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JOINT

JOINT STANDING COMMITTEE ON ABORIGINAL AND TORRES
STRAIT ISLANDER AFFAIRS

**Community safety, support services and job opportunities in the Northern
Territory**

(Public)

WEDNESDAY, 7 DECEMBER 2022

DARWIN

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JOINT STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS

Wednesday, 7 December 2022

Members in attendance: Senators Dodson and Liddle and Ms Chaney, Mr Llew O'Brien and Ms Scrymgour

Terms of Reference for the Inquiry:

Community safety, support services and job opportunities in the Northern Territory, with particular reference to:

- (a) the preparation for the sunseting of the Stronger Futures legislation;
- (b) community safety and alcohol management;
- (c) job opportunities and Community Development Program reform;
- (d) justice reinvestment community services; and
- (e) any related matters.

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GRIFFIN, Ms Stephanie, Deputy Managing Lawyer, North Australian Aboriginal Justice Agency

MACKAY, Ms Siobhan, Chief Executive Officer, Katherine Women's Information and Legal Service

Committee met at 09:30

CHAIR (Senator Dodson): I declare open this hearing of the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs for its inquiry into community safety, support services and job opportunities in the Northern Territory. I'd like to acknowledge the Larrakia people as the traditional custodians of the country on which we meet today and pay my respects to their ancestors and elders past, present and future. I would also like to pay my respects to all Aboriginal peoples and their cultural and spiritual connections to land, waters and seas.

As these proceedings are public, they are being broadcast and recorded by Hansard. If you wish to have evidence heard in private, please let the committee know, and we will consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. If you object to answering a question, please state the reasons for your objection, and the committee will consider the matter. I now invite you to make a brief opening statement. I should mention that Senator Thorpe will be appearing by phone and will not be in the room.

Ms Griffin: Firstly, I'd like to acknowledge and pay my respects to the Larrakia people, the traditional owners of the lands on which we meet today. I acknowledge all nations across the Northern Territory and across the Big Rivers region, which is where Ms Mackay and I travelled up from yesterday. I pay my respects to Aboriginal and Torres Strait Islander elders, leaders and respected persons past, present and future, and value the immense cultural knowledge of Aboriginal contributors to both this inquiry and our submission. Siobhan and I are appearing as witnesses jointly today because we've been working together in partnership with other legal services in Katherine—the North Australian Aboriginal Family Legal Service and the Northern Territory Legal Aid Commission—to reinvigorate the push for justice reinvestment in Katherine with the Katherine community. We would like to thank the members of the joint standing committee for inviting us here today to discuss our feedback to this inquiry.

NAAJA is the North Australian Aboriginal Justice Agency, and we provide numerous services in the justice space across the Territory. These include criminal legal services, civil and family law services, community legal education, night patrol community legal education, Indigenous prisoner throughcare, the Kunga program and the Custody Notification Service, as well as policy partnerships. We operate across the Northern Territory, with offices in Darwin, Katherine, Tennant Creek and Alice Springs and we service communities all over the Top End, Big Rivers, Central and Barkly regions of the Northern Territory.

NAAJA made a written submission to the inquiry responding to terms of reference (d) justice reinvestment, community services, and Siobhan and I are appearing today to particularly highlight the Katherine Youth Justice Reinvestment Project as a place based example to the inquiry of where justice reinvestment is needed. I'm now going to hand over to Siobhan, who will provide a complete introduction of herself.

Ms Mackay: Firstly, I would like to acknowledge that we're standing on Larrakia Country today—the unceded lands of the Larrakia people—and particularly I pay my respects to the elders of all the nations across the Big Rivers region. I've walked those lands with gratitude and in solidarity now for over 12 years, living in Katherine and Lajamanu. I particularly thank all of those people that have had the courage and trust in me to tell me their stories and their experiences of the justice system, which informs a lot of what I may say today.

KWLS—Katherine Women's Legal Service—is a specialist women's legal service. We provide legal advice and representation to all women of Katherine and the Big Rivers region with a particular focus on the reduction of domestic, family and sexual violence. We haven't made a written submission to this inquiry. However, I am really delighted to be here speaking to the Katherine Youth Justice Reinvestment Project, the history of which I've been involved in since 2015, but also to the particular work that we've been doing in the past couple of months.

Ms Griffin: To introduce the work we've been doing in Katherine, we're really delighted with the federal government's October budget announcement for \$81.5 million to be made available for 30 justice reinvestment trial sites under the Attorney-General's First Nations Justice Initiative. Our collective experience is that jailing people does not reduce crime, it does not increase community safety and it does not protect our most vulnerable people. What incarceration does do is it perpetuates the cycles of disadvantage across all areas of life, from education; employment; social and emotional wellbeing; substance misuse; domestic, family and sexual violence and right through to life expectancy as well. A change in approach is very much needed. As Northern Territory Attorney-

General and Minister for Justice, Chansey Peach said, 'Justice reinvestment is the start of dismantling racial injustice and creating lasting generational change.'

Whilst the financial cost of incarceration in the Northern Territory alone is astounding, there are many other costs of imprisonment to our community—such as lifelong social, emotional and wellbeing impacts—which create ongoing, immeasurable disadvantage upon generations spanning the past, current and the future. Entrenchment in the justice system leads to the perpetuation of cycles of disadvantage. This includes disengagement from education; decreased employment, housing opportunities; increased risk of mental ill health; increased risk of substance abuse; increased likelihood of experiencing or using domestic, family and sexual violence; and a shortened life expectancy. Again, Attorney General Peake, at his keynote address at the AIJA Indigenous Youth Justice Conference, said, 'The system is stacked against those that have the least amount of power.' Justice reinvestment is a chance to return balance of that power, by centring Aboriginal voices in determining their own political, economic, social and cultural developments.

We really want to highlight the four principles that underpin justice reinvestment and the ideas behind that as a potential way forward, and those principles are: a place based focus, and we come to you from Katherine, and that's something that's important to us and that's why we're here; an evidence based approach; community led development and also an economic rationale and improved expenditure, because another key thing that underpins the philosophy of justice reinvestment is that ultimately, if you reinvest money from incarceration options back into the community, it can save the community money if it's community led, and ultimately that money can be used in a way that's going to lead to better outcomes for those community members as well. NAAJA's written submission set out a series of recommendations for the inquiry to consider in relation to justice reinvestment. If you'll allow me a little bit more of your time, I'm going to go into a bit more detail about what has happened in Katherine in terms of our justice reinvestment initiatives.

I want to highlight, as well, that the cycle of poverty and disadvantage caused by the ongoing impacts of colonisation is often more acutely experienced, compounded by the additional factor of living in a regional or remote area. One example is the barriers that Aboriginal families of Katherine face in accessing safe housing, education, employment and social wellbeing. There was a report on rough sleepers done by KPMG in 2018. It found that Katherine's homelessness rate is 31 times the national average and that, despite this, there's a severe lack of crisis accommodation, there are no short-term or medium-term housing options, there is no transitional or visitor accommodation and there are some of the biggest wait times for public housing in the Territory. I'm not sure of the exact current government figures, but in our experience it can be up to eight years—

Ms Mackay: That's for priority.

Ms Griffin: for priority housing. From 2015 to 2019, Katherine based services began working in kind to thoroughly research and evaluate the justice reinvestment potential for young people of their community. At the core of this research and evaluation process was extensive consultation with the local Aboriginal community and key stakeholders in order to identify the need, appetite and support for justice reinvestment in Katherine. The Katherine Youth Justice Reinvestment Group came out of that work, in 2016. It was established to progress a community vision, with the aim of transforming youth justice services and systems in Katherine to focus on prevention and early intervention, with the intent of reducing young people's contact with the youth justice and child protection systems.

The evaluation—I'm just getting some copies of that to table for the committee—was completed in 2019 by researchers and academics from the Menzies School of Health Research, Charles Darwin University and James Cook University. The report found strong support for this evidence based approach across all areas of the Katherine community, with a particular sense of urgency in addressing concerns related to youth justice matters. I think that concern is maintained today within the community.

Katherine legal services have started discussions about reinvigorating this work in light of the federal government's investment in justice reinvestment. Over 140 people attended a community meeting last week to discuss justice reinvestment in Katherine, and we did a call out at that stage for people to let us know if they would be interested in joining a steering committee. That concludes our opening statement. Thank you so much to all of you for listening; we really appreciate it.

CHAIR: Thank you. Are you tabling that opening statement?

Ms Griffin: Will we table the opening statement? Yes, sure.

Senator LIDDLE: Thank you very much for being here today. There was a report that in a single year there had been 30,000 notifications of children to some form of child protection service. Who are the people most

disproportionately affected by the collision of empowered communities sunseting and the abolition of the CDC, as well as the seasonal factors?

Ms Griffin: Just to make sure that I understand the question: you've noted that there have been 30,000 notifications, and you're wondering who within the community we view as most affected by the changes—the sunseting of that act?

Senator LIDDLE: Yes. You've talked about children in the context of incarceration, and I'm just interested to understand, in the context of the whole family group, which people within those family groups are most affected by those changes.

Ms Griffin: From the perspective of NAAJA, considering that the changes sunseting that legislation are fairly recent, we're not in a position to comment specifically on changes and who in the community is most impacted by the sunseting of that legislation. I would also note that representatives from AMSANT and APO NT will also be giving evidence to this committee and they might want to respond to these questions, but I'm not quite sure. I'll just say that in 2012 NAAJA was consulted, and we made public submissions in relation to whether or not to extend that legislation. At the time—and NAAJA's position remains unchanged—NAAJA felt very strongly that what really would work to improve outcomes for the community would be things like: community involvement and engagement; respect for language and culture; working together through partnership, networks and shared leadership; development of social capital; commitment to doing projects with and not for Indigenous people; and creative collaboration. All these ideas really do underpin and feed into the philosophy behind justice reinvestment as an option for people in the community.

I want to highlight that that was NAAJA's position back in 2012 and continues to be. But, in terms of being able to provide a clear answer about what's happened since the sunseting of that legislation, I do apologise, but I don't think NAAJA's in a position to provide that.

Senator LIDDLE: That's alright. We can try and seek the data from somewhere else. You explained about how the Katherine region was already in a position whereby there was some limitation in the number of services that were available to vulnerable people and you mentioned that there was a project that you've been negotiating, but, if you're already behind, that's hardly making it equitable with others. What sorts of conversations have been had to put you in a much better position, given you're already coming from well behind in terms of vulnerability?

Ms Mackay: In relation to justice reinvestment?

Senator LIDDLE: In relation to addressing any of these issues that we've talked about, because this is not just about justice reinvestment. This is about a whole range of issues that you would represent in terms of family violence as well.

Ms Mackay: We're constantly advocating for Katherine. People probably tire of hearing me advocate for Katherine! For example, with the housing crisis, we've been advocating strongly for many years—particularly the NT Shelter, as the peak housing body for the Northern Territory—to have some short-term visitor accommodation built in Katherine. I don't know where those negotiations are up to. I apologise. But I believe that the NT government has put it out to tender to look at what that could look like.

In terms of mental health services, general health services and legal services, we're constantly seeking, whether that be through the Northern Territory government, local government or the federal government. We're constantly putting our name out there. It's a bit of a battle, unfortunately. That's the thing about the Berrimah line.

Senator LIDDLE: That's where I was going. You're a town centre.

Ms Mackay: That's right.

Senator LIDDLE: People naturally would gravitate there. Do you not have the sense that you've been prioritised in those negotiations? You don't have an understanding that you've been prioritised, despite this report you've got that says that you're well behind the disadvantage index?

Ms Griffin: I don't have insight into who's being prioritised for what. That's not my level of insight into what's happening at that level of government at the moment. But all I can say is that the legal services are really passionate about Katherine as a community. We knew about this work going back to 2016-2019, and we knew how much work went into it and how much great work—so many resources and so much income contribution from the community. We honestly just came together and wanted to get the community involved in discussions about how we can try and get some of this work for Katherine. It comes out of working in a regional centre like that; it's important for people to come together. I think the way that the legal services community has come together is emblematic of what we're trying to drive in Katherine, in terms of the community coming together.

Again, that community led focus is such a key part of justice reinvestment. If the government's behind it then that's great. Because of all the factors that make up our community—the diversity of it, the fact that it's a regional centre where we're positioned in all those ways—I think we're such a perfect spot for it. So it's less about having insight about whether or not we've been prioritised; it's more about us being really proactive and on the front foot with this and wanting to drive change in Katherine.

Ms SCRYMGOUR: Thank you, Siobhan, and also Steph, for your opening statement, which I think is good. I also have to declare that I got an early copy of your submission and also the evaluation documents. I get that the legal services are driving this, and I think it's important for that to happen. What conversations, or coming together and coordination, are happening with the Aboriginal medical services? Because for any of this to work, where's the Aboriginal leadership in driving some of this? That's one part of it.

The second part is: Is there a role for this? Because justice reinvestment is not just about the courts and trying to keep those young kids from that trajectory of the courts; it's to try to divert them to a better pathway. I've had some conversations with Katherine High and the unit. Are they part of this process to try to assist with that?

Ms Griffin: Maybe we can both speak to that. I might just start by saying that the legal services came together basically to hold a meeting but now we don't consider this as something that's a legal services initiative, or that we're going to be driving and have ownership of it going forward. It's the community that will have ownership together. We form part of that community. But you're absolutely right: representatives from health, education and all other aspects of the community must drive justice reinvestment in Katherine together collaboratively. We did have representatives from the primary health network as well. Christine was there at the community meeting last week and stood with us while we presented to the community to drive that engagement. Out of that community meeting that we were all driving together, our hope and our next steps are to form a steering committee that really is going to have buy-in from all sectors of community and absolutely including education as well in that.

Ms Mackay: I can add to that. There was broad representation at the community meeting from Aboriginal community controlled organisations in Katherine, so Wurli-Wurlinjang, the Katherine based Aboriginal medical service; Katherine West Health Board, which services all the west side communities; like Steph said, PHN—I apologise, I don't recall seeing someone from Sunrise, which does all the east side communities; and there were people from Kalano. There were so many people there.

The really fabulous thing was that after we presented 'What is this concept of justice reinvestment?' there was a roving mic session, for want of a better word. Throughout that, a number of senior Aboriginal leaders and elders from Katherine and the Katherine region got up and spoke about wanting to, as you say, drive this. They want to be on the steering committee that are then making the decision about which Aboriginal community controlled organisation would host any funded position if we were lucky enough to become a trial site. So the idea is that the steering committee can make things like those decisions about 'Okay, which ACCO should host this?' For the steering committee, certainly, there has already been a lot of interest from senior Aboriginal people in Katherine and the region to join that steering committee to be making those decisions moving forward.

So like Steph said, we don't own it. It was just very much that we'd been talking for some months about reinvigorating it. Unfortunately, Katherine has been having a really tough couple of months, as you well know, and then there was the budget announcement. So it all sort of collided to say, actually, let's do this now. It'd be really exciting to see. You would have known everyone that stood up and spoke at that at that meeting. They're people that have worked in this space for a long time, like Alan Mole, Robbie Friel, May Rosas and some of the Banatjarl women. So that's certainly the hope.

Ms SCRYMGOUR: Flowing from that—and it touches on part of Kerryne's question—with justice reinvestment, if you can take that step backwards, the seizing of the cashless debit card, the lifting of stronger futures and that legislation. When you talked about Katherine there have been some impacts over the last couple of months. What's been the impact of the lifting of the stronger futures legislation in terms of the alcohol restrictions no longer applying? And what impact has that had on Katherine town and families coming in from the regions into Katherine?

Ms Mackay: Like Steph said, it's really difficult because it's such a complex data picture. We don't have the hospital data, the police data and so on, that may be better to highlight some of those things. Income management is still in place in the Northern Territory, so although the CDC stopped, people still have BasicsCards. If you're looking at something like child-in-need-of-care notifications or domestic violence, those numbers have been increasing day on day since 2014, and the biggest spike was in 2020-2021. There was a tremendous spike in domestic violence in the Northern Territory.

Ms SCRYMGOUR: Is that because of COVID?

Ms Mackay: Quite possibly. That's absolutely a leading cause. I don't think you could ever isolate one cause for a spike such as that. Similarly, I don't know what is causing those young people in Katherine to currently be so unsafe. There is a whole range of complex things happening in Katherine. I don't think you could isolate it to one thing, like the end of the stronger futures and the change in alcohol laws. Unfortunately, like Steph said earlier, I don't have the kind of data to hand that could say this part of it is happening because of that.

Ms SCRYMGOUR: Would you need that data to make it successful—so police data and hospital data?

Ms Mackay: Yes. That's right and that's part of justice reinvestment. Stage 1 of justice reinvestment is: let's get all that data and let's do all the mapping to get a picture of what's happening because if we don't understand that full picture then the projects that flow out of that—You need to know that so that you can design projects to address what's happening over here.

Ms SCRYMGOUR: Is the NT government cooperative in that?

Ms Mackay: In providing data?

Ms SCRYMGOUR: Yes.

Ms Mackay: I haven't asked for—

Ms Griffin: Just one thing to add to this discussion about the data sets that we have available and that are known to us show trends over time rather than trends specifically since the sunset of the stronger futures legislation. Tying into whether the NT government been cooperative—this is definitely not a fulsome answer to that question—but gives a bit of context. At that meeting last week the acting children's commissioner, Nicole Hucks, was also a presenter. She gave a really interesting presentation around some of the data that that office has been analysing and evaluating coming from the government in relation to young people who are experiencing incarceration in Don Dale.

I'll briefly go through some of the data that she knows, as part of her presentation. I definitely don't want to take credit.

Ms SCRYMGOUR: I get that, and it'd be good to talk about that, but if you're looking at justice reinvestment, we are interested in what the impact has been since the lifting of stronger futures. Real live monitoring data is critical to the success of these types of programs. Has there been and is there a commitment to have that as part of this process?

Ms Mackay: Ultimately that will be a request from the steering committee and potentially whichever ACCO then goes on to host a program. We haven't requested that data. Various organisations get different census data about how many kids are in Don Dale. We get the youth justice court list, the care and protection court list, but they're just one piece of the puzzle. Ultimately, whoever takes this forward would then need to come to an arrangement with the NT government to get that live, up-to-the-minute data about what's happening.

Ms Griffin: Another thing, just to add about data, is that another really core philosophical principle underlying justice reinvestment is this idea of data sovereignty—taking control of data away from the Northern Territory government sitting in Darwin and actually putting it back in the hands of the community in Katherine, supported by the government, of course; these things can't be done alone. But absolutely NAAJA really recommends that the sovereignty of data is returned to communities that it's extracted from and that justice reinvestment initiatives must be informed by Indigenous data sovereignty and the Indigenous data governance principles as well.

Mr LEW O'BRIEN: I'm very much on a learning journey when it comes to these matters. I've got a couple of questions that might seem pretty basic but I'll ask them anyway. First and foremost, I just want to establish a couple of things. How many people work for your organisations in total?

Ms Mackay: I'm nine, a little small fry.

Ms Griffin: But does a lot of work, I must say. We might need to take this question on notice, just so that I don't mislead the committee, but I believe it's around 160 across the Territory.

Mr LEW O'BRIEN: What sorts of policies do you have around making sure that you employ as many First Australians as you can?

Ms Mackay: I worked for Najah for 11 years, so I sometimes like slipping into that space. Through some of our funding agreements—we receive funding from NIAA, for example—are those identified positions. Then there are the policies that support that. In client support roles, we always have an identified Indigenous client support officer to make sure that there is always another Aboriginal person in the room who provides support, of course, to the client, but then also to the lawyer and to make sure that everyone's behaving in a culturally safe way.

Ms Griffin: Cultural safety and making sure that the organisation is culturally safe are incredibly important. I might want to take that question about funding arrangements and about how that supports it on notice. We have an Aboriginal Board; we're an Aboriginal legal service. We are aiming to get to a place where 100 per cent of our employee base is Aboriginal. That's absolutely the goal, and we do work towards that. We're led by Aboriginal leaders in our community. Fundamentally, our identity is as an Aboriginal legal service first and foremost, so that's absolutely key and fundamentally one of the most important parts of what we do, and it cannot be lost. Otherwise, what are we here for?

Mr LEW O'BRIEN: What do you reckon your percentage would be at the moment in your legal professionals?

Ms Griffin: I would have to take that question on notice; I just don't have those stats in front of me. I apologise.

Mr LEW O'BRIEN: No worries. Taking the very practical position: Justice reinvestment. Just explain to me how justice reinvestment deals with a violent offender who's perpetrating against family and community, who's using whatever substances whilst doing this—whether it be alcohol or other—who's not interested in education—those real difficult offenders—in a practical way?

