## **INDIGENOUS POLICY – FEDERAL INTERVENTION IN THE NORTHERN TERRITORY A READING AND RESOURCE GUIDE**

**DOUG HYND**

### **Introduction**

The Commonwealth Government's intervention in indigenous communities in the Northern Territory has resulted in substantial debate, not only across the Australian community, but also within the Christian churches in a variety of denominations. This interest by the Christian community in this intervention is not surprising given a long history of engagement with indigenous Australians, the strong role that the churches have taken in the reconciliation process, and in their active response to the findings of the report on the stolen generations.

Starting out with the intention of providing a guide to the ethical and theological issues raised by the intervention in the Northern Territory, I quickly became aware, however, that there was a substantial amount of material available on the web that was relevant to any attempt to understand and assess the intervention.

I thought it might be helpful to provide an interim report in the form of a resource guide that would enable people to become better informed and would help provide the basis for a substantive contribution by the Christian community on the issues at stake.

Before listing the resources, I have provided in this Introduction:

- Some comments about issues of culture and worldviews and their importance for implementing social and health policy in indigenous communities
- A series of questions to help guide us in assessing policy effectiveness and appropriateness.

### **Culture and Worldviews**

While Richard Trudgen's passionate and challenging work, *Why Warriors lie down and die* (Aboriginal Resource and Development Services Inc, 2004) relates particularly to the Yolngu community of Eastern Arnhemland, the general issues he raises have a wider relevance to policy intervention in indigenous communities.

Trudgen's argument is that major problems with 'whitefella' engagement with indigenous communities arise from unrealized differences in worldview and subsequent difficulties in communication. He recommends five steps to a Yolngu friendly environment:

1. Take the people's language seriously.
2. Train dominant culture personnel.
3. Approach education and training in a different way.
4. Replace existing programs with programs that really empower the people.
5. Deal with some basic legal issues arising from different understandings of law between 'whitefellas' and 'blackfellas'.

Trudgen provides example after example of the difficulties of communicating about health issues across worldview and language gaps, but also provides some examples of how effective communication and improved health outcomes could be achieved.

In summary Trudgen is warning policy makers that to assume there are no differences in world views between the modernizing, individualist assumptions of Federal bureaucrats and that of indigenous communities particularly in more remote areas of the Northern Territory is to set yourself up for policy failure, and mutual incomprehension and recriminations as to why the policy intervention failed.

### **Policy effectiveness and appropriateness**

With that warning in place, let me offer some more general questions based on an application of standard benchmarks for policy development and implementation that will help us in assessing the effectiveness and appropriateness of the Northern Territory indigenous policy intervention.

1. Is the policy response well planned and are the linkages between law enforcement, medical intervention, social support and criminal prosecution clearly articulated?
2. Is the response shaped to take account of the causal linkages to other environmental factors in indigenous communities that have been identified in a variety of reports to state, territory and Federal governments issue over the past decade?
3. Is the response properly resourced to enable delivery of both the immediate timeframe, six months, and the long-term commitment for the ten to fifteen years that will be required?
4. Is the policy response based on good evidence as to what the most effective strategies are for dealing with sexual abuse in indigenous communities both in Australia and in similar situations overseas?
6. Has the policy intervention drawn on the evidence assembled by the Productivity commission's analysis of policy interventions in indigenous communities? (See "Overcoming Indigenous Disadvantage in Australia" a Speech by Gary Banks Chairman of the Productivity Commission  
<http://www.pc.gov.au/speeches/cs20070629>)
5. Were all the relevant stake-holders engaged, well informed and supportive of the main elements of the policy?
6. Is the policy comprehensive and does it cover off all the issues identified in the 97 recommendations of the Anderson-Wild report? See: **[Inquiry into the Protection of Aboriginal Children from Sexual Abuse | Northern Territory Government](#)** An overview of the work of the Inquiry into the Protection of Aboriginal Children from Sexual Abuse 2007. A copy of the full report is available from:  
[http://www.nt.gov.au/dcm/inquiryasaac/pdf/bipacsa\\_final\\_report.pdf](http://www.nt.gov.au/dcm/inquiryasaac/pdf/bipacsa_final_report.pdf)
7. Who will bear the brunt of failure and any unforeseen consequences arising from the policy?