Ms Griffin: Are you looking for some practical examples?

Mr LEW O'BRIEN: Absolutely, as practical as you can be.

Ms Griffin: Well, maybe we'll highlight two examples.

Mr LEW O'BRIEN: The police turn up because they've been called. What happens then?

Ms Griffin: Well, speaking to specific examples on the ground, what I might do first is just give two examples of other communities across Australia. One is Bourke in New South Wales, where they've had a justice reinvestment program for a long time now. I think it's been in discussion—I don't want to give a precise date because I'm just not quite sure—for a long time, maybe since about 2012 and is ongoing, but don't quote me on that. If you want to think about results that have come out of the justice reinvestment push in Bourke, they're pretty considerable. There was a report done by KPMG in 2017 that found that through justice reinvestment initiatives the community actually saved \$3.1 million. But it's not just about saving money; they also saw really good results in terms of outcomes, which I'll just run through.

KPMG highlighted the work that was done in Bourke in terms of three different indicators: family strength, youth development and adult empowerment. In terms of family strength, as an indicator, KPMG found that there was a 23 per cent reduction in police recorded incidents of domestic violence and comparable recorded drops in rates of reoffending. Then, in terms of youth development, there was a 31 per cent increase in year 12 student retention rates and a 38 per cent reduction in charges across the top five juvenile offence categories. That's of huge interest to Katherine, considering we're definitely concerned about our young people. In terms of adult empowerment, there was a 14 per cent reduction in bail breaches and a 42 per cent reduction in days spent in custody.

Yet, as I suggested earlier, that KPMG analysis document, which is available online, demonstrated a savings of \$3.1 million, as well, in 2017 and also estimated that if Bourke sustained just half of those achieved results then there could be a further savings of about \$7 million over the next five years. This is a really great, practical, real-world example of the kinds of results that can be achieved through justice reinvestment in Australia. I've highlighted some of the approaches they took. I can go through them, but I just want to—

Mr LEW O'BRIEN: I've read a lot of the stats, and they're very impressive, and I'm impressed and given a lot of heart. When you have such large numbers of offenders and people that are dangerous to the community, how does it work? The numbers are great, but—and I don't want anyone jailed. I hate jailing people, but I also see at times the need for it. Your statements say jailing people does not reduce crime; I'm not going to read your own statements to you. When the police turn up to an offender like I described—someone who's not interested in rehabilitation, someone who's not interested in education, someone who's going to go and take whatever substances they're taking now that have caused or contributed to them seriously harming their community and family—how does justice reinvestment deal with those on a practical level? What do the police do when they turn up?

Ms Mackay: I think the reality of the world that we live in is it's not going to stop all offending. We're not saying that if you have this then it's going to absolutely solve all offending. There will be some offending that remains. What we're looking at are the hugely dropped numbers. But what it does is it takes that approach and says: okay, but why is that young fella drinking? What's happening in that young fella's life that he's drinking or taking ganja? And is that because of trauma? Is it because he's living in an overcrowded house? Is it because of the numerous other things that we know are happening for young people?

Then, you said he's not interested in education. Why isn't he interested in education? Is it because English is his third language, yet you have to go to Katherine High School and sit through all of your lessons in English with teachers who, because of the formal structures of our education system, are not able to appreciate the kinship system that means that you're actually not allowed to sit next to that person—so you're acting out and you get suspended, but it's because your cultural obligations conflicted so badly with what you were being asked to do. So it says, 'Well, what's an education system that would work here?' Maybe that's what the community says. It says: 'Alright, we need a different approach to education. This is where we see the problem is.'

This came up strongly in the last meeting, and Marion mentioned it before. If, for example, the steering committee says, 'The problem is that our kids are so disengaged with education,' we say, 'Why are they so disengaged with education?' and then, 'What's a model that we can put in that means that school is a safe place for kids—that kids want to be going to school?' Because at the moment it feels like it's profoundly unsafe for a lot of children in Katherine to be going anywhere near Katherine High School or St Joeys. It's not about the schools; it's a huge systems issue.

This young chap in Katherine has no options to go to rehab in Katherine. There is no youth rehabilitation in Katherine. So then maybe, again, another project is, 'Well, let's look at what we can do for our young people that are drinking and using ganja in Katherine. How can we design a project that is safe for these young people to come to and that then addresses those underlying reasons of why are you drinking? Why are you using ganja?' Again, if it's the housing thing, let's look at how we can introduce short-term crisis accommodation that is culturally safe, designed by communities, managed by communities, so that people feel safe where they're living.

I don't know what's happening for this young 17-year-old and what his trajectory is going to be because, unfortunately, for the first 17 years of his life we haven't done any of those things. We hope the best for that poor fella. But also what we're doing is we're implementing this stuff for the babies that are being born now or in five years time so that they don't have the life experiences of this poor 17-year-old fella who is really lost and is in a lot of strife over here.

Ms Griffin: If you're wondering what's going to happen to these offenders out there and how we are going to get them back on track, I think another way to kind of look at it—again, going back to the Acting Children's Commissioner's stats, we're seeing a significant increase in young people being locked up in Don Dale. If you're interested, I've got the figures here and would happily go through them with you. If there are more young people in jail in Don Dale now, and then the recidivism rate is about 77 per cent, that's more young people that are going to grow up and be back into our adult incarceration facilities. So thinking about it that way, if we keep locking people up in prison—I know you've said that you don't agree with that either—we're going to be creating more and more of a problem. So I think it is really important for us to think long-term and big picture about this and think, 'Okay, what is the kind of future we want to create for our young people that are being born now to make sure that we reduce that rate of young people in Don Dale and don't create more adults who are going to be re-offending.'

CHAIR: In light of Mr O'Brien's question, the same sort of thinking would apply to the dilemma that the policeman's got with a child or a kid or an offender. You'd have to grapple with that question. If he's got no alternatives except to put him in the lockup—but what are the alternatives? Is that part of the sort of discussion you'd have at the community level and work through that before the crisis arises or do you just let the crisis arise? I would presume the police would be part of these discussions and the justice reinvestment process, as they are in Bourke and other places—

Ms Mackay: Yes, absolutely. They're a key—

CHAIR: I wouldn't like to think you're forgetting the realities of a policeman being confronted by a hostile child. But if there's been no discussion, no plan, no framework around how to deal with that then he's going to have to just take the kid into custody and put him in the clink.

Ms Mackay: That's right.

CHAIR: Would that be part of the process that you'd go through in a justice reinvestment process?

Ms Mackay: Yes. In Bourke police were a really key seat at the table—and similarly in groups. There's been some really amazing news out of Groote Eylandt in the last, literally, fortnight about the huge changes that have happened there in the past two years. In November 2020 they decided to come together and do justice reinvestment. Again, the police were very supportive in that. The rates there have gone through the floor—181 thefts down to one. And I think it was 82 break-ins down to two, and that's in two years. That's a phenomenal shift in what's happening over there. We have been speaking with the police in Katherine. There's a huge acknowledgement that they're a critical path.

CHAIR: They would have to be part of the buy-in to the committee or the group?

Ms Mackay: One hundred per cent yes. The acting superintendent at the time that we wrote some correspondence to the federal government—and the acting superintendent signed off on that saying we need justice reinvestment in Katherine, as did the DPP, Mr Lloyd Babb.

Ms CHANEY: I'd love to hear examples of some of the innovative approaches that community justice groups have taken to provide those alternatives. Given that one of the principles of justice reinvestment is evidence based, what are some of the examples of things that work?

Ms Griffin: I know I'm like a broken record, but it is really about being community led. So that means what works for one community might not work for another. That has to be a really understood and key part of what justice reinvestment is. So, with that caveat, I will go through a couple examples from Bourke, and then maybe we can also speak to some examples from Groote Eylandt.

CHAIR: Just to clarify, when you talk about community, it's not just the First Nations community; you're talking about the collective service providers, agencies et cetera. So we can put our minds to how big this circle could be and with their various expertise coming to bear on the problem.

Ms Griffin: That's exactly right. Thank you also for pointing out that the police must be a big part of this.

CHAIR: They've got to be involved.

Ms Griffin: I completely agree with that. One initiative that worked in Bourke was the Birrang Learner Driver program, which sounds simple, but basically the idea was you teach young people how to drive, and then that's hopefully going to have an impact on driving related offending and lower that rate of driving related offending. When you're living in a place, definitely like Katherine, where you need to drive—I can't speak to Bourke—helping young people to drive is going to help them with lots of different parts of their life, including employment opportunities. That was definitely a simple, but great, program that they ran in Bourke.

Another example is the Maranguka Youth Support model. Maranguka forms an important part of the governance arrangement in Bourke as well. I don't want to speak about that too closely, because I'm not an expert, but it's a group of community elders and leaders that helps drive the justice reinvestment in Bourke. It's an interesting model. As part of the Maranguka Youth Support model, there's an Acute Response and Return to Community program that's in partnership with Bourke Police, which is exactly the kind of thing you were speaking about earlier. There are family support programs; school based supports, including an Our Place program that's led by the Bourke High School; and after-hours and school holiday support, that's led in partnership with various organisations around Bourke.

These are, in a way, quite simple models of supporting young people, but, because they're led by a really great governance structure—they're community led and it's about collaboration and people coming together—and there's seen to be a real purpose and community led focus to what they're doing, these things can really work. Also, I just want to point out that it's not like Katherine doesn't have some of this stuff already. There are really good programs and great people working in Katherine already, but it's about harnessing those things and coming together a bit more and being a bit more collaborative and focused about what the goals are, and a bit more strategic, I suppose. I do just really want to highlight that there's excellent work being done already that can be drawn on. So this isn't about starting afresh and having a blank slate and going from here. It's about drawing on what we already have and then having a community led steering group that pushes us forward into the future with some good options.

Finally, I'll also highlight the Men of Bourke healing and connection to country sessions, which include Education Centre Against Violence men-led initiatives, focusing on changing mindsets and increasing competencies, employment programs and healing programs. So, again, these are good examples of the kinds of imaginative, creative ideas a community can come up with that are going to work for their community, and they reinforce that Katherine's going to have to come together to come up with Katherine's solutions.

Ms CHANEY: What is your perspective of the impact of stronger futures on the momentum of those community led initiatives?

Ms Mackay: Hopefully, it will give power back. The Intervention and the stronger futures legislation dramatically disempowered communities and took away so much of their ability to be able to self-govern their own communities, their families and initiatives such as this. Hopefully, now that those restrictions have ended, people can start the recovery from that and start moving towards more community led responses and more self-determination.

Ms Griffin: Absolutely. NAAJA's position is clear: Aboriginal communities of the Northern Territory have been severely disempowered and disenfranchised by the intervention and its ongoing impacts. Justice reinvestment in the Northern Territory is an opportunity to start moving forwards toward a balance of power and toward putting power back in the hands of those communities.

Senator LIDDLE: Transition is important, and we didn't see much transition change in either the CDC or Empowered Communities. Meanwhile, we've got the most vulnerable people who are—I've recently been in Alice, but I know we're talking about the Top End now—in freefall because of disruption, dislocation and change happening at an incredible pace. It was interesting that you talked about young people, because this committee is also about employment. But it's clear that, if you don't have stability in your lives, neither you nor your parents will participate in education at the level that you should.

I want to go specifically to outcome 3 in the *Close the gap* report. One of the things that I think should be changed is that we keep talking about enrolment of kids in classrooms—and it's suggesting that is actually on track—but we should be talking about participation of kids in classrooms and the participation of women and children in the economy, and men, equally. You've only got nine people in your organisation, and you've got a whole lot more responsibility over a bigger area. You talked about early intervention. What about prevention? Is there enough work going on around prevention so that parents are actually parenting how they should be and being empowered by others who are demonstrating good parenting, with kids going to school because teachers are better at schooling?

Ms Mackay: I think there is some really great work being done. But, again, we probably are further behind than other areas, like we are in housing and so on. I think that kind of thing could be a project that the steering committee could say, 'Hey, this is where we really want to invest.' We want to be looking at how we are supporting our families. A classic example is that a young mum out in Lajamanu can't even get a tax file number to be able to get a family tax benefit. There are huge system limitations put on that young mum that mean she can't even begin to financially provide for her child. What are the supports that we can do? What are the system changes that need to happen that mean that that mum can access the entitlements that she's absolutely entitled to access? There are huge system barriers as well, and they're amplified the further remote you are. But then we can look at what programs are working in this space. What are the programs that we want to create—that we see will work in this space to really support young families and for everyone to be healthier and safer from day one?

Ms Griffin: I might just add something to that response. Another big part of justice reinvestment is that it happens in stages. The steering committee hasn't been formed yet, but I'm guessing—I don't want to say for sure—that one thing that it would want to do is a mapping exercise, a data-gathering exercise to work out what services are available, what's working and where the gaps are. That's definitely a really important part of making justice reinvestment an evidence based initiative so that you can really work out where the gaps are and push forward to fill those gaps.

Ms SCRYMGOUR: You said 77 per cent of the participants would be eligible to be part of—what was that percentage from?

Ms Mackay: That was the Acting Children's Commissioner Nicole Hucks's stats.

Ms SCRYMGOUR: She was saying of children incarcerated in Don Dale.

Ms Mackay: It was 77 per cent.

Ms Griffin: Maybe I will clarify those stats. Because they're not mine, I don't want to not—

Ms SCRYMGOUR: Could you also, if you want to, take this question on notice as we're getting short of time: out of that 77 per cent, how many of those children have been assessed for fetal alcohol syndrome?

Ms Griffin: That's a great question. Just to clarify, what we were saying is that the rates of children in Don Dale are going up and the Acting Children's Commissioner has done an analysis, so these are her figures. There were 31 children locked up in May 2020 in Don Dale; then, in May 2021, 67; and, then, in May 2022 that went up to 100. The stat in relation to 77 per cent is noting that it's recognised that there is a 77 per cent recidivism rate, which means that of those 100 children—

Ms SCRYMGOUR: They'll repeat.

Ms Griffin: you could surmise that 77 per cent of those kids will likely re-offend and will likely end up back in Don Dale. Another thing to take note of is that most of the kids in Don Dale are there on remand, which means that they haven't been sentenced—they haven't been found guilty. So, the pathway is very clear: kids get arrested and then they get locked up most of the time for a period of time.

CHAIR: So they're placed on remand?

Ms Griffin: Yes, placed on remand.

CHAIR: I'm conscious we're going to run out of time, but there's one question that I might put to you. What can the Australian government and the Northern Territory government do better to support justice reinvestment initiatives?

Ms Griffin: Some funding.

Ms Mackay: Yes, but longer-term funding. I think that so many of these projects will take time. The work that was done in Katherine between 2015 and 2019—and I believe that Steph is now seeking to table the evaluation report of that work—was all unfunded work. That work was provided in-kind by various NGOs and Aboriginal community controlled organisations and so on. There comes a point where you run out of puff, but also some of these changes take a long time. If we're talking about preventing a child who's one year old not going into custody when they're 12, this is a really long-term investment and something that needs to be monitored. We need funding for proper monitoring and evaluation. It's the funding certainty. Even practicalities—going back to it's incredibly hard to recruit someone to Katherine and it's incredibly hard to retain someone, but by having job security, whether that be for someone in a supporting organisation that's on the steering committee or a local Aboriginal person employed by the auspicing organisation, if they know that they're able to work on this project solidly for five or 10 years without having the rug pulled out from underneath them, that's huge.

CHAIR: I thank you for your attendance today at these hearings. If you've been asked to provide any additional information or if there's anything else you would like to provide, please forward that to the secretariat by 16 December 2022. You will be sent a copy of the transcript of your evidence to which you may suggest corrections.

Proceedings suspended from 10:29 to 10:43

CUBILLO, Mr Jerome, Manager, Aboriginal Peak Organisations Northern Territory

KURNOTH, Mr David, Acting Chief Executive Officer, Larrakia Nation Aboriginal Corporation

PARFITT, Mr James, Member Director, Larrakia Nation Aboriginal Corporation

CHAIR: Welcome. I acknowledge that we are on your country, and we certainly pay our respects and acknowledge your ancestors and your continuing presence in this wonderful place. Is there anything you wish to add about the capacity in which you appear today?

Mr Cubillo: I'm the chairperson of the Larrakia Nation Aboriginal Corporation.

CHAIR: As these proceedings are public, they are being broadcast and recorded by Hansard. If you wish to have evidence heard in private, please let the committee know, and we can consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. Giving false or misleading evidence is a serious matter and may be regarded as contempt of parliament. If you object to answering a question, please state the reasons for your objection and the committee will consider the matter. I now invite you to make an opening statement if you wish.

Mr Cubillo: Thank you. Firstly, as the chair has said, we would like to begin by welcoming you onto Larrakia country. Larrakia Nation Aboriginal Corporation is an organisation that's over 20 years old, and we provide the cultural authority and cultural support for the nine Larrakia family groups of the Darwin region. I pay my respects to the those in this room and the countries which you also represent to your mob and welcome you onto Larrakia country. Larrakia Nation is a key organisation providing support to over 30,000 people each year through our different programs—our Day Patrol and Night Patrol programs—in doing so diverting country men and women away from the justice system and referring people onto support. This has included over 4,000 people returning to the safety of their communities under our Return to Country program. To this extent, Larrakia Nation has been proactive in working with all stakeholders, government and NGOs to collaborate using evidence based data to address contemporary issues affecting people. For this matter, we would like to be involved with further discussions moving forward.

In terms of specific areas such as alcohol reform, Larrakia Nation believe that extensive engagement is required to better understand the issues which can inform the process. As an example, these issues once again shed light on the long-term, longstanding need for more resources allocated towards housing and health areas. Furthermore, a social support lens should be placed over reforms, including opportunities for improved employment outcomes such as strength based approaches, more safe houses, more alcohol rehabilitation services, place based improved health facilities and better engagement with police. It goes without saying that Aboriginal and Torres Strait Islander people need to be involved in planning, building, maintaining and supporting these initiatives.

Lastly, Larrakia Nation advocates for the voice to parliament as outlined in the Uluru statement. I might pass over to David to give a bit of a quick overview of the different programs that our organisation provides.

Mr Kurnoth: Again, I'd like to acknowledge and welcome the members of the panel to Larrakia land. Firstly, I'd like to say that our organisation advocates for all Indigenous people on our country. Our services delve into most areas of community. Our work is work at the coalface every single day. Having said that, some of the services that we provide, as Jerome has already indicated, include our outreach services, where we provide transport day and night to different sectors of the community. Because of that nature, we separate those services. Again, we're very stretched as to how many people and how many things we can do at any one particular time.

Another of our services that we do is the HEAL program—Healthy Engagement and Assistance in the Long Grass. Our HEAL program is very important within the Darwin community. We work on healthy engagement with the people that live in the long grass. To let you be aware: our long grass community are the people that live rough and do not live within dwellings. They travel so they've got no one address, so our people working with those need to be aware of who these people are and how we can contact them for whatever reasons. Ninety per cent of those would be for health reasons, where we need to contact people through that service. Obviously, to do that we use several methods: one-on-one contacting, or we bring them together as a group where we'll provide a service so they can come to our service as a group.

Another one of our services is our tenancy support program where we work with people within housing. We also work with our aged-care system where we support people living within their own dwellings. We will provide meals and help with the cleaning and the upkeep and, obviously, the wellbeing of our clients. We have a ranger program which is to do with working with community, working with country. We have our Palmerston Culture & Family Centre, where we work with education of young people within the school system, and, obviously, with kids and

other organisations through the school holidays to ensure that our kids who now live in Darwin have connection with culture.

Mr Cubillo: Just some final remarks, if I may: Aboriginal people in the Northern Territory are a really young emerging demographic. The average age is 25, and we're soon to be the majority of the population. Now, we're close to 40 per cent of the population and, at a school-age level, we make up 50 per cent of the school based population. But unfortunately we make up 100 per cent of the youth incarceration system, so we believe organisations like ours are really pivotal to how we work to continue to close the gap. We think it's important to have Aboriginal involvement that allows us the opportunity to shape the vision for our future and look for more opportunities for our economic independence by supporting Aboriginal businesses who are 100 times more likely to employ other Aboriginal people in legitimate jobs and legitimately upskill them to create and support the development of new enterprises on country so mob don't want to leave country. Instead, they start to create a real sense of place and purpose again. We see those issues as being really key to unlocking our current circumstances.

CHAIR: Thank you. I'll go to Senator Liddle.

Senator LIDDLE: Thank you for your welcome to country. I too acknowledge Larrakia people and your care of land and sea country over many thousands of years. I want to ask specifically about traditional ownership in relation to this. This inquiry is looking at the transition from the Empowered Communities program as well as the crash of the CDC, although that's not specifically in here. Could you help the committee and others to understand the importance of responsibility for traditional owners when there are additional pressures on community and country and how that impacts traditional owners potentially differently to others?

Mr Cubillo: I might start and then get James to provide some comments. It's a really difficult intersection we're currently dealing with as the traditional owners of the greater Darwin region. As David highlighted, a lot of our programs and support are targeted at countrymen and women who aren't Larrakia. A lot of our service provision is focused at supporting the mob who've had to come to Darwin to access services that they can't access in community—health probably being the predominant one—to the point where our members who are the Larrakia have started to voice a frustration that they're no longer seeing themselves in the organisation because of our focus having to be to support our community's most vulnerable. In our recent strategic plan, our new statement is 'Larrakia first' so that we can start to let our members know that over the next five years we're going to have a real focus on providing more support and giving more back to the Larrakia nine family groups. It's a hard intersection for us to deal with because, as David rightfully said, we want to ensure that our fellow countrymen and countrywomen are kept safe when they're on country and that if they're sleeping rough and sleeping in bush camps and whatnot around town they're being cared for.

Mr Parfitt: A lot of our service and providing was set up for the advancement of Larrakia people, but a lot of our efforts, energy and economic resources are being used to actually help support non-Larrakia mob on our country. We actually do take a lot of hits and a lot of heat from saying, 'Aboriginal people are doing this; Aboriginal people are doing that,' and it's pretty hard for us to focus on and have a say over another tribe or another people when we're concentrating just on Larrakia people. Even though we do help and support all people and visitors who come to our land, as a part of our statement, it is pretty hard to have an authoritative voice over other groups of nations that aren't a part of our nation as well, even though they live on our nation's land.

Mr Cubillo: I have one final comment. We're also developing a strategic focus to unlock our own economic independence and self-determination through supporting more Larrakia businesses so that we can start to drive our vision of how we want to see ourselves participating in society and community. We also want to talk about opportunities to access equity in major infrastructure projects on our country. We want to move away from some of the thinking around royalties and all of that to actually having some real ownership and partnership in some of these major projects that are on Larrakia country. I should also note that we are possibly one of the most dispossessed traditional ownership groups in the country, in the sense that we didn't win our native title rights, so we don't have those provisions to force major proponents to come and engage with us.

Mr Kurnoth: To our detriment, as my colleagues have said, a lot of our services aren't limited to working with our own people. We work with all of community, and quite often it's not easy to work with our own people because, to do the right thing, we are doing things that would normally be considered culturally wrong. So we work with people from other communities and with the most vulnerable people within our community, and we often do the things that culturally and historically we wouldn't necessarily be doing. This can be seen by our own people asking: 'Why are we doing this? Why aren't we doing more for our own people?' The areas in which we are able to do things for our own people, and where our hands aren't tied, are things like employment. Within our own organisation, we have 80 per cent Indigenous employment, and quite a few of them are Larrakia. When we employ people we predominantly give our own people the first go at it, but, obviously, we employ the best people for the job.

Mr Cubillo: We have about 120 people employed.

Mr Parfitt: I'll follow on from that comment about employment. Even the strategic plan is about looking for our future emerging leaders within our organisation. Along with that, it's not just about being Larrakia; it's about providing support for them to be the best qualified Larrakia people. So that's why we've also looked at doing the Charles Darwin University pre-enabling program in business, law, medicine, accounting and teaching. We're not just thinking about now; we're thinking about the future, when we all get old, and the need to start training up those people. That's where the education side comes into it. One of the things that we really have to look at on that employment side is future development, not just now but for the next 20 years. How are we going to make sure our young emerging elders get the support, back up, assistance and formal education and training, with those professional skills and papers that go with it?

Senator LIDDLE: I heard what you said about what is essentially a greater look at funding equity for you, given the dual responsibilities that you have. You've recognised the importance of the welfare component of your work but also the economic development for this generation and the next one. What's missing from your toolkit to enable you to have those conversations and that engagement in that economic development for the benefit of Larrakia people and other generations?

Mr Cubillo: We've been so heavily reliant on government grant funding and having to work within those parameters that it's been hard to move out of what can feel like tunnel vision. It's also introducing these new concepts and ideas, because I don't think some of our mob have thought within that parameter, and seeking the right supports and avenues from organisations like Indigenous Business Australia, for example, who could lend more support in that space. It's also how we access better services and support, hence why we're chasing a more diversified funding stream so that we have an ability to bring on more people with skill sets to really help us drive that commercial vision. But it's also changing the mindset of these major corporations and companies who choose to do business here on Larrakia country. We're talking to a couple of those major infrastructure opportunities like Sun Cable, for example, about an opportunity for us to buy an equity stake. And then there are those connecting pieces and how we access that capital. I think they're a couple of the missing pieces. For us, it's getting our mob to start thinking bigger picture and lifting our thinking up instead of some smaller sort of crumbs off the side of the table. We're past goodwill gestures too—RAPs and all that. We want to see real, meaningful engagement and not just the light and fluffy acknowledgements.

Ms SCRYMGOUR: Thank you. It's good to see you. In terms of employment and engagement, could you tell us what the relationship is between the Larrakia Development Corporation and Larrakia nation, and if there's any investment across both of those?

Mr Cubillo: I might start. Larrakia Development Corporation are the commercial arm, so to speak. We're two different entities. Our remit is very much focusing on language and culture, and theirs is looking at economic development opportunities.

Ms SCRYMGOUR: Is there any cross thing with that, though?

Mr Cubillo: There's a little bit.

Ms SCRYMGOUR: Co-investment?

Mr Cubillo: There haven't been any co-investment opportunities to date. I think we'd be keen to continue to seek those opportunities together. We're very much taking the focus that we're stronger together when we're all walking as one, especially if we're on the verge of potentially having treaty conversations with the Northern Territory government moving into the new year. We're all going to be needing to be walking in lockstep together with Gwalwa Daraniki Association, which is headed up by Helen Secretary. At the moment there's been very little engagement.

Ms SCRYMGOUR: Jerome, you just mentioned the treaty conversations you're having with the Northern Territory government. Would Larrakia use the treaty negotiations, knowing that native title in terms of Darwin and Palmerston didn't succeed, to recognise Larrakia and Larrakia's existence in Darwin and Greater Darwin, with a view of employment-building businesses which are driven by Larrakia?

Mr Cubillo: Definitely. We haven't heard anything since the Treaty Commissioner tabled his report to the Northern Territory government back in June, and we haven't heard any indication of where the Northern Territory government is going to go with treaty. Understanding the political cycles, we're worried that that window might be missed in this current sitting term of the Labor government, because they might choose to wind down going into an election year. Our focus was that, to answer your question. We were very much thinking about opportunities to get Larrakia land back. We also don't have much of our own country returned, to be able to have opportunities to develop cultural practice on country. We have our rangers, who look after and care for country and see country,

but, if we had land back that was freehold land and we could actually have self-determination on how we wish to develop that, I think we would be able to look at housing opportunities and develop relevant housing for our old people. We're still dying at a younger rate, so our mob aren't even able to access their retirement benefits. We could then generate opportunities for more Larrakia businesses and such.

Ms CHANEY: I'd love to hear your thoughts on what changes you've seen since the sunset of the stronger futures measures and any comments you have on both the impact of that and the transition process.

Mr Cubillo: With alcohol being banned in community and having dry communities, one of the main reasons people chose to come to Darwin was to access alcohol. Our programs predominantly, between caring for people for health reasons, look after mob who have possibly had too much to drink, ensuring their safety, taking them to sobering-up shelters and other service providers who provide that wraparound support. I note also that more social clubs will be opening up back in communities. It's still early days to see if there's going to be a reduction in people wanting to come to Darwin to access that type of service. I note, though, that the Tiwi Islands do have three social clubs on the community but are one of the main population groups who come to Darwin to access choice in—you know.

Ms CHANEY: Have you observed a change so far or not?

Mr Cubillo: It's probably still a bit too early. Once the social club is up and running in Barunga, and there's also the one out in Kalkarindji, our hope is that the community will choose to stay on country and be able to have the right, as all other Australian citizens do, to access those services, and the community can provide the wraparound support, ensuring that we start to also provide education and training and have health services provided on country as well, to provide that care. It's people's self-determined right to have access to that. With the closing of the stronger futures legislation, and communities no longer being dry communities, I think we might see a reduction in some of that taking place.

Mr Kurnoth: I think that, for communities who obviously now have the right to have alcohol, what they need is a fully functional community. They need to have proper schooling, health care and policing. These things need to be looked at before you just go and open a door to something that possibly will not only escalate but compound some of the issues and will actually not only make communities worse off but increase the migration into other centres, such as Darwin, Katherine and the other major centres, not for anything else other than safety. That's one of the issues that mean a lot of people come into town. It's around safety from their own community. If these services aren't provided in community, that will continue.

Mr Parfitt: I think that, in some of those wraparound services, whether they're Territory, federal or even NGO, and especially the NGO sector up here—and this is just from 30 years of visiting 48 or so communities—the middle management to senior management aren't Aboriginal.

What we're trying to say when we're trying to make change and put Aboriginal perspectives, an Aboriginal view, forward is getting cut off at low to middle management levels because that Aboriginal voice is not allowed to progress further up the chain. I think even with an overall change in that direction of making sure we've got more middle managers, no matter what section you're in, the senior management—like I said, with that tokenistic approach of reconciliation action plans there's nothing in there about strategic planning of Aboriginal senior management in there. A lot of the meetings we're having are with people from Canberra or from NGOs, with their main office in Sydney, Melbourne or Brisbane. They don't have a northern Australia focus about the historical context, the cultural context or anything. That's where I think we've made a big leap forward with having senior Aboriginal ownership in these senior positions. And I think we've been progressing so quickly and so fast because we already took that step.

Ms CHANEY: The NIAA, in their hearing, said that 67 out of the 73 communities affected remain under alcohol management plans and the remaining ones are discussing opting in. Your comments related to those ones that are not still under alcohol management plans or also those communities? I'm just not really clear on where alcohol will be permitted in the community where it wasn't before.

Mr Cubillo: To be honest with you, apologies, we don't know which ones have opted in and which ones have chosen to opt out. I think we'll definitely be keen to get that understanding so we can then target some of where we expect some of the support needing to be focused.

Ms CHANEY: So there's an expectation that there will be more alcohol in communities, but you're not sure which ones and you expect that to have an impact on reducing the number of people coming to Darwin?

Mr Cubillo: Correct.

Ms SCRYMGOUR: I'll just add to what you were saying, Jerome. The biggest number of people sleeping rough in the long grass in Darwin are from the Tiwi Islands. I think if you look at the Tiwi Islands, my own mob,

there are licensed clubs, plus permits for alcohol right across the Tiwi Islands, yet people still gravitate towards Darwin. Then you look at places like Maningrida that doesn't have a licenced club but has permits, and those permits have now become open since the lifting of stronger futures, so people from those communities are still coming into Darwin and Katherine. Have you seen any increase from those communities that were dry communities, like Wadeye for instance? Wadeye doesn't have a licensed community, but a lot of the Wadeye community comes into Darwin. Has there been an increase since the stronger futures legislation—so lifting of alcohol bans, 'Let's go into Darwin and let's have access to alcohol'?

Mr Kurnoth: We've seen increases across the board for visitors coming into Darwin. Have we seen an increase in those that have now got alcohol in them? As we've already stated, we're not completely across who has alcohol in there at the moment. However, having said that, the increase across the board, I think, could be attributed to that.

Mr Cubillo: With regard to the antidote comments we've heard about Tiwi, they only have access to mid-strength beer. People want access to choice. They want to access spirits and wine. If they had more choice available they may choose not to come to Darwin as well. And then with what—

Ms SCRYMGOUR: At Melville they have open high street. Wurrumiyanga has been restricted for a reason.

CHAIR: Mr O'Brien.

Mr LLEW O'BRIEN: Thanks, Chair. Thanks so much for coming and having a chat to us today. As I said to the previous witnesses, this is very much a learning journey for me. On the way in from the airport yesterday, we had to move around someone who'd stopped in the middle of a busy road and was obviously affected, probably by alcohol but by something, and then when I got to my motel there was someone in the foyer who was affected by alcohol. I say that with a real, deep sadness in my heart. That was just my first half an hour here. With those sorts of extensive problems, how much funding do you need in terms of your programs? It seems massive to me.

Mr Cubillo: We do need increased funding for our patrol programs. David, do you just want to say how many day and night patrols we have on the roads?

Mr Kurnoth: We have a functioning service for the majority of the day; we don't operate the full 24 hours of the day. However, like every other organisation we are restricted by how many people we employ. We can, during the week, have anything up to two to five units that can be spread across many services. So it could be units that deal with antisocial behaviour. It could also be dealing with family and youth transport. We are limited to what we service and what our service providers have given us within our contracts.

Mr Cubillo: We have five vehicles operating between the hours of 5 am and 4 pm, and then three vehicles operating at night between 4 pm and 12 am. So there's a four-hour window where we don't have vehicles on the road, so we have advocated for the need to have more patrol vehicles on the road.

Mr Parfitt: Even with those three vehicles, you think about how spread out Darwin is, with our increasing population growth and then the regional centres or rural areas growing—Palmerston, Cooina. We have three vehicles to service all that area, with population growth going through the roof. We try the best we can do with what we have, but three vehicles are just not enough to service all those regions, let alone one suburban region. And then you've got to take Palmerston into consideration—the 20,000 or 30,000 people who live there—the northern suburbs here and the growth of our areas, and then try to go into the long-grass areas. Even then, the fact is we've only got one dry-out spin-dry centre, and it only caters for 14 or 15 people. So, even when we've got these people in a regionalised suburb or city, in Palmerston or in a rural area, there are only so many places we can then take them to for support—or do we then take them back to the house where they were drinking anyway or to the watchhouse, which we were trying to stop doing? The whole purpose of this was for us to be the first on the ground to stop the interaction with the justice system, which we can do better by just calming them down and being Aboriginal people. But we can only spread ourselves so far, and we can only link into so many support services.

Mr Kurnoth: We also prioritise. Obviously, we prioritise our people with police call-outs, to deal with the most pressing needs. Just like the ambulance services that you hear about all around Australia, we could have jobs racking up and going back. So it may be two to three hours before we can get out to a situation or to an individual, and, if you're talking about health checks with individuals, that could be life-threatening.

Mr LLEW O'BRIEN: So more money to provide more services?

Mr Parfitt: More boots on the ground.

Mr LLEW O'BRIEN: Yes, more boots on the ground. I just have one just quick question that's more of just a matter of interest. You said you have programs for the elderly, for your older community, and also your young people. Do you combine those at all in terms of getting some of those older community members talking to the young people?

Mr Kurnoth: We do. When I'm not acting in this role, I'm currently the coordinator for the Host program, which is the program that deals primarily with culture and language. The things that I do include NAIDOC events and that sort of stuff. That's all about bringing community together, and we do it on a daily basis. We take our elders into the schools. We also do all of the community and calendar events that take place throughout the year.

CHAIR: We could probably have this discussion all day, but we have other witnesses. Thank you for your attendance at today's hearing, and if you have been asked to provide any additional information or if there is anything else you would like to provide, please forward this to the secretariat by 16 December this year, 2022. You'll be sent a copy of the transcript of your evidence, to which you may suggest corrections. There may be questions submitted to you for responses as well. Thank you very much.

HOLDEN, Mr Sean, Chief Executive Officer, Local Government Association of the Northern Territory

VATSKALIS, Mr Kon, President, Local Government Association of the Northern Territory

WATSON, Ms Mary, Senior Policy Adviser, Local Government Association of the Northern Territory

[11:21]

CHAIR: As these proceedings are public, they're being broadcast and recorded by Hansard. If you wish to have evidence heard in private, please let the committee know and we will consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. Giving false or misleading evidence is a serious matter and may be regarded as contempt of parliament. If you object to answering a question, please state the reason for your objection and the committee will consider the matter. I now invite you to make your opening statement, if you have one.

Mr Holden: The Local Government Association of the Northern Territory is the voice of local government, representing the 16 municipal and regional councils, 63 local authorities, 66 remote communities with a physical council presence and 614 homelands, with over 100 Aboriginal languages and dialects. We provide leadership, support, representation and advocacy on behalf of our member councils for the benefit of their communities. Local governments make a significant contribution to the NT economy, as they collectively employ around 3,000 Territorians. Councils are the largest employer of Indigenous people in remote and regional areas, manage and control assets and infrastructure valued at \$2.57 billion and are responsible for over 13,000 kilometres of roads, and we receive and expend over \$505 million in the NT annually. Local government councils perform about 42 different services in the Northern Territory. It isn't just roads, rates and rubbish, as we say there's a fourth R—reverything else.

On Aboriginal representation in local government, several local government regional councils in the NT have majority or all Aboriginal elected members and local authority representation. Indeed, 88.78 per cent of regional local government elected members are Aboriginal and 60.9 per cent of all local government elected members are Aboriginal. The role of local government councils in the context of this inquiry is as the sphere of government closest to the community; service and infrastructure delivery, also on behalf of government agencies; often the provider of last resort; or an equal partner and a signatory to Closing the Gap.

LGANT has limited involvement in the preparation for the sunset of the stronger futures legislation but has ongoing involvement in supporting its member councils in their roles and responsibilities relevant to this inquiry, including community safety and employment. As we know, alcohol can be a very harmful drug and affects people and society in many ways. I understand the reasoning behind the sunset of the legislation includes reducing stigmatisation and encouraging equality, but the sector feels a more considered approach to supporting communities in the transition would have been beneficial—for example, a timely, community led approach to developing wraparound programs and services.

Antisocial behaviour and crime is one of the most critical issues local government councils are facing in the Territory right now, and there's often a direct correlation between it and alcohol. The local government sector has real concerns about the availability of alcohol in some areas now and the flow-on effects to antisocial behaviour—so much so that local government council staff are feeling unsafe in their towns and communities, and they are finding it increasingly difficult to deliver services and employ and retain staff. Local government councils deliver preventative services, programs and infrastructure in their communities tailored to the communities, but more can be done to be truly collaborative, to reduce duplication of effort and to fill the gaps. As mentioned previously, local government councils want to be seen as a legitimate and equal partner in policy and program development and implementation, not an afterthought.

On the recent abolition of the cashless debit card and the new supply of alcohol in some communities, I understand that CDC participants in the Northern Territory will be subject to income management legislation from next year whereby a proportion of a person's welfare payment is managed and directed towards meeting basic needs, such as food, clothing, housing and utilities. We're concerned about where this discretionary money can be spent. If it is alcohol, it could compound the effects of alcohol. There will be a direct correlation on community safety. The figures are alarming and shocking. There's been a commitment for wraparound alcohol and drug services and economic employment services, but it's unclear how much of this is committed to the NT as well as how and by whom such services will be delivered. The local government sector wants to be involved in discussions about how these services are developed and delivered.

Antisocial behaviour is one of the key issues facing us. It's not going away in a hurry. The causal factors are often complex and require a policy shift and both short and long-term actions and policy changes that extend through

election cycles. The issue cannot be looked at in isolation. It is interlinked with housing, economic development and liveability, amongst other things—think Maslow's hierarchy of needs. The local government sector wants to see immediate action, such as what's happening in Alice Springs with a social order response team, or SORT, as well as funding for development and implementation of long-term tailored pit-to-port social development plans involving all spheres of government, similar and linked to regional economic development plans.

In regard to employment and economic development, regional and remote areas need jobs and local and decentralised place-based service delivery. I understand that the Australian government has committed to replacing the CDP with a new program developed in partnership with First Nations people. I also understand that the new program will give communities more control to determine local projects and increase economic opportunities and jobs in remote areas. We welcome that. But how will this happen? The local government sector wants to be involved in the design of the new program. LGANT is currently working on a local government workforce development strategy and sees the CDP as a crucial component.

Another initiative that we are certainly getting behind in the new year is NORFORCE, which is the Army Reserve across northern Australia. We see that as a magnificent opportunity for countrymen to stay on country and have work. We're also looking to advocate to the federal government for a regional Indigenous traineeship program for our councils, where there'll be two trainees per council per year for three years—so, six Indigenous trainees coming through in our 16 councils. We see that as addressing in some ways the issue of how we can retain the young people we've got in our communities and how we can attract the skills that we need. We also see it as a great first step or part of the silver bullet, if you like, of working on antisocial behaviour and crime, but more about the positive side of addressing the same.