While these questions provide a general framework, some more specific questions need to be asked about a couple of prominent elements in the policy.

1. Will the abolition of the permit system assist in the control of sexual abuse or will it make the control of abuse more difficult?
2. What is the linkage between taking control of aboriginal communities, assuming powers of control over indigenous organizations and over indigenous land, in dealing with child sexual abuse? What is the evidence for policy linkages between these elements of the intervention and the need to address issues of child safety, community safety and control of violence

3. Will this policy work to build the trust and cooperation necessary for effective long-term change and a productive partnership between government and indigenous communities?

## Resource and Reading Guide

### General

A substantial collection of essays on the intervention has been published. *Coercive reconciliation: Stabilise, normalise, Exit Aboriginal Australia* edited by Jon Altman & Melinda Hinkson, Arena Publications, 2007. This volume contains 30 essays brief essays from a variety of academics and indigenous leaders. In addition to discussion of the specific policy elements of the intervention it provides a number of essays that locate the intervention in a framework of the history of indigenous policy and a consideration of the broader, social , economic and ideological issues that are in play.

The essays provide some diversity in the assessments of the intervention in terms of the moral issues at stake and the likely effectiveness of the policy intervention and its motivation. It also contains an appendix with a useful timeline of the intervention and extracts from statements of the key political actors in both Canberra dn Darwin.

### Some useful sites

#### ***National Indigenous Times***

<http://www.nit.com.au/>

A fortnightly paper focussing on indigenous policy issues. Online access to back issues is free. A search of the publication archives will provide an extensive list of news articles and opinion pieces on the Northern Territory Intervention. The search function makes this very easy. The paper features some strong dissenting views from the Federal government position from a variety of indigenous people.

For a couple of examples see:

<http://www.nit.com.au/BreakingNews/story.aspx?id=11619>

<http://www.nit.com.au/News/story.aspx?id=11797>

#### ***Koori Mail: The Voice of Indigenous Australia***

<http://www.koorimail.com/>

A fortnightly indigenous paper that provides a good survey of community based news from indigenous communities around Australia. Doesn't have quite the same level of focus on policy issues and politics as the *National Indigenous Times* but provides perspective that are not available from the mainstream media.

#### **ANTAR – Australians for Native Titles and Reconciliation**

The discussion of the Northern Territory intervention can be found under the heading of 'Policy issues' on the web site. The site also includes a downloadable copy of a collection of studies on effective indigenous health programs which provides some useful evidence on the issue of "what works".

<http://www.antar.org.au/issues/policy/>

### **Centre for Aboriginal and Economic Policy Research (Australian National University)**

CAEPR (ANU) <http://www.anu.edu.au/caepr/new.php>

This site provides access to a wide range of research publications on indigenous issues. For a specific example focussed on the NT intervention see:

**[The 'National Emergency' and Land Rights Reform: Separating fact from fiction](#) | 7 August 2007** [325Kb PDF] □ Briefing paper prepared by Professor Jon Altman, Centre for Aboriginal Economic Policy Research, The Australian National University

### **Cape York Institute:**

<http://www.cyi.org.au/>

This site gives access to a range of publications and reports on the work being undertaken by Noel Pearson's *Cape York Institute*. While this material is focussed on indigenous issues in the Cape York region it provides some useful background to the thinking of significant indigenous leader from a different part of the country.

### **Analysis by Indigenous organizations of the Northern Territory Intervention**

*Constructive engagement: Impacts, Limitations and Possibilities during a National Emergency Intervention* PIA consultants, August, 2007

The Bawinanga Aboriginal Corporation (BAC) from Maningrida commissioned this report to examine the impact of the intervention.