In closing, local government councils are well placed to play a key role in preventative service and infrastructure delivery and want to be part of the answer.

CHAIR: You're tabling that, Mr Holden? Thank you. I notice Mr Vatskalis is here. Welcome, Sir.

Mr Vatskalis: Thank you, Senator.

CHAIR: From the Darwin City Council—Lord Mayor, is it?

Mr Vatskalis: I'm also the president of LGANT. So I'm sitting here and I'll be sitting there.

CHAIR: Rightio. So that's clarified in my mind what was happening. So you're the president of LGANT?

Mr Vatskalis: Yes.

CHAIR: So we're dealing with LGANT matters.

Mr Vatskalis: Yes.

CHAIR: So long as everyone on the committee here is clear. The call will go to Senator Liddle.

Senator LIDDLE: Thank you. Thank you very much for coming today. I just want to ask a question about data. There are obviously issues with data transparency, accessibility, who collects it, who owns it and who shares it. I'm interested to know, given that some of the data fits the time frame of the rush to end the CDC, empower communities and others, what anecdotal information you can provide on the impact of those changes within a significant, or quite a short, period of time and, then, adding the seasonal influence of those issues to that, what you are expecting to see.

Mr Holden: It's a great question. One of the things that I think we've learned very quickly is that data and evidence can often lose their effect because of time lags. By the time someone has gone around and worked out what information we are going to collect and has people as collectors go out and do that, it can be three to six months and it's already out of date. So one of the things, certainly, that we put great stock in is that anecdotal evidence that we get from our councils.

So, to answer your question, bluntly, if you like: we don't have that set of data. But we certainly have data in terms of the 'anecdotal evidence' that we're getting from our councils, particularly those that feel as though they see the brunt of increased access to and availability of alcohol, whether that be through having extra funds to buy same or through a change in legislation. There's a direct correlation that they're seeing to domestic violence—spikes in domestic violence, for example—and, obviously, the public antisocial behaviour that we're seeing, not always, but certainly there seems to be a direct correlation.

Senator LIDDLE: The other direct correlation that often gets forgotten is the impact of that antisocial behaviour on business, on tourism, on visitors, on the cost for councils in doing their work and on the cost of business. If you go to Alice Springs, the people doing the best out of all of this just about every day I think are the people who are required to clean up the glass and replace the glass.

Mr Holden: Certainly, I can't speak for business, but speaking for our local government councils I know one particular council building was trashed, to use that term. That cost that council \$34,000 to get cleaned up, and that happened three times. That was MacDonnell Regional Council. If you think about our councils, particularly the regional ones, the 12 of the 16, 84 per cent of their income on average comes from tied grants from the feds or the NT government. That doesn't leave a lot of discretionary funds for them to pay for things like this, and, if it does, they would've already earmarked those for extra programs that they've tailored for their own communities. So, when that money is taken away, it just leaves tied grants money, which means that our councils do teeter a little bit, and that has tangible financial effects for them.

All of our councils are, in fact, businesses. They're no different to any other business. They have limited resources. They're trying to be the most effective and efficient that they can be, but when this happens, and when it's happening to the level that it is, it seriously diminishes the opportunity for councils to provide the services that they have to provide with their tied grants and the ones that they want to provide but can't get funding for and need to find money to do. So it has a massive effect, and it's not just the financial side of things; it is the mental health of our 3,000 staff that are out there and on the front line, if you will, experiencing this. So we're finding it really difficult to replace those people. How do you retain people when they're seeing this and, because of it, how do you attract people to work in our regional and remote areas?

Senator LIDDLE: So how are you engaged in consultation on how some of these issues could be resolved? Where do you fit amongst all those consultations?

Mr Holden: We've surveyed our members a couple of times on this and we've been very fortunate that the Chief Minister has met with all our mayors, presidents and CEOs twice—first in August and then in November. We had two hours at a time with the Chief Minister and the cabinet. When we surveyed our members we said to them: 'Look, this isn't about throwing rocks at people. Yes, by all means you'll get an opportunity to say what's happening you communities. But, more importantly, we want to hear from you what some of the local, place-based answers are to this. And they can be things that have been tried before that we can dust off and adapt and adopt. They can be things that are happening interstate or overseas.'

Overwhelmingly, what came back—and it wasn't having a go at police, which we intuitively thought it might be—was really more about what the community, community by community, can do. It also came back about how the legislation doesn't make it particularly helpful to achieve some of these aims. One of the big ones is when federal governments of both hues distribute stimulus moneys to lower income people to pay for rent et cetera, and it's not where it goes.

Senator LIDDLE: I've always held the view that meetings are not an outcome, the same way as enrolment in school is not the same as participation in school. What do you think will be the most important indicator for local government in seeing a change in the trajectory that we're currently seeing in the Northern Territory?

Mr Holden: Probably the easiest way—can I say it that way?—is through the Closing the Gap, which we're a signatory to for the first time in the last 18 months. As we know there are some targets in there. We take very, very seriously our role in moving the dial, if you like. So there's one quantitative way that we can see the success, or not, of whatever programs are implemented.

Again, it comes back to not only data and evidence, which is important but also very difficult in the Northern Territory for all sorts of reasons, it's also the feel. We survey our councils either verbally and/or through email and at our general meetings, which we have twice a year. Sometimes they start off by saying, 'I'm feeling like this.' They're saying they're feeling unsafe, but they don't have the evidence and the numbers to back that up. So to answer your question in a qualitative kind of way, when they stop saying those types of things, when our meetings aren't dominated by talking about antisocial behaviour and crime and we're starting to talk about more strategic things, I think that's when we'll know that, okay, things are working. It's not ideal, but we've got other things that we need to consider as well.

Senator LIDDLE: You said that you're a signatory to the CTG. A lot of the targets, four targets, have been met, one of them being the enrolment one. The other targets—there are a lot of them in there that actually don't have the data because it hasn't lined up with the ABS release of the data. Will you be seeking some sort of additional reporting so that you've got the data to work from?

Mr Holden: Mary has carriage of that.

Ms Watson: The local government sector has been focusing more on the priority reforms of the Closing the Gap. We're just developing the second implementation plan for the Territory. We don't have direct carriage of any of the socioeconomic targets, but we see ourselves as key partners in those targets. Does that answer your question?

Mr LLEW O'BRIEN: Thanks very much for coming and having a chat to us today. It's much appreciated. The withdrawal or the sunseting of the legislation is something you're directly attributing to a spike in offences—is that the case?

Mr Vatskalis: Partially. It was not something that happened suddenly. People knew it was going to happen for years, but nothing was put in place. The flood of alcohol, people moving to access alcohol, and mistakes by previous governments giving grants to have children have accumulated to what we see today. It's not just one thing; it's a population of things. But there was also the inaction of governments saying, 'What are we going to do when this legislation finishes? How are we going to address the problems that are going to be created?' There was never that.

Mr LLEW O'BRIEN: Communities around Australia, regardless of whether they're Indigenous communities or not, local government plays a pretty strong role in safe night precincts. Whatever the case may be, when alcohol is injected into any community you have problems. Can you give me a quick outline, in a very broad context, of how local governments see their responsibilities in these communities when it comes to the alcohol and community problems that everyone faces?

Mr Vatskalis: Local government in the Northern Territory is very strictly controlled by the Local Government Act. It allows us to do certain things; we can't do things outside the act. Law and order is not in the legislation; however, we work very closely with the police. In the case of some of the big municipalities, they pay money in a combined effort to put security patrols around cities. We don't have a say about licensing, but we have an input on the licensing. If, for example, somebody wants to have a liquor license or extended their liquor licence, it will go to the licensing commission and it will come to us for comments. Most of the time we'll actually oppose it because we can see the effects it has in our community. That happens to big communities, to big municipalities, and to small municipalities.

We can't have our rangers being policeman. That's not their role, and certainly unions will oppose that one. They don't even have the training. Wherever we can we send out social outreach teams to go and talk to people if they're sleeping rough. We've got patrols in the city. One of the biggest problems is that we pick up the tab because people camping leave their rubbish behind. Somebody has to clean it up. We do it.

Ms CHANEY: The NIAA indicated that 67 out of 73 communities remain under alcohol management plans and others are discussing opting in. Is that consistent with what you're seeing in terms of the councils that you say are not feeling safe? How broad is the problem? Is it specific communities or would you say it's applying to a larger number than six of the communities?

Mr Holden: There are two things here. One is that there's alcohol sold under the table, there's a black market for alcohol, and that means it can be bought and sold anywhere. It doesn't have to be in a particular community, it can be just outside a community that is part of that arrangement.

Ms CHANEY: And presumably that wouldn't be affected by the sunseting of stronger futures, that issue?

Mr Holden: Presumably. It's all that demand and supply then. The other thing that tends to occur is they go to larger centres—Katherine, Alice Springs et cetera—where you can consume alcohol, and that's where the issues do occur. We think that's also some of the causal effect, what's happening in Alice Springs and in Katherine in particular.

Ms CHANEY: So which of those then is affected by the sunseting of the stronger futures? I'm just trying to understand how much of a causal impact the sunseting of stronger futures has had on the increase that you're talking about?

Mr Holden: Yes, there probably needs to be an academic piece done on that. But as I said, what we're feeling from our members is that it didn't help. Whether it's caused more people to go to the more urban centres to consume alcohol and that's where some of the domestic violence et cetera occurred, we don't have the evidence on that. Our councils are telling us, though, that the sunseting of the legislation didn't help, the removal of the cashless debit card at the same time didn't help and the stimulus moneys coming in didn't help.

Ms SCRYMGOUR: Thank you, Sean, for your evidence. You were talking about the cashless debit card. Knowing that the BasicsCard is still in play in the Northern Territory, how many of your remote councils has LGANT surveyed of the percentage of people who were on the cashless debit card versus the BasicsCard?

Mr Holden: We haven't surveyed them about that particular—

Ms SCRYMGOUR: Don't you think that's an important thing to be surveying? You advocate; you engage; you provide training on governance, best practice, offering industrial relations, human resources; and you collaborate with ALGA. If you look at anecdotal behaviour and the impact of people coming into the City of Darwin, for instance, don't you think it would be important for LGANT, as a peak organisation in the Northern Territory, to

make sure that there is data? Wouldn't you need that data to be able to determine policies going forward? Wouldn't it be a critical part of your submission? I was just looking at your submission. Is it that LGANT doesn't do that, or is it that it wouldn't have that information? Given that your membership is those 16—is it 16 local government councils that hold subscriptions to LGANT?

Mr Holden: Yes and no. How can I answer this? Our work is driven by our members and what they want us to work on. We have a strategic plan with six strategic priorities. No. 1 is Aboriginal affairs. Certainly we've surveyed our councils about a great many things to do with the subject matter here in front of us, but not specifically that. That is for two reasons. One is that we haven't considered it perhaps because it hasn't been brought up by our members as something that they want us to do. That doesn't mean we don't do it. We're like any peak body organisation. We have that fine line between reflecting what our members want us to do and leading them in other areas.

Ms SCRYMGOUR: I get that, but what I was asking you about was how you said in your statement that the removal of the cashless debit card and the lifting of the stronger futures legislation have had a huge impact, and you're seeing that in town. What is that evidence? How many people within your local government areas were on the cashless debit card versus the BasicsCard? The BasicsCard hasn't been removed, but the cashless debit card has. Have you looked at what that difference is to be able to make that statement?

Mr Vatskalis: As a peak body, we don't have the capacity to do this work, because it's a huge piece of work, considering the area of the Territory. Plus, if we get the data from the local governments in question, I don't think they'd be very accurate, because they don't have the capacity either. Both of these cards were actually of the making of the federal government. If we're going to get really good information, probably the federal government should already have that and should disclose it, because everybody who gets a cashless debit card or the other card should be registered somewhere, so the government should have all this information—per region, per area, per town—and that would be freely available.

Ms SCRYMGOUR: Sean, you talked about local government—roads, rates, rubbish.

Mr Vatskalis: And everything else.

Ms SCRYMGOUR: Everything else is part of that. Given a lot of your remote councils don't get appropriately funded by either the federal or the NT government, and they have very little room to move with untied funding, has LGANT looked at having a discussion—I know that the department hates this; I've been having this fight with the department for a long time, and Kon knows this—about service fees? Everyone talks about a service fee being a poll tax, which it's not. If those bureaucrats understood what a poll tax was, then they would know that a service fee is not that. A service fee is a fee for a service. When is local government in the Northern Territory going to be able to work with government or drive a policy from the government to do that? That would give flexibility for communities to be able to do some of the work.

Mr Vatskalis: We have managed to be successful lately having mining properties and pastoral properties paying rates. We had the situation where there was a pastoral property that straddles Queensland and the Northern Territory, paying \$150,000 rates on the Queensland side and \$350 on the Territory side. Mines in Western Australia have to pay rates. Mines in the Territory do not pay rates. We just managed to get the minister to agree to a significant increase, but starting from a very low base. That's a beginning, and hopefully we actually start having money flowing to communities, because their holdings here are like a small European country—especially pastoral properties. And you've got mines that make so much money, and they'll be mining for the next 120 years, and they don't pay any rates to the communities.

CHAIR: Thank you for your attendance at today's hearing. If you have been asked to provide any additional information or if there is anything else you would like to provide, please forward this to the secretariat by 16 December this year. You will be sent a copy of the transcript of your evidence, to which you may suggest corrections.

SAUNDERS, Ms Simone, Chief Executive Officer, Darwin City Council

VATSKALIS, Mr Kon, Lord Mayor, Darwin City Council

[11:49]

CHAIR: I now call the City of Darwin. As these proceedings are public, they are being broadcasted and recorded by *Hansard*. If you wish to have evidence heard in private, please let the committee know, and we will consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. Giving false or misleading evidence is a very serious matter and may be regarded as contempt of the parliament. If you object to answering a question, please state the reason for your objection, and the committee will consider the matter. I now invite you to make an opening statement if you wish.

Mr Vatskalis: It's a great pleasure to be here today to give evidence before your committee. We're talking about issues that affect our community in general—not only the city of Darwin—but, because we're the biggest urban centre in the Territory, we tend to be affected greatly by a lot of decisions made by Canberra, which is too far away to see what's happening in our city.

Darwin is one of the most multicultural cities in Australia, if not the most multicultural city in Australia. It has a significant Indigenous population and is of course the service centre for many communities outside Darwin. We've been lucky enough not to be impacted severely by COVID-19; however, we're impacted severely by alcohol and its side effects. Homelessness is a big issue in Darwin, which people say is surprising. There are homeless people in Darwin for various reasons. They've got a home somewhere else, but they choose to come to Darwin for various reasons—not for alcohol but for medical reasons, to buy things or to see their relatives. But then, especially if they're far away from home, they tend to go astray.

We have even got problems with accommodation. If people visit Darwin, there's nowhere to stay. A lot of people stay rough, which, as you said before, Senator, hits businesses, hits tourism, hits everything. As a former minister, my biggest worry is for families. People come here with very young children, sleeping rough and consuming alcohol, which results in domestic violence and abuse. We try our best, but we can't win. We're completely overwhelmed in some areas with what we see and what people call antisocial behaviour.

Mind you, some people think if somebody's sitting under a tree and having a good time that that's antisocial behaviour, especially if they are of a different colour. But the real antisocial behaviour happens both among visitors from other communities and in our own community, the mainstream community. I saw some films the other day of the soccer festivities in Melbourne. There were lots of people gathered together. There was no antisocial behaviour there until somebody threw a flare and hit two people. One is about to lose his eyes. That's antisocial behaviour. That was committed by mainstream whitefellas in the middle of a capital city of Australia.

We are lucky we've got the support of the government, as Sean said before. For the first time, last year, the Chief Minister and Cabinet began meeting with LGANT and with us regularly to address these issues. We have developed a very good working relationship with the government to address some of these issues.

It's not all antisocial behaviour; it's a lack of jobs, lack of accommodation and a demand for housing in the communities, which makes people actually move out of the communities—that is, urban drift. What I find, in the many visits that I do, is that people are really sitting in the community doing nothing. The FIFOs come in from Western Australia and Queensland to build houses there, while these people are very capable of doing that themselves. That impacts Darwin as well.

CHAIR: Maybe I could just ask one question to start. In your submission, on page 2, under 'Community safety and alcohol management', you say:

Approximately 48% of adults in the NT exceed the National Health Medical Research Council guidelines related to alcohol consumption, these consumption rates are 173% greater than the national average.

Tell me where that comes from.

Ms Saunders: I'd have to go back to the team on that one to get the exact stats of their views. I can provide a reference to the committee.

CHAIR: I note comments earlier that drinking isn't just among First Nations people; it is a widespread problem in the Northern Territory.

Mr Vatskalis: I live in Port Hedland, and the daily consumption of others in Port Hedland is more than 14 drinks a day. This is not a problem for Darwin; it's a problem for Australia.

CHAIR: Thank you.

Senator LIDDLE: The questions I've been asking relate to data. What kind of data do you use to indicate change in the last six months? Is it anecdotal or—I'd like to understand—is it letters from businesses or ratepayers? That must be data you get that tells you a bad situation is now worse.

Ms Saunders: Some of it is external data we'll get from the Northern Territory Police Force and also the Northern Territory government. The City of Darwin keeps its own data; that's also provided in this letter. We have a full database of when our assertive outreach team go out and engage with people in the community and also when our public places rangers go out and engage and interact with people. We use the trends we've seen in that data to know what's happening in the community—how many people we have gathering in public places, when they're engaging with them, and how many people are saying they'd like to have emergency accommodation or they'd prefer to remain as they are, sleeping rough. We've got at least three years of fairly solid data. We saw earlier this year a significant spike in the city of Darwin of people sleeping rough. That has reduced over the past few months, with people returning to community. We definitely use that data. When they're engaging with people, they're asking questions about the reason for why they're homeless—Is it alcohol related? Is it other services?—so they can provide those links.

Mr Vatskalis: It's not all alcohol related. We had a spike of visitors leave Darwin because we had some rioting poor kids. People left because they felt very unsafe. We've got areas where people go because they receive royalties, and they come here to do big shopping. Not all of them come here to drink. The ones who become visible are the ones who drink a lot, in excess, and cause problems.

Senator LIDDLE: Therein lies part of the issue: it's not the people who are drinking who are necessarily affected the most by that antisocial behaviour; it could be the children who come with the families that come in.

Mr Vatskalis: Absolutely—the women.

Senator LIDDLE: You mentioned a couple of stakeholders you engage with. What about the hospital? Do people get discharged from there and fall between the cracks and get stuck here with family?

Ms Saunders: We get some data from the hospitals, but our understanding is that is one of the challenges. When they are discharged from hospital, when they choose to leave the hospital, the monitoring is then in place and the support services are in place either to repatriate people back to country, if they've come into town for hospitalisation, or to make sure they have access to those services. They end up potentially becoming homeless as well.

Mr Vatskalis: There's no adequate accommodation for people discharged from the hospital to stay at, because they might have to undergo treatment afterwards—so they're stuck here, so you've got people with medical problems who are sleeping rough in the park.

Senator LIDDLE: Do you have an Aboriginal hostel here in Darwin itself?

Mr Vatskalis: There are one or two, but they're not adequate; they're very small. The hospital has accommodation of 100 beds for people from communities; it usually tends to be overbooked. The reality is the Territory has got a very small number of hospitals in big urban centres that serve an area of 1.5 million square kilometres, with a big population living outside the urban centres. Because there are no hospitals in the small communities anymore, and the clinics are not very well staffed, everybody has to fly in by charter.

Senator LIDDLE: Ms Saunders, when we talking about time lines earlier this year, you noticed a spike, and now you've noticed people moving. What sort of impact does that have on your ability? We talked earlier, Mr Vatskalis, about the potential for the redirection of funds that might be discretionary to community programs being focused on—picking up extra rubbish, cleaning up extra vandalism. What are your businesses saying about those issues? How far can your budget handle that kind of pressure?

Ms Saunders: There's been a significant impact not only to local businesses but to city resources and services themselves. We get a lot of requests for additional cleaning because people are living rough—parks, playgrounds et cetera. It affects the whole community amenity. What we find is that we've invested, in conjunction with the Northern Territory government, \$400,000 a year for these city patrols. Whilst it's been effective in assisting city businesses, that has caused displacement. It pushes further out into our suburbs and then has other knock-on effects into community. But we've seen significant increases in cleaning resources and recently talked to the Northern Territory government about additional resources to assist in cleaning in the municipality.

The hidden cost is insurance that we don't see where it doesn't meet the deductible—potentially anything under \$10,000, not only for the city of Darwin but across the whole community. That's the hidden cost there. The other cost that I think is always prevalent is the piece in what we haven't done potentially in the city in the last six months due to—if you put a particular piece of infrastructure, art installation or a tourist piece, it comes with the lens sometimes of, 'What is the antisocial behaviour impact of actually doing that?' I think the community has missed

out in that regard of what we haven't invested in, alternative funds, and then, also, the investment comes with a whole range of other constraints.

Ms CHANEY: You include some data on your assertive outreach program about the number of engagements. Maybe you can take this on notice, but I'd be really interested to see that data both before and after the sunset of stronger futures, especially if you've got any data on what's driving that. You mentioned it's not all alcohol related; there are other drivers, too. Any trend data over time you're able to provide to the committee would be really useful.

Ms Saunders: Okay.

Ms CHANEY: My second question is in relation to the seven town communities that you talked about in the first page of your submission. You mentioned that four of them have opted into declarations as alcohol protected areas, two have alcohol management plans in place and one has confirmed its capacity to self manage with NTG. Can you explain what the impact has been in practical terms of the sunset of stronger futures legislation on those communities from an alcohol related perspective?

Ms Saunders: I did talk to the teams about this. We haven't seen a change in our data. I think it's probably different in Darwin. The communities are a small footprint within the municipality. It's a particular piece of land. Therefore, to lead the community in access, alcohol might only be driving to the suburb over. Our teams haven't seen that. What they have highlighted—I haven't got the direct data—is what's happening in relation to admissions at the Royal Darwin Hospital. That has been higher over the past 12 months, as I understand, but is probably more driven by the impacts of COVID, where people had to come into town for treatment in relation to COVID and then relatives also came to Darwin. Once people come into Darwin, potentially they get involved with alcohol and end up in a cycle of homelessness. That's what I think really came to the peak of people we were seeing living rough early this year. We had 4,000 people that were living rough. My understanding is the numbers are down, around 1,500, which would be normal. There were also obviously issues at Port Keats. We haven't got direct correlation with the sunset of stronger futures, but it's probably a different arrangement in Darwin with the communities.

Ms CHANEY: For those seven communities here, you don't think there has been any actual impact of that directly?

Ms Saunders: Not that we're aware of.

Mr Vatskalis: It's very interesting. We live in a time that has a significant Indigenous population, mainly Larrakia people. We don't see these problems. Even afterwards, people tell us that there are not many Larrakia living rough, and the Larrakia people say: 'Oh, yes, we know these people. They choose to be like that, and we know they don't cause any problems.' The locals don't seem to cause problems. It's the people who come from outside. They have no relationships here. They just come here, are stuck here and then, to pass time, they cause problems. Mind you, we've got people whose communities have alcohol, but because its mid strength they are having to jump on the ferry to come here to have some real fun, and then you've got some of the leaders of the community who come here, get them all back in the ferry and take them back to—

Ms SCRYMGOUR: He's talking about my mob!

Mr Vatskalis: I'm talking about your mob!

CHAIR: Who are the ferry people?

Ms SCRYMGOUR: Don't blaspheme my mob, Kon!

CHAIR: Please identify which mob you're talking about!

Mr Vatskalis: The majority of the problems we've got are coming from remote communities, the really remote communities.

Ms SCRYMGOUR: Thank you. On that, Mayor, with the stronger futures legislation lifting, and I get that it's early, but I suppose if you look at its transition from 12 months to now, have you seen any change that previously when there were some restrictions—particularly when you look at stronger futures, a lot of the restrictions were on the town camps in and around Darwin, Katherine, Tennant and Alice. Have you seen changes with that, or is it too early to determine whether that's been a good thing or a bad thing?

Ms Saunders: We don't have confirmation data, and our teams aren't reporting that there has been a change. In the past 12 months, if we go from early new year to where we are now, things have actually improved as far as consumption of alcohol in public places in that regard and with our engagements. What the team highlights is really what's happening in the hospital space potentially and what's seen by medical providers and professionals here.

Mr Vatskalis: The other thing is that the problem has got worse not because of the change of legislation but because of the influx of money from federal government to the pockets of the people. Before COVID it was

manageable. All of a sudden, after COVID, there was a lot of money going to people, Money did not go to clothes, food and other things. A lot of the money went to alcohol.

Ms SCRYMGOUR: Where is that evidence?

Mr Vatskalis: The number of people coming to town, the amount of alcohol they buy and drink and the amount of alcohol police pull out every day.

Ms SCRYMGOUR: Is there data that the council collects?

Mr Vatskalis: We don't collect this data, because we can't collect the alcohol consumption data. The police have data on the alcohol they seize or throw out. We only have anecdotal evidence. We have the number of people camping in the parks: 4,000. I don't think we've had—you and I have been here for a long time. I don't think we've had this number of people camping in the parks.

Ms SCRYMGOUR: There was a study done about 20 years ago that looked at rough sleepers. I've been trying to find that study. Has the City of Darwin looked again at that issue of how many rough sleepers you have in and around Darwin? Are you able to provide that data?

Ms Saunders: Absolutely. Our teams, especially the assertive outreach team—it's only two people, but they've been in the roles for a long period of time—have got very good knowledge of who they're liaising with. They know who the local Larrakia are that choose to sleep rough versus people who are looking for housing and alternative accommodation. One of the things that they do talk about is the new facility in Batten Road, and there has been federal funding to upgrade that facility. What our team reports is that every time they go to refer someone there isn't a bed available. It's very challenging, despite people saying there are beds available. The biggest impediment is—

Ms SCRYMGOUR: No supported accommodation?

Ms Saunders: No supported accommodation. A lot of it is obviously no-alcohol accommodation. Therefore it doesn't suit a lot of people who have high alcohol dependency. They need hospitalisation. That's what our teams report: people will choose to sleep rough primarily because at some of the facilities they can't access alcohol. That is definitely something the team keeps within the data and has access to and liaises with those people.

CHAIR: Mr O'Brien?

Mr LLEW O'BRIEN: I'm right, thanks. The previous Con answered my questions.

CHAIR: I have a question which goes to the City of Darwin's submission. You note, and you've said this in your evidence today, that a lot of the social issues affecting the community such as access to housing, welfare and health services are outside the remit of the local government. What kind of support is needed to tackle these issues, and who are the stakeholders that need to be involved?

Ms Saunders: From the City of Darwin perspective, and we are working with the Northern Territory government, liquor policy is of definite interest. We have earlier opening hours than they do, for instance, in Alice Springs. City of Darwin would like consideration of delaying the opening hours in the morning. Also the licensing of smaller outlets in suburbs becomes problematic, where we have people arriving at small supermarkets in the suburbs to access alcohol very early and then staying in the parks. The view of our team is that if we can delay the consumption of alcohol then we can look in the afternoon to get people into alternative accommodation or other services before they're significantly intoxicated or before they potentially go and have impact on other family members. That's something we'd definitely like support from the Northern Territory government for.

Also there seems to be a lot of funding that comes in through various organisations and bodies. What we don't necessarily do is have this coordinated, consistent data across different organisations that are providing support. We'd also be supportive of anything, whether it be through local governments or others, where we can assist in providing administration and framework to be able to coordinate and help other agencies collect that data so that we could be here today presenting more consistent, holistic data.

CHAIR: As there are no further questions, I thank you for your attendance at today's hearing. If you have been asked to provide any additional information or if there is anything else you would like to provide, please forward this to the secretariat by 16 December 2022. You'll be sent a copy of the transcript of your evidence, to which you may suggest corrections.

Proceedings suspended from 12:12 to 13:02

GAMBLE, Ms Seranie, Manager, Aboriginal Peak Organisations Northern Territory

PATERSON, Dr John, Chief Executive Officer, Aboriginal Medical Service Alliance Northern Territory; Member, Aboriginal Peak Organisations Northern Territory

ROE, Ms Theresa, Secretariat Coordinator, Aboriginal Peak Organisations Northern Territory

ROSAS, Ms Colleen, Chairperson, Northern Australian Aboriginal Justice Agency; Member, Aboriginal Peak Organisations Northern Territory

THOMPSON, Ms Skye, Chief Executive Officer, Aboriginal Housing Northern Territory; Member, Aboriginal Peak Organisations Northern Territory

CHAIR: We'll now recommence this public hearing of the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs for the inquiry into community safety, support services and job opportunities in the Northern Territory. I now call the representatives of the Aboriginal Peak Organisations Northern Territory, APO NT; and the Aboriginal Medical Services Alliance Northern Territory, AMSANT.

Dr Paterson: We're all together.

CHAIR: One thing we love to see is people together!

Dr Paterson: Before we start the process I'd like to take this opportunity, as per custom and tradition, to acknowledge the traditional owners, the Larrakia people, for allowing us to conduct this very important meeting on their country today. I thank elders past, present and emerging.

CHAIR: Do you have any comments to make on the capacity in which you appear?

Dr Paterson: I'm here appearing predominantly with my hat on as a partner and member of the Aboriginal Peak Organisations Northern Territory.

Ms Rosas: I'm a member and partner of APO NT.

Ms Thompson: I'm appearing for APO NT.

CHAIR: Okay. As these proceedings are public, they are being broadcast and recorded by Hansard. If you wish to have evidence heard in private, please let the committee know and we will consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. If you object to answering any question, please state the reasons for your objection, and the committee will consider the matter. I now invite you to make an opening statement.

Dr Paterson: Let us first of all apologise for not turning on the weather for you guys!

CHAIR: Coming from Canberra, this is very pleasant.

Dr Paterson: It is extremely hot for us locals. Anyway, we'll cope the best we can. Can I start by thanking the committee for providing an opportunity for APO NT—the Aboriginal Peak Organisations Northern Territory—to make an opening statement in relation to this critical inquiry into community safety, safety services and job opportunities in the Northern Territory. We join the Central Land Council, Northern Land Council, Tiwi Land Council, Anindilyakwa Land Council and the Northern Territory Indigenous Business Network in making up the APO NT alliance, which dates back to 2010.

APO NT is the leading Aboriginal representative body for the Northern Territory. It comprises Aboriginal community controlled organisations which, between them, represent all Aboriginal Territorians. The alliance was created to provide a more effective response to key issues of joint interest and concern affecting Aboriginal people in the Northern Territory. This includes providing practical policy solutions to government. APO NT is committed to increasing Aboriginal involvement in policy development and implementation, and to expanding opportunities for Aboriginal community control. In that regard, APO NT is also part of the coalition of Aboriginal and Torres Strait Islander community controlled peak organisations, which negotiated the national agreement on Closing the Gap. This agreement was formed with the Morrison coalition government and has since been supported and adopted by the Albanese Labor government.

APO NT is funded by the Commonwealth and Northern Territory governments, and it is worth highlighting that APO NT also received a significant injection of financial support recently to work with both governments on the next phase of support for Aboriginal Territorians. The committee needs to appreciate that APO NT has worked constructively with both coalition and Labor governments. Our focus is working in partnership with the government of the day to achieve the best outcomes for Aboriginal Territorians.

The purpose of this opening statement is not to comment specifically on each of the terms of reference—including what shape they might take going down going forward for Aboriginal people in the Northern Territory. Some of our members are appearing and providing submissions for that purpose, reflecting their individual program and service responsibilities in these different areas. Instead, noting that the inquiry is directed at considering the preparations made for the sunset of the stronger futures legislation, the purpose of the statement is primarily to reflect on how this legislation came about and where we are now, with a view to proposing a way forward that will lead to much better life outcomes for Aboriginal Territorians. However, I'll hand over to Teresa at the end of my colleague Colleen's speech here, and Teresa will make specific points about remote jobs, given our historical work developing the 'Fair work and strong communities' proposal and submission.

APO NT's key points are, firstly, that the Commonwealth must continue to provide significant financial support over and above what it provides to other jurisdictions, for the purposes of closing the gap in the Northern Territory. The gap is greatest in the Northern Territory, compared to other parts of Australia. The Northern Territory government does not generate sufficient revenue to meet the needs for programs and services for our people, and the Commonwealth still has significant and unique policy responsibilities in the Northern Territory, including the administration of the Aboriginal Land Rights (Northern Territory) Act 1976. Secondly, while the additional Commonwealth support needs to be continued, it must be delivered in a very different way to how it has been provided since the intervention commenced in 2007. That way must reflect the priority reforms agreed to by the Commonwealth and the Northern Territory governments in the National Agreement on Closing the Gap, the centrepiece of which is shared decision-making between them and representatives of Aboriginal people on policies, programs and services.

APO NT is convinced that community safety, support services and job opportunities will significantly improve for Aboriginal Territorians if the priority reforms are fully implemented in the next phase of additional Commonwealth support from Closing the Gap in the Northern Territory. It is also convinced that this must be reflected in a formal agreement between the Commonwealth, the Northern Territory government, and including APO NT. We stress it must include the Aboriginal Peak Organisations of the Northern Territory. Without a formal agreement, where APO NT is not fully supported of any mixed phase, we will never be able to break from the negative effects of the intervention, particularly the disempowerment of Aboriginal people and their representative organisations. To proceed without a formal agreement that includes APO NT as an equal partner, risks the perception that the next phase of Commonwealth support amounts to another intervention.

Where have we been? All members of the committee will know that the stronger futures legislation originated from the intervention. It is now over 15 years since the intervention started, without any prior consultation with Aboriginal Territorians. Developed in secret by the Howard coalition government, a range of measures were imposed on remote communities, which turned the lives of our people upside down, including mandating income management for everyone not working, and compulsory leasing of living areas to the Commonwealth.

Supposedly, the intervention was in response to the disturbing findings of the Little Children are Sacred report. In fact, truth and children were swept under the carpet, and it was much more about imposing poorly conceived policy on us that the coalition thought would improve our standard of living, which has been steadily declining because of the lack of support from the Commonwealth and the Northern Territory government for decades.

A senior Howard minister subsequently admitted that the intervention was motivated by politics, and particularly that it could help win the 2007 federal election for the coalition. In the meantime, the Racial Discrimination Act was suspended in relation to the intervention, and racially discriminatory measures were imposed on our communities that would be intolerable for the rest of Australia.

The election of the Rudd Labor government brought about a review of the Northern Territory emergency response and the reinstatement of the Racial Discrimination Act. The Commonwealth also negotiated the first national partnership agreement under the Intergovernmental Agreement on Federal Financial Relations to provide the Northern Territory government with substantial new funding to deliver services relating to health, education, housing and policing to our communities, which were originally funded under the intervention.

At the end of five years, which the coalition government had originally envisaged its intervention lasting for, in 2012 the Gillard Labor government announced a new initiative, Stronger Futures in the Northern Territory, to provide additional support to our communities. Stronger futures was a significant advance on the intervention. It was preceded by comprehensive consultations with our communities and organisations, and had regard to an independent evaluation. It made a new investment of \$3.4 billion over ten years, including for our beloved homelands.

Nevertheless, despite Aboriginal people welcoming the Commonwealth's unprecedented funding commitment for ten years, and the provision of family and children's services never seen before in remote communities, stronger

futures remained controversial. This is because the initiative included in the stronger futures legislation maintained measures like the blanket bans on alcohol consumption across Aboriginal land, even if reforms were contemplated. It was never clear if the intervention had ended. APO NT was also concerned that the Northern Territory government was benefiting much more from the funding than the Aboriginal community-controlled service sector.

Finally, this period also saw the dismantling of the Community Development Employment Program as an employment scheme, and its replacement by the Gillard government's Remote Jobs and Communities Program. It, in turn, was dismantled by the Abbott government, who replaced it with the Community Development Program, which the Morrison government announced would also be replaced.

Meanwhile the coalition government, elected in 2013, was reluctant to support the stronger futures initiative. While it left the stronger futures legislation in place, it slowly withdrew resources for its implementation, including for useful measures such as stores and licensing, while alcohol management plans to replace the alcohol bans were not pursued.

It also renegotiated the stronger futures funding package with the Northern Territory government, replacing the stronger futures national partnership with a seven-year Northern Territory Remote Aboriginal Investment National Partnership, otherwise known as NTRAI. This occurred without the formal involvement of APO NT and without our agreement. The indications were also that the Commonwealth was not going to continue to provide additional support once the NTRAI and stronger futures legislation finished. The NTRAI stated that the Commonwealth funding was being provided on a once-off basis to provide additional support to address disadvantage and that it was not anticipated that the Commonwealth would provide any further funding for these activities beyond the expiry of the agreement.

In addition, while a limited internal review was undertaken, no independent evaluation was organised by the Commonwealth that might inform everyone of what had been achieved and, most importantly, what needed to be done going forward. The stronger futures legislation was allowed to finish without any formal process for deciding 'where to next' that included APO NT. No transparent process was put in place that involved us in order to make decisions about what should occur, including considerations to extending the stronger futures legislation. Instead, the Commonwealth decided that the Northern Territory should take over responsibility for administering alcohol restrictions and any other measures in the stronger futures legislation. Not surprisingly, there was confusion and harm to Aboriginal people during this transition.

The good news is that in February this year the coalition government announced it would extend NTRAI for another two years, bringing the total investment since 2015-16 to over \$1 billion and enabling further consultation with the Northern Territory government and APO NT about future arrangements. APO NT will receive \$3 million from the Commonwealth to support its involvement in future arrangements. This was followed up by the Labor government announcing in October that the two-year extension to NTRAI had been signed. Importantly, it also announced that during the extension period the Commonwealth will work in partnership with APO NT and the Northern Territory government to design options for future investments in remote Aboriginal communities, giving life to the priority reforms identified in the National Agreement on Closing the Gap.

I'll now take a rest and hand over to my colleague Colleen.

Ms Rosas: So, what should the committee make of this history lesson? Firstly, the intervention in 2007 was discriminatory. It hurt our Aboriginal people across the Territory and has left an indelible stain on the relationship between the Commonwealth and our people. It's APO NT's view that this should never be allowed to happen again and that, if a constitutionally enshrined Voice is established in the way intended, this should prevent a reoccurrence.

Meanwhile, there are some positives, particularly the provision of much-needed new investment by the Commonwealth in our communities. In this regard APO NT acknowledges the substantial funding provided by the coalition and Labor governments and that there have been benefits, including sorely needed additional housing support. The history also reveals some ongoing problems that have occurred since 2007. These include frequent changes in Commonwealth policies and programs that have disempowered and frustrated Aboriginal people—unfortunately exemplified by the changes around employment services, which have been a failure since 2007. Another problem is the failure to properly commit to formal mechanisms to enable shared decision-making with our people in relation to policy and programs, despite its being demonstrated time and time again. When Aboriginal and Torres Strait Islander people have a genuine say in the design and delivery of services that affect them, better life outcomes are achieved.

Another one is too much of the Commonwealth investment being directed to the Northern Territory government and insufficient resourcing and support for the Aboriginal community controlled sector. The National Agreement on Closing the Gap acknowledges that Aboriginal and Torres Strait Islander community controlled organisation

services are better for our people. They achieve better results, employ more of our people and are often preferred over mainstream services. Then there is the lack of structural transformation of mainstream government organisations to improve responsiveness to the needs of our people and accountability. For APO NT, the most unfortunate example is the NT police, which are presiding over increasing levels of incarceration of our people while falling into disrepute over the killing of a young Aboriginal man at Yuendumu by a racist police officer.

There's also the problem of poor access for Aboriginal community controlled sector organisations to location-specific data and information about our people to make better decisions with government about priorities and needs. There's a lack of coordination and integration of programs and services across the Commonwealth, and between it and the Northern Territory government, which causes poor planning, ongoing confusion on the ground and poor decision-making, which reduces greatly the agency of Aboriginal people.

Meanwhile, the evidence that we have, including from the Productivity Commission, is clear that the gap in life outcomes continues to be widest in the Northern Territory. What is the way forward? The commitments made by the former coalition and Labor governments to more funding to support the Northern Territory in closing the gap were welcomed by APO NT, as were their commitments to the involvement of APO NT in the design of programs and services. However, on their own, they're not sufficient without a formal agreement that has APO NT as the signatory. APO NT has learnt from experience already that formal agreements contain several benefits, including public transparency about agreed arrangements and much greater accountability of all the parties, and they provide the platform for greater coordination and integration.

The National Agreement on Closing the Gap, which we note was developed and negotiated with the former coalition government, outlines strong partnership elements, including a formal agreement in place that is signed by all parties and that (1) defines who the parties are, what their roles are, what the purposes and objectives of the partnership are, what is in the scope of shared decision-making, and what the reporting arrangements, time frames, monitoring review and dispute mechanisms are; (2) is structured in a way that allows Aboriginal and Torres Strait Islander parties to agree the agenda for the discussions that lead to any decisions; (3) is made public and easily accessible; and (4) is protected in state, territory and national legislation where appropriate.