<http://www.bawinanga.com.au/news/files/ConstructiveEngagement.pdf>

### **A proposed Emergency Response and Development Plan to protect Aboriginal**

**children in the Northern Territory:** A preliminary response to the Australian Government's proposals By the Combined Aboriginal Organisations of the Northern Territory

[http://www.nit.com.au/downloads/files/Download\\_136.pdf](http://www.nit.com.au/downloads/files/Download_136.pdf)

### **ABC Four Corners**

ABC Four Corners program "Tracking the Intervention" was broadcast on Monday 5 November, 2007

[http://www.abc.net.au/4corners/special\\_ed/20071105/intervention/default.htm](http://www.abc.net.au/4corners/special_ed/20071105/intervention/default.htm)

This is a useful report on the impact of the intervention in two quite different indigenous communities, Maningrida in Arnhem Land and Finke in central Australia.

### **Four Corners further resources**

For news, editorials and key reports; plus advice and support for indigenous children and families four corners have assembled a representative sample of some of the more significant media reports, news articles, interviews and transcripts.

**[Interventions to halt child abuse in Aboriginal communities](#) | **Medical Journal of Australia** | 2007** □ An editorial by Ian T Ring and Mark Wenitong, published by the *Medical Journal of Australia*.

**[Inquiry into the Northern Territory National Emergency Response Bill 2007](#)** □ Information, submissions and government response from the one day Senate inquiry into the extensive legislation. This link will provide access to a huge resource of submissions and the senate report.

**[The Djelk Ranger Program: An Outsider's Perspective | 2005](#)** [170Kb PDF] □ A report on the Djelk Ranger program, operating under the Bawinanga Aboriginal Corporation (BAC), by M.J. Cochrane from the Centre for Aboriginal Economic Policy Research. This ranger program is discussed on the ABC Four corners program.

□ **[The feasibility of an identification system for buying alcohol in Alice Springs | May 2007](#)** [360Kb PDF] □ A discussion paper prepared by the Northern Territory Department Of Justice

□ **[Through Young Black Eyes: A handbook to protect children from the impact of family violence and child abuse' | SNAICC](#)** [4.8Mb PDF] □ The 2005 edition of this resource, produced by Secretariat of the National Aboriginal and Islander Child Care (SNAICC), supports communities in stopping family violence, child abuse and neglect.

□ **[A Ten Point National Action Plan | SNAICC | 20 July 2007](#)** □ The Secretariat of National Aboriginal and Islander Child Care has produced a briefing paper The Way Forward - A Ten Point National Action Plan to Prevent Child Abuse and Neglect.

## News reports

**['Senior women key to success of reform' | The Australian | 29 October 2007](#)**

Aboriginal women have emerged as a key constituency in traditional Northern Territory indigenous communities where the federal Government is implementing its intervention.

**['Community in legal challenge to intervention' | ABC News Online | 26 October 2007](#)** □ A remote Northern Territory community is pursuing a High Court challenge to the Federal Government's intervention into Aboriginal communities.

**['Remote grog bans endorsed' | The Australian | 18 October 2007](#)** □ Alcohol restrictions in remote Australia are highly effective in turning around troubled towns and reducing shocking rates of alcohol-related death, illness and injury among Aborigines, the nation's first comprehensive study of such bans and limits has found.

**['NT intervention delivers mixed results' | 7.30 Report | 16 October 2007](#)** □ The Federal Government has begun scrapping CDEP (Community Development Employment Programs) in the Northern Territory causing deep unease.

**[Welfare quarantine wins support | The Australian | 15 October 2007](#)** □ Broad support for welfare quarantine is emerging in the four Northern Territory communities where it has been introduced as part of the federal Government's indigenous intervention program.

**'Indigenous welfare quarantine to go national' | ABC News Online | 3 October 2007** □ The Federal Government plans to extend a system where the welfare payments of parents in Aboriginal communities are quarantined if their children are not sent to school.

□ **'Govt doubles Indigenous intervention spending' | Lateline | 18 September 2007** □ The Federal Government is backing up its intervention in Northern Territory Aboriginal communities with a massive funding boost.