APO NT is also of the view that the agreement should be negotiated under the Council on Federal Financial Relations, the CFFR, new governance arrangements for Commonwealth-state funding agreements, known as the Federal Funding Agreements, FFA, Framework. This will give the agreement the status and authority to ensure compliance by government parties and enable APO NT, on behalf of Aboriginal people across the Territory, to be directly involved in decision-making, implementation, monitoring and evaluation arrangements. APO NT is not aware of any reason why APO NT should not be able to be a signatory, and that's consistent with the National Agreement on Closing the Gap.

APO NT is convinced that, if we're going to avoid repeating the mistakes of the past, a formal agreement is needed as the principal vehicle for additional Commonwealth support and to provide the effective services that are the subject of the committee's inquiry. We ask the committee to recommend that this occurs. I'll now hand over to Theresa, the APO NT secretariat coordinator, to speak about remote employment.

Ms Roe: We welcome the opportunity to give evidence on this important inquiry. I have worked in the public sector and Aboriginal community controlled sector for over 40 years. I'm speaking on behalf of APO NT on the specific area of job opportunities and the Community Development Program reform. The employment gap between Indigenous and non-Indigenous people in Australia continues to be a wicked policy problem. The gap in employment is most pronounced in the Northern Territory, compared to other jurisdictions, and especially so for Aboriginal people living in remote and very remote locations.

While recent developments, including commitments to reform the employment benefit systems, are encouraging, we remain cautious. We are concerned that APO NT remains on the periphery while significant decisions are being made on employment policy and programs. This is a missed opportunity given the breadth and depth of knowledge, experience and sustained efforts that APO NT and its supporters have made for many decades in advocating for fair and just employment for Aboriginal people in the Northern Territory.

Indeed, Aboriginal people, communities and organisations of the Northern Territory have been persistently clear on the advocacy for Aboriginal people, especially with regard to remote employment and economic participation. The prevailing sentiment is one of disappointment, so much so that in 2017 APO Northern Territory, through the sheer tenacity of its members, developed and advocated for its own remote jobs proposal, the Fair Work and Strong Communities. This proposal was developed and endorsed for an alliance of Indigenous and non-Indigenous community development program providers around Australia and with other supporters. This proposal recognises that it's not just the form of labour market assistance that matters, but the extent to which it can be seen as a vehicle

for local decision-making and the rebuilding of local authority, in tandem with creating meaningful jobs directed to meeting the needs and aspirations of our people and their communities.

Its first key element is governance arrangements that embed Indigenous control at every level from the development of a national policy to its application on the ground. This must include the ability for local communities to set goals and adapt program settings to local circumstances, and the establishment of governance arrangements that enshrine in law Indigenous leadership of the program at a national level. We assert it is not for Aboriginal people to overcome barriers or political inertia that enable economic development in remote NT. Instead, the obligation should be borne by the government and the wider community to ensure employment settings are inclusive and economic benefits are shared equally. The employment gap is evidence of the government's failure, not a failure of Aboriginal people. The Australian government must not demote these failures to a fringe issue owing to the relatively small numbers of Aboriginal people impacted relevant to other jurisdictions, nor should remote Aboriginal employment be relegated to the too-hard basket due to its complexity. We know that by digging into the heart of these issues there are solutions, benefits and lessons for all.

The key elements of the Fair Work and Strong Communities proposal that APO NT developed are to increase the proportion of Aboriginal people in communities in work; to create new jobs, to have a remote jobs investment fund on a sufficient scale to make a substantial contribution to closing the gap; remote jobs; more local Aboriginal people in work that is available focusing on youth; stimulate Aboriginal businesses, enterprises and economic development; increase participation of those who can work and get the right help for those who cannot; and increase community involvement in decision-making. Aboriginal people have always had the solutions and the Fair Work and Strong Communities proposal puts their voices and solutions front and centre. We ask that, unlike the intervention and the stronger futures, Aboriginal people in the Northern Territory are at the front and centre of the major policies, legislative and funding reform. Thank you.

CHAIR: Thank you. Are you tabling those reports, Dr Paterson?

Dr Paterson: Yes, we can make that available. We'll get the secretariat forward it to the committee.

CHAIR: That's the three of them?

Dr Paterson: Yes.

CHAIR: Thank you very much. Senator Liddle.

Senator LIDDLE: In your presentation you talked a lot about dislocation, disruption and change. I'm not sure about where this is at, exactly, but I want to ask about the Indigenous Health Workforce Strategy that was announced earlier this year. Has that been changed or is it still in effect? Has there been any change to that to your understanding?

Dr Paterson: I take it you're referring to the 500 places that the government recently announced?

Senator LIDDLE: Yes.

Dr Paterson: As I understand, the government has made a decision that NACCHO—the National Aboriginal Community Controlled Health Organisation—will take responsibility for the implementation of that initiative. To the best of my knowledge, those processes are being negotiated and worked through as we speak. I suppose they'll get a bit of the detail out in the rollout.

Senator LIDDLE: Given the workforce target there, the low population in the Northern Territory and having the largest gap in the Northern Territory—also the highest alcohol consumption per capita and the highest rate of hospitalisations and deaths due to alcohol misuse in Australia—how are you going to overcome the workforce challenge of finding people to deliver? If you take the assumption of social determinants of health, pretty much every single one of these 17 outcomes and targets in the *Closing the Gap* report relies on a better health wellbeing outcome to deliver those.

Dr Paterson: If we had the solutions and the answers, we would be well advanced. I think this provides us an opportunity. I think we all understand and would agree that workforce shortages are right across the nation in all sectors and all industries—agriculture, and all those sorts of things—including the Aboriginal health sector. I think we need to be creative and innovative, and it needs to be led by government. From our perspective it's the Commonwealth government that needs to take the lead on this. We've got to do business differently than we've been doing in the past. The past has not worked. We've put up proposals, which Theresa has alluded to, including the remote jobs proposal. It has been sitting somewhere in Canberra—somebody has been naval-gazing, or whatever—and there's no progress. This is a document, as Theresa alluded to, involving a number of key stakeholders—unions, key employer associations right around the country, Aboriginal service providers for jobs, CDP providers—putting solutions and ideas to government about how we can at least build that workforce and,

hopefully, turn those who are currently unemployed towards seeking more employment opportunities. We need to get the relevant national stakeholders together. I note there was a recent jobs employment forum, wasn't there? I wasn't privileged to attend that—

Senator LIDDLE: You didn't get invited to that?

Dr Paterson: No, I didn't get to it. I haven't seen the report, either. But one of the key features of all of that, particularly where there is predominantly Aboriginal unemployment, is that the government has to trust the Aboriginal providers and the Aboriginal community controlled sector to lead and drive that. We have the contacts, we have the networks. Just take a look at all the good work land councils are doing around the ranger program—what a successful program that was! And why? Because Aboriginal community controlled organisations are leading it. And it's meaningful work; it's not counting numbers. We need to get away from all that bureaucratic red tape, all that irrelevant compliance reporting business, and give the support, the trust and the responsibilities to those organisations that have the capacity and the workforce to be able to lead and implement this change. We've got to do something different. We can't just keep on doing the same old, same old, surely? Please, help us. We're ready. We're willing and able. Just give us the funding and the support from government.

Ms SCRYMGOUR: Thank you to John, for your opening statement, and to Colleen and Theresa. I might ask a couple of questions and then, if you want to—I'm thinking of time—you could take some of this on notice. It would be good to get some response. It's going back to the sunseting of the stronger futures legislation. We had the intervention and then fast forward. APO NT and AMSANT: were you involved with the Northern Territory government and the Commonwealth at any time through the process about the sunseting of that legislation. Given that you're peak organisations in the Northern Territory, were you involved at any level—whether through NACCHO or your own process—with the Northern Territory government through the tripartite forum? Was there discussion about the sunseting of the stronger futures legislation?

Dr Paterson: From AMSANT's perspective, as the peak health body for the NT, we weren't alerted to it until things were really coming to a close, and then, all of a sudden, bureaucrats started emailing and saying, 'Can we have a chat with you guys?' On time frames and the other sectors, I might get Seranie to share who else was—

Ms SCRYMGOUR: The reason I ask that is that in your opening statement you talked about the NTRAI—that was health, education, policing. It was all of those areas that were part of that, and that was being negotiated for an extension of two years. During that, what was the discussion between AMSANT, APO NT, the Commonwealth and the Northern Territory government?

Ms Gamble: Thank you for the question. Just to clarify, APO NT has been going through considerable change, particularly this year, after being auspiced under AMSANT for the last 10 years. We've recently moved to being auspiced under NAAJA. Through that time is when the sunseting has occurred. Towards the end of last year, prior to my personal involvement at APO NT, there were some high-level workshops that occurred with APO NT members and members of the government to talk about the sunseting of the legislation. That's what kicked off some discussion and negotiation towards funding arrangements for APO NT. The specifics of the legislation's sunseting occurred I think in November last year—November 2021. That was the first time there was any discussion about it. Since then there have been individual conversations with the government and individual members of APO NT that had occurred at that time.

Ms SCRYMGOUR: Were they regarding the investment or what was going to happen going forward, John?

Dr Paterson: It was about the main measures except the alcohol one, which, as you'd be aware was going to change at midnight on 16 July this year, I think it was. Restrictions were ending and—

Ms SCRYMGOUR: Do all members of the alliance agree to the lifting of the alcohol restrictions, for instance?

Dr Paterson: NAAJA, AMSANT and Aboriginal Housing Northern Territory objected. We put in an official—
you guys put in an official—

Ms Thompson: Yes, did a joint statement.

Dr Paterson: We put in a joint statement objecting to that immediate, overnight, lifting of restrictions, but give us the same remaining period that they agreed to with the other measures around policing, safety, education and those others for an extension until 30 June 2024. We've got good leeway, a good bit of time. It's still a little bit rushed, but it's given us ample time to sit down with governments—both levels; all governments—and negotiate what's the best way forward. Unfortunately, for the alcohol one it was sort of 'this is the way it's going to happen'. I might read a statement, if you wouldn't mind, and I'll put my AMSANT hat on and take my APO NT one of. These are some speaking points, and you'll get an update on Friday from one of our major service providers in Alice Springs, I understand, from congress. The speaking points for today from AMSANT: 'AMSANT is concerned about the increase in harm that is being caused by the abrupt removal of alcohol restrictions with the sunseting of the

stronger futures legislation without allowing sufficient lead time to properly consult with communities and put in place effective community supported measures for managing alcohol.' Secondly: 'The hurried opt-in approach has not served our communities well.' Third: 'This was failure of government, both Commonwealth and Northern Territory governments, to allow sufficient lead time for a process to engage with Aboriginal people communities and other relevant stakeholders to prevent what were entirely foreseeable impacts and harm to Aboriginal communities.' Fourth: 'We have seen across the Northern Territory an immediate and significant increase in the number of alcohol-related assaults and the number of domestic violence assaults where alcohol is involved as a result of the removal of the restrictions.' Fifth: 'This is why we called for an extension of the restrictions while a proper process occurred, and ideally there would not have been a need to extend the restrictions if the relevant governments had acted much earlier.' Finally: 'In the current circumstances we now have to play catch-up and institute a data-monitoring process to identify areas where there are hotspots in alcohol harm and impacts and put in place harm-minimisation responses.'

Ms SCRYMGOUR: With the negotiations that were occurring back before the sunset of that clause, was there a view from AMSANT to the Commonwealth government that the alcohol restrictions in the in the stronger futures legislation should come out or should remain?

Dr Paterson: Good question, Ms Scrymgour. I might have to take that on notice. We were concerned about predominantly the lead time of making this sunset legislation just change from one day then all of a sudden to the next day, and our argument was we needed ample time to go out and hold community consultations with those that wanted to open up to have alcohol in their communities. They needed to come up with good alcohol management plans and compliance measures. How are they going to police all the people misbehaving? Are they going to be selling food? Are they going to be selling light beers or heavy beers? There are a whole gamut of issues that we wanted the opportunity to go out and consult with the communities on, and unfortunately the Territory government came in with this opt-in approach. I can't tell you currently the numbers that have opted in. I just don't have that evidence or information at hand.

Ms SCRYMGOUR: So should it just have been opt-out?

Dr Paterson: That was our preferred option. Our preferred option was not to have one.

Ms CHANEY: I have just one question. You say you've seen an immediate and significant increase in the number of alcohol-related assaults. What does the data show? How big is that increase? How clear are the causal connections on that?

Dr Paterson: Ms Chaney, you'll get specific evidence from congress, because that's where we've seen the biggest impact, around Central Australia, bits of Katherine and Darwin, obviously. Unfortunately, we don't have the data. We're still negotiating with the Territory government about establishing this alcohol data monitoring, and that's being still negotiated. So we're getting evidence from police at this point in time, from the—

Ms SCRYMGOUR: So why has there been a reluctance, John, from the Northern Territory government to give real live data monitoring, given it's so critical to the development of these programs?

Dr Paterson: Ms Scrymgour, I really don't know the answer to that. We've advocated for it. We said, 'Look, we need live data,' given that we're starting to get anecdotal evidence that there are increases in emergencies, domestic violence deaths, pedestrian deaths—that has gone through the roof in recent months. We need to have that data so that we can have all the relevant, updated, live data at hand so hopefully we can make informed decisions about where we need to put in perhaps more restrictions or put in other measures to prevent some of that terrible spin-off from alcohol-related consumption. Sorry, Ms Chaney; did I answer your question?

Ms CHANEY: It sounds like we don't have the data.

Dr Paterson: One of our major member services, the Central Australian Aboriginal Congress, will present data that they collect through their clinics, which I unfortunately am not privy to, because I'm not a member of it, but you'll certainly get a good picture of how it's trending in Central Australia.

Senator LIDDLE: I know that your earlier work is at the health interface, but one of the things that came to be of immediate concern for me was the increase in alcohol consumption in those families where there is already existing trauma associated with that alcohol consumption. Do you have any ability to understand a situation we all know is real, where police are called, children are around and those children get separated for a period of time? Without some intervention in that area it's actually going to result in greater numbers of kids being separated for longer periods of time, quite simply because the mother or father has called because of alcohol abuse around them, not necessarily direct impact, and result in trauma to the family. Do you have any ability to work in that?

Dr Paterson: I might ask our chairperson to make comment.

Ms Rosas: We've had lots of concerns around the removal of children and the rise in crime rates of our young people. In Alice Springs in particular we've been working with the local traditional owner group to look at what we can put in place, but that's mirrored right across the Territory here—the shopping centres and stuff. It brings me back to that a lot of the children being put into the Don Dale institution have already been removed from their families. They're in care of the minister here, and they are a lot of the children that are on the streets late at night and have been involved in break-ins and things. They've already taken the children from family. What we're looking at is we need to get our people back on board here and not people coming to this country from other countries that see our children as an industry, because the removal of Aboriginal children and the payments to foster-parents and carers is an industry within itself. So as Aboriginal people we've been looking, there are grandmothers groups being formed and we're trying to work between Alice Springs and Darwin, creating our own Aboriginal childcare agency. We're the only state or territory in Australia that don't have one.

We're working at that level. We've got major concerns about the removal of our children. It will be another stolen generation, but we need to get the kids out of the towns and out of these care homes and whatever they're put in. I understand there has been another one set up in Alice Springs, but the research we've done is so many of these children are self-harming. There's a group of people that have been protesting for quite a long time now. We've got our children in Don Dale. They are building a new centre out near Holtze, and I've seen something that it's going to be kindergarten for the big boys jail. That's the stuff happening. They need to have Aboriginal people at the table. These are our children, our future, and at this stage there's so much going across. We're all concerned. But I guess that government needs to talk to APONT and our people here around the table so we can put out and co-design stuff for it. It's not working. It's a failure on behalf of our kids at the moment. So that's what we're looking forward to, hopefully.

CHAIR: Thank you for your attendance at today's hearings and for the information you've delivered. If you've been asked to provide us with information, we look forward to that, and if there's anything else you would like to provide, please forward it to the secretariat by 16 December this year. You'll be sent a copy of the transcript of your evidence, to which you may suggest corrections. There may be questions that we will submit to you for further responses. Thank you very much.

PERIS, Ms Nova, OAM, OLY, Founder/Director, Nova Peris Foundation

PURUNTATAMERI, Ms Constance, Traditional Owner, Nova Peris Foundation

PURUNTATAMERI, Ms Nikita, Traditional Owner and Sea Ranger, Nova Peris Foundation

[13:49]

CHAIR: I now call the Nova Peris Foundation and I thank them for their patience throughout the course of these hearings. In what capacity are you appearing today?

Ms Peris: I'm here in the capacity to talk about job opportunities in remote Aboriginal communities and other matters.

Ms N Puruntatameri: I'm a traditional owner of Munupi clan group. I also work for Tiwi Islands Land and Marine Rangers.

Ms C Puruntatameri: I'm a director for Munupi clan. I'm helping Nova for our project.

CHAIR: As these proceedings are public, they're being broadcast and recorded by Hansard. If you wish to have evidence heard in private, please let the committee know and we'll consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. If you object to answering a question please state the reasons for your objection, and the committee will consider the matter. I now invite you to make an opening statement. I think you're going to show us a short presentation of some type.

Ms Peris: That is correct. Rather than giving an opening statement, I've got a short video which gives an overview and the reason why I'm here talking about my foundation.

A video was then shown—

CHAIR: Thank you.

Ms Peris: I wanted to show you that because that gives you an overview of the why. Also, being a former senator, I understand; I've been around a long time, and at my ripe old age of 51 and hear Mr Patterson talk about how we can't keep doing the same things and expecting a different result. Obviously, the start of that video talked about the third federal inquiry in 11 years with regard to food pricing and food security. That was almost the start of COVID. I wanted to do it because I saw an outcry from Aboriginal communities. They couldn't leave to go and hunt, and people and things couldn't come in. It's not rocket science. I'm not trying to reinvent the wheel; I'm trying to build a community hub. We've heard from a number of people who have presented here before talking about the hopelessness, the homelessness and the lack of opportunities for mob, in particular here, that come in. They transit here. They're stuck here. It is also trying to create a vibrant social enterprise hub in remote communities. Why the Tiwis? I'm not Tiwi. I don't proclaim to be Tiwi—I never have—but I have a profound love of the Tiwis.

The other place I've been speaking to for the past 18 months—a full consultation—is in Yirrkala, so the Tiwi Islands and Yirrkala are the two sites where we'd be looking to commence and I've done a significant amount of work. But, in order to do what my charity wants to deliver, I need access to land. The site on the Tiwis—I've also given everyone a pack. I've listed for you 17 bits and pieces of correspondence. I was just going to go through a couple of these because I've got Nikita and Constant here to support me, because they have been on my journey for the past 18 months with regard to the consultation process for me to be able to deliver my project on the Tiwis.

No. 1 is just the foundation overview. It's got a lot of stuff in there with regard to the objectives. No. 2 on the page is a letter from the Hon. Linda Burney with regard to my application for development in Pirlangimpi. I'm here presenting because I hear APO NT and the witness who was here before talking about addressing the elephant in the room, where mob have come in and don't have a lot of opportunities. I'm here to talk about my sublease, which has been held up with the Office of Township Leasing. No. 3 addresses the charitable status of my foundation number.

On 12 September this year I was up to 19 months of consultation with the Munupi clan. I presented at a full Munupi clan meeting with 95-plus traditional owners, who said yes. They said yes to opportunities. The reason I need to address my sublease with the Office of Township Leasing is that the Munupi clan in 2017 signed a 99-year lease over to the Office of Township Leasing. So I've been dealing with traditional owners and I'm here to shine a spotlight on the 95-plus traditional owners who said yes. It was recorded in the minutes and it was moved by Derek Heenan, who is Constance's son, and seconded by Dennis Tipakalippa, who are both traditional owners. These minutes were tabled at the directors meeting of the Munupi Pty Ltd, which Constance is a director of, and agreed as a correct record. So you can see all that.

No. 5 is the site. The site for that is the old mission site, and it hasn't been touched since the mission's closure some 52 years ago. Attachment No. 6 is the letter of objection from the Office of Township Leasing, and I'll address that later in my concerns. No. 7 is a letter from Mr Peter Jess, who is the treasurer on the board of my foundation. He's the principal accountant and treasurer. I also have Professor MaryAnn Bin-Sallik. A lot of Aboriginal people would know. I'm sure you know Professor MaryAnn Bin-Sallik, Chair. There is the incredible Jeff McMullen, human rights activists; Dr Kris Rallah-Baker, President of the Australian Indigenous Doctors Association and the only Aboriginal eye surgeon; Damien Meredith, Chief Operating Officer of Kia Motors Australia; and Dr Stephanie Hagen, who's an Aboriginal doctor in the Kimberleys. Attachment No. 7 is a letter from Peter Jess, who has said that he's met with Connie, Constance and myself in Melbourne and his concern is that the OTL cannot unreasonably deny the acceptance of the Munupi clan's approval of the fresh proposal for the sublease. At the moment—and Nikita can draw on this—since 2017 I'm apparently one of very few people that have actually put in an application for sublease.

The next one attachment, No. 8, is the support from the Tiwi Land Council when I presented to them. They're acknowledging that this is microbusiness creating jobs and opportunities for community. The newsletter from the Tiwi Land Council acknowledges my full consultations or the processes that I've gone through and the 18 months of the incredible hard work that I've spent in getting this. I presented at the AMSANT 2021 Food Summit, where Aboriginal people acknowledged that they need more infrastructure and resources in their community so they can become more independent. I presented at the Tiwi Islands Regional Council, and I got a letter of support from them. I have a letter of support from Selena Uibo and Chansey Paech, for the support for the crucial food security initiative. I have a letter of support from the member for Arafura, Lawrence Costa. And then I have the Rirratjingu Aboriginal Corporation, who are incredibly supportive in providing me access to their land because they see the benefits in it for the Yolngu people and the Yirrkala school. It is smooth sailing with the Gumatj and the Rirratjingu people.

I'm here today because after 19 months of consultation, after the traditional owner consent, which I obtained in in September, the Office of Township Leasing had a meeting with a handful of people from the community and somehow the consent for the rejection of a lease was overridden. So I'm here because the OTL is a government bureaucracy funded by the Aboriginal Benefit Account, and the OTL is a system that has somehow gone above and beyond the traditional owner consent, which I'm very upset about, because I've spent 19 months of my life speaking to traditional owners. This isn't rocket science. This is a township lease, and Aboriginal people deserve to have opportunities like every other town in Australia. They're not an outstation. The core objective of the OTL is to promote subleasing to invite economic development and social enterprise into their communities.

I wrote a letter asking the executive director, 'What is the sublease approval that you have used to assess my application, because you've given total disregard for traditional owner consent?' You can see the response there, which is gone about in a horrific way. I've asked: 'Is it not the core business of the OTL to promote social enterprise? It's a township. You should be promoting that. What's happened since 2017? How many opportunities?' And Nikita can talk a bit later about that. But in a situation where an application has strong and proven support from community, what impact has that had on the final decision? Total disregard for what I have. So in saying that, if that's okay, I'll pass over to Nikita to talk from her perspective as a traditional owner who has been present at a number of the consultation processes.

Ms N Puruntameri: You came to our community meeting twice and presented your thing for the fresh food thing, and in the community meeting everyone all agreed. When you came to our Munupi clan group meeting, we all agreed to that as well. The Munupi manager, Glenn Miller, is somehow blocking this project from happening with some other TOs. We just want to know: how can we get this thing going for Nova?

Ms Peris: So I guess it's hard—

Ms N Puruntameri: Because we're being silenced, as traditional owners, by other traditional owners that are getting paid by Glenn Miller. So I want to help Nova and get this going, but we want to get some help on how we can do this.

CHAIR: Constance, did you want to say something?

Ms C Puruntameri: Yes. When we had a meeting, we all said okay. Glenn Miller is a general manager for Munupi clan. He should be listening to us, not us listening to him. That's what I can't understand. I walked out of the door to go back home, and two weeks later my sister asked Nova, 'How did you go with the meeting? It's all good?' She said three people knocked her back. She came up and talked to me then. I said, 'I don't know who but I will find out.' It was Glenn Miller, Costa and his girlfriend—she is from PNG too—who seemed to be talking. Because they are not TOs, they should be listening to us, because we all agreed—family members, clan—for Nova to put our project back because we need young people to work. There are no jobs. Even my niece, who graduated two weeks ago, has no job. A lot of kids want to work but there is nothing. I feel shame for them.

Ms N Puruntatameri: This thing Nova is doing will help a lot of young kids get jobs, get them trained up. Maybe they will enjoy what they are doing with the food project and learn something different other than walking around in the community doing nothing. There hasn't been anything like this come through, no projects for the last couple of years. Even when we try to ask the Munupi manager, Glenn, to make a rangers program at Munupi land, just within Munupi areas, that didn't get written down or talked about.

CHAIR: You made comment about the Office of Township Leasing. Obviously that person is not here today to respond to that. Maybe this committee will need to seek a response from him in relation to what you have had to say so that he can put his case to the committee as well.

Senator LIDDLE: Is the lease in Pennie Weedon's name, as the executive director of Township Leasing, or is it in somebody else's name? Who's name is it actually in?

Ms SCRYMGOUR: The township lease gets signed to the Commonwealth.

Senator LIDDLE: So it is in the Commonwealth's name?

Ms SCRYMGOUR: Yes.

Senator LIDDLE: This letter doesn't talk about an appeals process. Are you aware of one?

Ms Peris: No. That response she had is like no. I have asked for the reason. What I find not okay is that she wants to meet with me. I don't think I should meet with her because whatever she has to say, I want it in writing. Everyone deserves an open and transparent process. I have been open and transparent about the objectives of my foundation. Like I said, I don't have to do this in Tiwi but it is a way for me to give back, to say 'thank you' for what the Tiwi people did for my mother. The chair, Uncle Pat, knows that my mob is Yawuru. I am from Broome. I am Lungga Gija from East Kimberley and I am Bunitj Gaagudju from the West Arnhem region. Those three communities are a part. I don't have to do this but I am doing it because my mum is 76 years old, a survivor of cancer. The incredible amount of work that Yvonne Dunn has done with claiming stolen generations stuff. In Wurrumiyanga Milikapiti they have vegetable gardens. They have a museum. Do you want to say what you have in your community, how much infrastructure?

Ms N Puruntatameri: We don't have so much there. We have nothing like that. We are still behind.

Ms SCRYMGOUR: We are Milikapiti.

Ms N Puruntatameri: There is no museum there, nothing there to see or for kids to learn about their family trees. We don't have that. There is nothing there. How are the kids going to know about family tree stuff when they get older, who they are connected to and other stories about the mission? How are they going to know about that when we don't have it there?

Ms Peris: Where Pirlangimpi is located, they also have a \$50 million port on the Apsley Strait. They have the opportunity to build their capacity. They are growing produce that they can export themselves. They are not utilising the existing stuff that is there for the community. Like what you were saying, Connie, I am not a mining company; I am a charity, a fully fledged charity where, ultimately, all the infrastructure will be owned by Munupi. It is not mine; I am a charity. Did you want to say what you were saying?

Ms C Puruntatameri: You are just coming, giving young people jobs, not taking. You are helping us and we want that help.

Ms SCRYMGOUR: I suppose one of the things the committee has to understand is what I understand some of these issues are. The Munupi signed the township lease to OTL. Has that made a difference to your mob?

Ms C Puruntatameri: The OTL will sign the lease. If adopted people sign the lease, that is null and void. I know the two people who signed the lease—Evan Costa and sister Barbara—and that is wrong. They are not TOs.

Ms SCRYMGOUR: Has signing the lease, though, made a difference for Munupi clan?

Ms C Puruntatameri: Yes.

Ms SCRYMGOUR: How has it made a difference to Munupi clan?

Ms C Puruntatameri: Nothing changes; it is still the same. Glenn Miller is not helping. Even Pennie Weedon is not helping. I am on the OTL as well with her. They are just for themselves.

CHAIR: I thank you for your attendance at this hearing today and for your patience. I know you have sat there very patiently all day and I thank you for that.

Committee suspended from 14:17 to 14:45

KATRAS, Ms Ekaterine (Kathy), Treatment Manager, FORWAARD Aboriginal Corporation

VERSTEEGH, Mr Stephen, Chief Executive Officer, FORWAARD Aboriginal Corporation

CHAIR: I welcome representatives of the FORWAARD Aboriginal Corporation. As these proceedings are public, they are being broadcast and recorded by Hansard. If you wish to have evidence heard in private, please let the committee know, and we will consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. The giving of false or misleading evidence is a serious matter and may be regarded as contempt of parliament. If you object to answering a question, please state the reasons for your objection, and the committee will consider the matter. I now invite you to make an opening statement if you wish.

Mr Versteegh: Thank you for the opportunity to talk with you today. Before we start, we would like to pay our respects to the traditional owners of the lands on which we're meeting here today. FORWAARD Aboriginal Corporation is an Aboriginal owned and managed corporation established by five Aboriginal ladies back in 1967. Without any support or funding, these founding members engaged a network of people who, from their homes, would provide sustenance and medical support for people living it rough in Darwin.

FORWAARD is the oldest rehabilitation service in the Northern Territory, and last month we celebrated our 55th birthday. We have been in our current location in Stuart Park, an inner-city suburb, since 1978. The land was purchased through government grants. The dwellings, which include eight bedrooms, three bathrooms, common areas and office spaces were built by volunteers over five years. To give you a picture of our services, we are in a residential location directly opposite a childcare centre and not far from shopping centres and parklands. Our neighbours are long-term Darwin residents. When we moved to Stuart Park, the Larrakia people named the site Gwalya Goolmora, which is an appropriate name meaning 'no grog'.

In 2018, we were fortunate enough to expand our services by leasing a second property directly opposite from our current location. With the two properties, we continue to operate 24-hour, seven-day-a-week AOD services which are in a safe and culturally appropriate space, to cater for up to 50 adults, supported by 19 staff. Our dedicated team provides holistic and client centred programs that include activities such as sports, health and wellbeing programs, community events, training and education, music, arts, cultural events and, of course, AOD rehabilitation. On these sites, we manage 16 mixed-gender rehabilitation beds and six women-only beds, and we have positions for 10 day clients. Also, we have five continuing-care beds for our transition home, along with 10 positions for our outreach clients. At various times this year, in particular, we have had to use our six unfunded beds for short-term use, particularly when clients reach out to us because they haven't got any places to go. Currently we are looking at opportunities to lease another 13 beds in rural locations, so we are searching for some funding to utilise these opportunities. In a nutshell, that's FORWAARD Aboriginal Corporation. Thank you for listening.

Senator LIDDLE: So your service don't do an acute response for people, like a drying-out service? You're actually only invested in rehab, managing addiction? Or do you do both?

Mr Versteegh: It's purely rehabilitation services for people with AOD, alcohol and other drug, challenges.

Senator LIDDLE: When there was the announcement of the end of the alcohol restrictions that have been in place for a number of years, coinciding, not long after, with the changes to the cashless debit card, what did that do to demand for your service?

Ms Katras: We've had an increase from various communities that we would normally not get referrals from and from the prison system as well. We've also had a lot of families—women escaping domestic violence—coming into Darwin and seeking support through us that way. So there has been a greater increase in referrals from the communities and prison referrals, also from those clients in the communities.

Senator LIDDLE: You've both obviously been involved in this area for a very long time and you know the statistics around alcohol misuse in the Northern Territory in comparison with the rest of Australia and the implications of that. How much consultation was there with your organisation in the lead-up to these changes in terms of their impact? What did you see as the likely impact on your service delivery?

Mr Versteegh: The only news that we really had of this was through the media. We didn't have any consultation with us whatsoever. We spoke about this to our directors, who are all Aboriginal people, and they too had not heard anything about this space. I guess we wouldn't normally expect to hear that sort of thing, because we're a community based organisation but we're not in the community; we're only in the community of Darwin. We just guessed that we would see an increase in referrals to our service, which happened, particularly amongst the space with women. Also, we're looking at how we might be able to support our continuing-care program as well, which is a program that's after the rehabilitation service, where we allow people to continue on with us, and they can get work or training

or whatever it might be. So we anticipated that. We felt that we needed to look for some more space, and hence my last comment in the opening statement was that we are looking for some beds, and we've got a place that we can go, and we just have to find some funding to be able to support that.

Senator LIDDLE: There are restrictions, which obviously elevated your concerns, but the speed of the change in relation to the restrictions must have conjured up, given your experience, a whole heap of thinking around: What are we going to see? How is this going to present itself, not just in the person with an addiction but in people impacted by addiction?

Mr Versteegh: We did anticipate people coming into the service, people contacting us. We anticipated that there'd probably be a bit more crime. We have a lot to do with Corrections and so forth, so we thought about how we might manage that with the guys in Corrections, to bring people to our service. Certainly all those things that you say are quite right. We felt that we would see those. But we've only got 22 beds, so we've only got the capacity to support that many people at any one time. Not right now but at times this year we've been around 110 per cent occupied. We have our non-funded beds that we can put people into. So it has been pretty busy.

Ms Katras: We've had people graduating and overlapping. They'd want to stay with us. They'd graduate on a Friday and have court on the Monday and want that support for court. We've put them in our unfunded beds so we can get clients either out of prison, coming in off the streets as self-referrals or as referrals through any other community organisations.

Mr Versteegh: To give you an example, prior to the stronger futures legislation dropping away, we sat at around 85 to 90 per cent occupancy. Now we're up to 110 per cent occupancy and could fill more beds if we had the ability.

Senator LIDDLE: Are you the only provider here in Darwin? How many other providers of alcohol rehab services are there?

Mr Versteegh: There are certainly other providers in Darwin, yes. There are several. There are seven.

Senator LIDDLE: Seven providers? Okay. Thank you.

Ms SCRYMGOUR: Stephen, is it still only men who go into your organisation, FORWAARD?

Mr Versteegh: No. We've actually got six beds that are dedicated for women, but it's only adults and we don't have families in there. The likes of CAAPS and so forth will have families and children; we don't. We have single people and adults only.

Ms SCRYMGOUR: How many beds did you say you had before?

Mr Versteegh: Twenty-two rotation beds and five continued care beds.

Ms SCRYMGOUR: Is that all just alcohol, or are there other substances that are part of that?

Ms Katras: All—drugs and alcohol, yes.

Mr Versteegh: A combination of both.

Ms SCRYMGOUR: So six beds dedicated for females?

Mr Versteegh: Yes.

Ms SCRYMGOUR: And the rest are for men?

Mr Versteegh: No, it's a mix. We've got seven ladies. We've got the seventh coming in tomorrow, I think.

Ms Katras: Just the six are dedicated.

Ms SCRYMGOUR: How many of those 22 beds are court mandated?

Ms Katras: Well, let's just use the last three months because that gives us a better figure. We were probably sitting around, I think, 60 per cent. We had a huge increase in self-referrals. It was probably even 50 to 60 per cent. A referral from a lawyer or Community Corrections is sometimes a request from the client seeking help as well. Although they're under the corrections banner, they have chosen to come to FORWAARD, perhaps because they have been there before or want to get help for their substances use.

Ms SCRYMGOUR: You were saying that before stronger futures ended you were seeing around 80 per cent but now you're seeing—

Mr Versteegh: Occupancy rate, yes.

Ms SCRYMGOUR: Occupancy rate. But now you're seeing, what, over 110?

Mr Versteegh: Except for right at this point in time. Come Christmas time we tend to lose a few people—going back to families and so forth. But up until that time it was 110 per cent occupancy rate, around about that.

Ms CHANEY: How long do people tend to stay with you?

Mr Versteegh: The general view is that three months is the length of time that people stay. We say that's the minimum time people need to start to recover. We just say that's a minimum time people need to start to recover. So generally we have a person stay with us on average for about two or two-and-a-bit months. Now we're getting more and more going through for three months, but we're actually starting to see people stay with us for four, five and six months. That stuff's really important to understand, because they're not ready to go back to community or to their families, so they want to stay with us to get that little bit stronger. We have started seeing people who just want to be part of our organisation, so we do have a day program as well. People can go home of a night-time but come back to us in the day and spend time doing our recovery programs or whatever it is that we're doing that particular day. So, to answer your question, generally three months is what people will stay, but we see people staying a lot longer than the three months.

Ms Katras: We encourage that. Also, our transitional house is full. Unfortunately, we only have five beds. That's an opportunity for our clients to transition into a space where they are supported, where they reintegrate back into society. What that means is they are supported through finding jobs and through reunification with family, and they get training. We know evidence based research says you need 12 to 18 months to fully recover, so we find our greatest success is in that space where we're able to support them. And, when they do go back to the communities, they feel that they are ready to be that role model.

Mr Versteegh: Probably more important than that question that you asked is how many times they come back, because we get people coming back multiple times. If you've ever tried to give up smoking, you probably found you didn't do it the first time round. We find it's the same with people going through AAD—they don't do it the first time round. So the fact that they feel comfortable to come back for a second, third, fourth or fifth time to us is really important. They feel safe to come to our organisation to get the support that they need, and we need to tailor support for them to suit them, so what they do on the first time with us will not be the same when they come in the second time or the third time and so on.

Ms Katras: It goes beyond the AAD education and addresses trauma and everything that needs to be addressed.

Ms CHANEY: In terms of occupancy, I'm really interested in evidence to show the impact of the sunsetting of stronger futures. You said you've moved from an, on average, 90 per cent occupancy to 110 per cent, so let's say that's about 20 to 24 people. Do you have data on referrals that back that up or that might show a bigger increase? Obviously, if you're at 110 per cent, you're turning people away.

Ms Katras: Yes.

Ms CHANEY: What's happened to the referral data over time, or don't you record it like that?

Ms Katras: We do record it. I can't actually give you statistics. I haven't prepared for those statistics. But when we say we turn them away we never normally turn them away. If someone is suitable to join our program, what we do is we give them the next available bed, and, should that person still be incarcerated until that specific time, we like to try and capture their release from prison straight into our organisation. I'd be happy to supply the increases to you.

Ms CHANEY: That would be great—or wait times or whatever data can show the scale of that impact.

Ms Katras: Yes, for certain, because we see the referrals, and we see that they're coming in from communities that they never used to come in from before.

Ms CHANEY: When you say that, that's because they are communities that used to be dry that aren't anymore?

Ms Katras: Yes.

Mr Versteegh: I can't give you the figures either, but I can categorically tell you that the numbers of people now waiting for our services has increased since that time.

Ms Katras: This is just the alcohol and drugs space. We also have a lot of families that ring up seeking assistance for how to assist their children coming into town from domestic violence, so there are things that are done off the record as such. Every phone call you pick up, you try and record those things. It's just impossible to capture that space.

CHAIR: Who provides the funds for your work?

Mr Versteegh: Eighty-five per cent of our funding is from the Northern Territory government. We also get some funding through PHNNT, which is the primary health network in the Northern Territory, for our counselling, and we get \$10,000 from the Department of Social Services for emergency relief funding. They often increase that funding as needed to probably \$15,000. It's needed money, but it's not a great deal. We're also funded through NIAA, whose funding, if I may say, over the five years I've been here has been at the same level for the entire time. So in terms of providing support it's actually gone backwards.

CHAIR: Does the treatment require detoxification? If so, where does that take place?

Ms Katras: Sometimes it does. If they're coming from prison then obviously they don't require it; they're already detoxed. If they come into our centre off the streets—

CHAIR: Can I ask whether that's a formal detox or if they're just dried out and—

Ms Katras: I couldn't answer how it happens in the prison system. But if someone comes into our centre then obviously we do an assessment of how much they've consumed and when they've consumed it, and obviously there's a safety risk around alcohol withdrawal. So we send them to Stringybark. We take them there and then, once they do their four or five days or whatever is recommended there, they return to us. If it's someone who perhaps has just lapsed—come out of being dry for awhile, or abstinent from drugs and alcohol—we would just take them to a doctor who knows the withdrawal medication required for methamphetamine or alcohol.

CHAIR: Are there any detox centres or facilities outside of Darwin?

Mr Versteegh: There is in Alice Springs. I'm not sure about any other location.

CHAIR: There are none in Maningrida or Port Keats or—

Mr Versteegh: No.

CHAIR: None of these major communities?

Mr Versteegh: Not that we're aware of.

CHAIR: You said you started in 1967—that's a long time ago—and by five ladies, five women.

Mr Versteegh: Yes, five Aboriginal ladies.

CHAIR: Over that decades, what kinds of government measures have worked well to help address alcohol and drug misuse in Aboriginal communities? And what measures didn't work well?