**'Intervention plan meets hostility from Indigenous leaders' | 7.30 Report | 6 August 2007** □ New laws to be debated in Canberra tomorrow will restrict Aboriginal access to welfare and control alcohol. Controversially, they will also enable the Commonwealth to acquire leases over townships on Aboriginal land and will open up public access to communities by abolishing the permit system.

□ **'Scrapping CDEP is just plain dumb' | ABC News Opinion | 26 July 2007** □ An editorial by Jon Altman.

**PM's taskforce arrives in Maningrida | AM | 24 July 2007** □ In the last few decades billions of dollars has been spent on improving the lot of Indigenous Australians. But disturbingly there are still massive embarrassing problems chiefly with health and housing. » [Listen to the report.](#)

**On patrol with Maningrida's Strong Women | AM | 24 July 2007** □ Last year, well before the Prime Minister decided on his intervention strategy Maningrida women decided to make a stand themselves. They formed the Strong Womens Night Patrol. [Listen to the report.](#)

**'Abuse may take a generation to fix: Indigenous leader' | The World Today | 15 June 2007** □ Read the transcript of this Radio National report.

**'Co-author comments on report into Indigenous child abuse' | Lateline | 15 June 2007** □ One of the co-authors of the report into Indigenous child abuse, Pat Anderson, talks to Lateline.

**'Indigenous community workers voice concerns over CDEP cuts' | ABC News Online | 18 February 2007** □ Aboriginal community workers say they fear the Commonwealth's plan to scrap the Indigenous work-for-the-dole scheme in some towns and cities will leave some communities reeling.

**Govt slashes Indigenous work-for-the-dole program' | ABC News Online | 17 February 2007** □ The Federal Government is scrapping the Indigenous work-for-the-dole program in 41 cities and towns, saying the scheme is too generous and is a disincentive to work.

## ADVICE & INFORMATION

### **Australian Institute of Health and Welfare**

Provides annual statistics on child abuse, family violence and neglect.

**Australian Indigenous HealthInfoNet** □ A 'one-stop info-shop' with knowledge and information on Indigenous health.

**Deadly Mob Website** □ Online resource for Indigenous children and adolescents.

**iCan** □ An Indigenous consumer assistance network.

**Indigenous Health** □ Q & A published by Department of Health and Ageing on the Northern Territory Emergency Response.

**Kids Help Line | 1800 551 800** □ 24-hour telephone and online counselling service specifically for young people aged between 5 and 25. □ <http://www.kidshelp.com.au/>

**Map of Major Communities on Aboriginal Land in the Northern Territory** [269Kb PDF] □ Compiled by the Department of Families, Community Services and Indigenous Affairs.

#### **ADDITIONAL LINKS**

**Aputula Housing Association (Finke)**

[www.aputula.nt.gov.au](http://www.aputula.nt.gov.au)

□ **Bawinanga Aboriginal Corporation (BAC)** □ [www.bawinanga.com.au](http://www.bawinanga.com.au)

**CDEP - Networking for Communities** □ [www.cdep.com.au](http://www.cdep.com.au)

**Maningrida Council** □ [www.maningrida.nt.gov.au](http://www.maningrida.nt.gov.au)

**Message Stick ABC | Aboriginal and Torres Straight Island Online** □ [www.abc.net.au/message](http://www.abc.net.au/message)

**National Aboriginal Community Controlled Health Organisation (NACCHO)** □ [www.naccho.org.au](http://www.naccho.org.au)

**Northern Territory Emergency Response** □ [www.facsia.gov.au/nter](http://www.facsia.gov.au/nter)

**Secretariat of National Aboriginal and Islander Child Care** □ [www.snaicc.asn.au](http://www.snaicc.asn.au)

#### **RELATED 4 CORNERS PROGRAMS**

**The Cape Experiment:** Matthew Carney reveals the inside story of the radical welfare reforms on the Cape York Peninsula. » **Watch the program online.** First broadcast 16 July 2007.

**The Road to Nowhere** □ Is there a future for remote indigenous communities? First broadcast 29 May 2006.