Mr Versteegh: The one where I think we saw the best for us was the COMMIT Program that we were involved with. That was a corrections program for which we had funding for a couple of years. That COMMIT Program had two programs. One was for rehabilitation services for people specifically from the corrections services. That was nine beds and it enabled us to support people who came out of prison for whatever reason and came in under the COMMIT program. If they lapsed or misbehaved or whatever it might be, they didn't just go back to jail for the duration that they had to do; they went back for a day or two days or a week or whatever it might be. It was just to give them time to think about what they were doing, and it gave them a chance to think about what they'd just done, what they were giving up, and they come back into our program.

But there was one that worked really well, and we really tried hard to keep it as our Family Circles program. We're an Aboriginal organisation and we work culturally, and families are a big part of it for every one of our clients—networks. If you talk about them in terms of what their motivation is, families are their motivation. What Kathy did in particular was manage those guys and support their families. She helped them to understand what their loved ones were going through, helped them understand about enabling and helped them put boundaries around what they had to do so that when their loved ones came out of our system and back to them their families—mums, dads, siblings or whatever it might be—were able to support them in a way that was meaningful and which stopped them going back into prison, stopped them going back into using drugs and alcohol and helped them get back into community.

We have got several case studies of people who are with us who are now working back in community or contributing back into society in some way. We've got one lady that's got all her children back. Five children were taken away from her. They were all brought back to her because she was able to do that program. That program, for me, was one of the most successful projects that we had.

CHAIR: Could I ask you to put some of that together for us, without the names of those people, but the positive nature—

Mr Versteegh: A hundred per cent, absolutely.

Ms Katras: We've got case studies that we actually presented for that pilot program, around what it entailed. What it also entailed was helping a lot of parents without a drug and alcohol problem on how to support their teenagers that were. Because there are very minimal facilities, unless it's Don Dale, there was nothing to be able to support them, and so they decided themselves, 'How do I help this child?' Obviously, it's understanding the whole impact of intergenerational, interpersonal trauma around that space and being able to give these parents the tools so they're able to manage, whatever that looked like for each parent—the autonomy of being able to do that.

Ms CHANEY: Can I ask what happened to that pilot. Who funded it and what happened to it?

Mr Versteegh: That was funded through Northern Territory Correctional Services. They all agreed that it was a wonderful program. They told us so; they gave us letters. But they felt that it was better to redirect that funding elsewhere

CHAIR: This is my last question. What happens in the youth space?

Mr Versteegh: We only deal with adults, so for us that's hard to know. We would like to get into the youth space. It's challenging to do in the youth space.

CHAIR: You're not aware of some organisation that is actually dedicated to responding to the needs of youth?

Mr Versteegh: No, we are. We are certainly aware of those guys. CAAPS is one that I spoke about. We've got several others who support youth, but youth is a challenging area and lots more work needs to be done with that. We actually go into the schools to provide education, to some of the schools in the Clontarf and Stars programs in particular, because it's so important to help guys understand what happens if they get into drugs and alcohol.

Ms Katras: I guess in the youth space we do early intervention—and it's not funded, and we're really quite over our supply. But we feel that early intervention is the best crime prevention, the best in knowing. Once again, it isn't only around drugs and alcohol when we go to a school and do drug and alcohol education. We go to schools to be able to share with the children that going to see a counsellor is a good thing, going to headspace, going to these organisations, reconnecting, and what's available so they don't end up in our centres, so they don't end up with a drug and alcohol problem—and why do you develop one and where is it from, so there's an understanding. It's around not only education on drug and alcohol but also how to get help and being aware of the consequences of becoming dependent on those substances.

Mr Versteegh: Some of the kids that we see already are exposed to drugs and alcohol in their own families, in their own situations, so it's really important to help them understand that there are other ways. Certainly, the team that we have go out and talk to the guys about what they can do and how they can hopefully come back—and go see counsellors and so forth as part of that.

Ms Katras: With the Family Circles program, you saw families for a year, 18 months or two years. I think that the secret, when we talk about the youth space, is having that long-term connection and long-term trust. You're not going to fix a youth in three months. You need to be able to have that continuous support through a parent, through referral, through a counsellor in a trusted environment, and that's why I think it worked along that space—because we're able to give tools to the families, bring the families together and have those discussions over a long period of time.

CHAIR: Are there therapeutic systems within Don Dale or these detention centres where kids go?

Ms Katras: I'd like to hope there is.

CHAIR: You'd like to hope?

Ms Katras: I hope there is.

CHAIR: I think a lot of people would like to hope.

Ms Katras: I'm not aware. I can't say either way.

Mr Versteegh: We do know there is AAD training and support in the prison systems and so forth. But we do know that AAD education training is not AAD rehabilitation, and there's a distinct difference to what happens. The people that we talk to in our rehab program will tell us that they go and do courses and so forth in the prison system, but they don't get the wraparound services they need to be able to carry that knowledge through with them.

CHAIR: In these communities, are there any of these sorts of services available?

Mr Versteegh: Not that we know of.

CHAIR: So are people not getting the advantage of prevention or education about the dangers of alcohol, drugs and whatever mental health issues they may have?

Ms Katras: They do have AAD workers. I think that there's a bit of a gap. We try to always connect our clients going back to community with the AAD services that are there, and I know that they're very minimal. But it takes time to build trust with clients. It takes time to be able to have someone walking into your office and saying, 'Hey, I want to speak to you about my problem.' So I think there's a little bit of work that needs to be done there in that transition from forward and back into community.

CHAIR: Okay.

Mr Versteegh: We do know that the AAD workers in those communities often refer their clients to us or to other rehab services to support them. I don't think they have the capacity in their communities to do that.

Ms SCRYMGOUR: How many of your staff are Aboriginal?

Mr Versteegh: Sixty-one per cent of our staff are Aboriginal people.

Ms SCRYMGOUR: Out of how many? And is that just Darwin based staff?

Mr Versteegh: We only have Darwin based staff and there are only 18 staff in total.

CHAIR: Is that it, Marion?

Ms SCRYMGOUR: I was going to ask another question, but if you want to finish that's okay.

CHAIR: I don't want to finish.

Ms SCRYMGOUR: We've been looking at the stronger futures legislation. One of the key areas in stronger futures was the lifting of the alcohol restrictions. You were saying that you've seen an increase in the number of people coming into your service. Do you think that that's as a direct result of maybe some of the restrictions—people coming into town, they're getting access to alcohol a bit more freely, and then, to get respite from the drinking, they come to your service?

Mr Versteegh: We feel that's the case. We don't have any data to provide to you, but we do feel that that's what's happening. But a lot of the time it's, say, a mum or someone who's been here who wants to get away from that space to that respite you're talking about. They're looking at coming to the services to get away. So, yes, we think that is a direct response to that.

Ms SCRYMGOUR: There's an organisation, I think, coming to give evidence to us in Alice Springs. You said you get some funding from the PHN and that's specifically for some of the mental health counselling. Do you do men's and women's behavioural programs?

Ms Katras: Yes. We've got a men's group and a women's group where they engage in culturally appropriate programs. Definitely.

Ms SCRYMGOUR: What does that involve? Is that trying to work with them about reducing their drinking or changing the way in which the—

Ms Katras: It varies. It can be around men's group in Coconut Grove, where they discuss a lot of this. There's a men's behavioural program on relationships. Women do similar things—trauma, intergenerational trauma, parenting skills and a variety of things, from going out culture-day fishing to didgeridoo-making to women doing basket weaving down at East Point. It's very rounded holistically.

Ms SCRYMGOUR: If you were to send a message to the Australian government on what is needed in the Northern Territory, what would it be? Often people think that's remote, but a lot of that comes into places like Darwin. As a Darwin based service, what are some of the resources and funding needed by your service? Even to the point of supported accommodation—whether there's a need to have that in Darwin.

Mr Versteegh: There certainly is a need for supported accommodation, yes, absolutely—100 per cent. For me, the one message that we must send is that we—this service—needs more rehabilitation beds. We can provide a service for \$87,000 a year. Putting someone in jail, we understand, is around \$300,000 a bed. The sums don't match up. If somebody's got an AOD problem, it's not a criminal problem; it's a health problem. Send them to us.

Ms SCRYMGOUR: Thank you.

Senator LIDDLE: I have two questions that I think you'll be able to answer reasonably quickly. If you look at the police data, it makes reference to alcohol related assault, but there's no asterisk that tells you exactly what that means. But you were talking before about domestic and family violence, and alcohol. In a one-year period in Alice Springs, the level of alcohol related assault went up 43 per cent. In the same period in Darwin, it went down 13 per cent. The important number here is that these statistics end at the end of September, 30 September. Under Stronger Communities, the alcohol restrictions came into effect on 30 July, so there's only one month of statistics in this data. What followed was the abolition of the CDC, at the same time. What do you think is going to happen when we get the stats in October 2023? What's that going to look like? What was happening in Darwin, if you rely on these stats—compared to what might happen and what the next lot of stats might be?

Mr Versteegh: I suspect that you will see an increase in alcohol related crimes, and I think there will be more domestic violence. I think you'll also find more people, predominantly women and children, needing homes. That's my guess.

Senator LIDDLE: That was my next question. You said you've got female beds in there. Were those beds created because there was increasing demand? And over what period did you increase the number of beds to make them female beds?

Mr Versteegh: Those six beds are a specific contract from the Department of Health of the Northern Territory, and that rolled out from the pregnancy support program that we had for women in 2018. So it really isn't anything to do with what's happening with us now.

Senator LIDDLE: Right. So that would have been in fetal alcohol syndrome and trying to prevent those kinds of issues?

Mr Versteegh: That's correct.

Senator LIDDLE: So you haven't actually been funded to provide additional services if there are more women than previously who are now drinking alcohol?

Mr Versteegh: No, not because of what's happening now.

Senator LIDDLE: Do you think that's something that should be looked at?

Mr Versteegh: Absolutely.

Senator LIDDLE: Thank you.

CHAIR: Thank you for your attendance at today's hearing. If you've been asked to provide any additional information or you've offered to provide it to us, or if there is anything else you would like to provide, please forward that to the secretariat by 16 December 2022. You will be sent a copy of the transcript of your evidence to which you may suggest corrections. Thank you very much. The committee will now suspend.

Proceedings suspended from 15:24 to 15:31

DE SANTIS, Ms Rosanna, Regionalisation Project Manager, Northern Land Council**KATONA, Ms Deborah, Senior Manager, Policy, Northern Land Council**

CHAIR: I will resume this public meeting of the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs for the inquiry into community safety, support services and job opportunities in the Northern Territory. I'd like to acknowledge the Larrakia people as the traditional custodians of the country on which we meet today and pay my respects to their ancestors and their elders past, present and future. I'd also like to pay my respects to all Aboriginal peoples and their cultural and spiritual connections to lands, waters and seas.

I welcome the representatives of the Northern Land Council. As these proceedings are public, they are being broadcast and recorded by Hansard. If you wish to have evidence heard in private, please let the committee know, and we will consider your request. Although the committee does not require you to give evidence under oath, I wish to advise you that this hearing is a formal proceeding of the parliament. Giving false or misleading evidence is a serious matter and may be regarded as contempt of parliament. If you object to answering a question, please state the reasons for your objection, and the committee will consider the matter. I invite you to make an opening statement.

Ms Katona: The Northern Land Council supported the arrangements which allowed the Stronger Futures in the Northern Territory legislation to sunset. We recognise that the stronger futures legislation was viewed by our constituents as the last remnants of the Northern Territory Emergency Response, or the so-called Intervention. The ongoing hurt and mistrust the intervention caused among Aboriginal people in the Northern Territory is palpable to this day, some 15 years later.

The stronger futures legislation was an attempt by the government of the day to change the blunt approach of the intervention by reinstating the Racial Discrimination Act and undertaking community-wide consultation to inform the new approach. However, the adherence to blanket controls of alcohol continued an intervention-style approach for reducing alcohol misuse.

The sunseting of the stronger futures legislation in 2022 was known to both the Australian and Northern Territory governments in 2012. Both levels of government had the opportunity to reflect, build evidence, evaluate and plan for new arrangements for a decade. Northern Land Council was first engaged about options just over six months prior to sunseting. The Northern Territory's replacement measures were not legislated until a few weeks before the sunseting. Aboriginal people were only belatedly consulted on arrangements on alcohol. There was no deep consultation. There was no time to discuss and build consensus. The initial plan was for areas to decide, often on a single day, whether to continue alcohol restrictions or revert back to pre-intervention conditions. It is disappointing that the process undertaken lacked any insight into the benefits of deep, thorough or respectful engagement with Aboriginal communities. Those with responsibility for Aboriginal affairs policy showed little understanding or appreciation for the depth of interest in alcohol control or the deliberative process of making decisions on alcohol.

We recognise that the prohibition on alcohol built under the intervention and continued by the stronger futures legislation was a mirage. Nearly every community at times felt the effects of alcohol misuse or had to deal with unintended consequences of alcohol misuse. We strongly support the call for communities to inform arrangements on alcohol control. We recognise that discussions within communities are complex and can take considerable time. Removing restrictions without appropriate consultation is as bad as imposing restrictions without any consultation.

The new National Agreement on Closing the Gap, signed by all levels of government in July 2020, signals a commitment from all parties to a future where policymaking that impacts on the lives of Aboriginal and Torres Strait Islander people is done in full and genuine partnership. The approach taken to the stronger futures legislation threw this commitment out the door. Connected to the legislation was the funding environment. The stronger futures national partnership was reshaped but continued under the name of 'remote Aboriginal investment'. There have been no funding decisions to continue this arrangement past 2024.

Remote communities remain in desperate need of equity and services. There needs to be long-term investment in remote communities, housing and essential and social services. Both the Australian and NT governments need to recognise the value of supporting Aboriginal people to live in remote areas and acknowledge the full cost of support by commitment to long-term funding.

We hope this inquiry reaches an understanding of how and why, after 10 years of the stronger futures legislation, the Commonwealth and Territory governments failed to adequately plan for its sunseting and failed to adequately consult those communities likely to be most affected by the changed arrangements. We look to this inquiry to remind both governments of best-practice arrangements which put Aboriginal people at the centre of design and implementation of policies that affect us. That's the end of our opening statement for the Northern Land Council.

CHAIR: Thank you. Will you be tabling that document for us?

Ms Katona: Yes, we're happy to table that document.

CHAIR: Thank you. I'll go to Senator Liddle.

Senator LIDDLE: Thank you for your submission, which leaves no doubt about some of your concerns with the transition process as part of the abolition of the alcohol restrictions. I want to understand, though: do you see yourself as having a role going forward? Have there been conversations, consultation and a commitment to supporting you to have those conversations with your stakeholders going forward?

Ms Katona: The Northern Land Council's core business is around land management. We do have a mandated responsibility to advocate on behalf of Aboriginal people. We were provided a formal role by the Northern Territory government under the Liquor Act. That formal role remains in place, but despite the role in the Liquor Act we don't see that alcohol control is a core business of the Northern Land Council.

Senator LIDDLE: But in terms of the complication of things that might impact, you go to council meetings and, obviously, people raise issues that are affecting them from time to time outside of specifically talking about the land rights act or native title, so things that might affect their enjoyment of those rights.

Ms Katona: That's correct. I missed the first bit of your question, but it is true that, in land council meetings, our constituents do raise a range of community issues and that sometimes alcohol is a part of those conversations, particularly alcohol misuse.

Senator LIDDLE: As you missed the first part of the question, I might ask it again. It was—and I note that you mentioned your principal role as the Northern Land Council: are there conversations about your role going forward in a way that engages with communities effectively on trying to catch up on whether they should or shouldn't have continued those alcohol restrictions. If not you, who?

Ms Katona: Yes, the Liquor Act nominates a role for Northern Land Council in consulting people. The Northern Land Council made the policy that we would undertake consultation in communities of over 50 people. As you may be aware, the number of communities with over 50 people who had no restrictions, so they didn't revert back to general restricted areas—I think there were only six major communities. Of those, the Northern Territory government has consulted with them, and the majority of those communities have chosen, at the present time, arrangements, so there's no further need for NLC to be active in the consultation. But if communities change their mind and would like to look to an interim APA, they would contact either Northern Territory government or Northern Land Council to undertake those consultations.

Senator LIDDLE: Thank you.

Ms SCRYMGOUR: I was just trying to understand a little bit of what you were answering, in terms of that question from Senator Liddle. Let's look at the context of any Aboriginal community or land trust in the Northern Territory. An application goes to the liquor licensing commission. Previously, under stronger futures, that was restricted, but, with the lifting of that, are you saying that the Northern Land Council has been given a formal role under the licensing regime through the Liquor Commission? Do you conduct the consultation or communication with those Aboriginal communities in relation to those licensing regimes?

Ms Katona: Only with regard to interim APAs. It's up to the NLC to ensure the communities have been consulted and to carry out those consultations for interim APAs.

Ms SCRYMGOUR: But, if it's not an alcohol protected area or in an area of an APA, what role does the Northern Land Council then take on in terms of making sure that its constituency is informed of changes going forward, post stronger futures?

Ms Katona: There's no formal role for the Northern Land Council, in general. The role is purely attached to the application for an interim APA. The majority of communities in the Northern Territory have reverted back to GRAs, general restricted areas, which existed prior to the intervention. The NLC's role is limited to the application of interim APAs.

Ms SCRYMGOUR: If you look at land use in communities and, just say, community X wants to establish—how has that been affected with the sunseting of the stronger futures legislation? Are more and more communities talking to the land council to request consultation or communication? I get the alcohol misuse and the secondary alcohol issues that happen in some of the remote communities, but have there been any requests to the Northern Land Council for land use discussions in relation to wet canteens in communities?

Ms Katona: I've been with the Northern Land Council for about four months now, and I'm not aware of any conversations around requests for wet canteens.

Ms SCRYMGOUR: Chair, can we have that question taken on notice? Ms Katona, could you find out whether there have been any requests or communication in relation to land use discussions in the Northern Land Council regions in relation to licensed premises—I shouldn't say wet canteens; that's such an old sixties and seventies saying—or licensed clubs in remote communities?

Ms Katona: Yes, I can definitely take that on notice.

Ms SCRYMGOUR: Thank you.

Ms CHANEY: I'd love to understand the numbers better. You mentioned that the majority of communities have reverted to GRAs, and six communities didn't retain liquor restrictions. I've heard the number is 57 out of 63 have reverted to GRAs; have I got that right?

Ms Katona: I think the Northern Territory government would be best placed to answer that. They've been the holder of numbers. I'd be able to quote only broad, ballpark figures. I know the number of communities is small—around six. I think there were some CLAs that reverted to having no restrictions, and quite a number—over 200—homelands.

Ms CHANEY: For how many communities did you play that role that you had under the liquor act in consultation in relation to interim APAs?

Ms Katona: I believe we agreed to one interim APA in a smaller community, and two or three outstations, but I'd have to take that on notice.

Ms CHANEY: So your role was fairly minimal in the transition.

Ms Katona: Very minimal.

Ms CHANEY: More broadly, you mentioned at the beginning that you were supportive of the sunset of stronger futures because it's seen as a remnant of the intervention. Aside from the—perhaps—hurried way that transition was managed and the lack of consultation that went with that, are you still supportive of the principle of sunset of the stronger futures restrictions?

Ms Katona: Yes. From a policy perspective, to finish arrangements from the intervention is helpful. It did provide ongoing hurt for Aboriginal people and mistrust of government to know that the intervention happened and that there are still evidence and obvious signs of the intervention in place. It was clearly the Australian government stepping into jurisdictional responsibilities of the Northern Territory, and it was problematic at times to have two levels of decision-making where ordinarily it would have been Territory responsibility. It is true, too, that the alcohol arrangements in particular were blanket arrangements, which we have departed from through both local decision-making and community-led options. It was actually quite outdated in its approach as well.

Senator LIDDLE: Recognising that the Northern Land Council and the Central Land Council have significant responsibility for representing the rights and interests of traditional owners under the land rights act, it's also true that there are many other Aboriginal people who would say that the land councils do not speak for them. I want to understand from either Ms Katona or Ms De Santis if you've heard an alternative view, when you've been out doing your broad consultations, about people wanting those restrictions to remain in relation to alcohol?

Ms Katona: I think it is true, and that we do recognise, that there are a variety of views within the Aboriginal community, even among our constituents. It's not that our constituents hold one view. Some people think that the blanket measures for alcohol control were useful and, given the choice, they probably would have preferred that they continued. It just goes to speak to the diversity of NLC constituents, and definitely of people who aren't our constituents. There are a variety of views across the community about what is the best approach to alcohol control.

Ms De Santis: In my role, I don't have anything to add on that point.

Senator LIDDLE: To clarify, there was some discussion about the question of opting in or opting out, the way in which the question was presented and the timeliness in being able to consider the question. Ms De Santis, you said you haven't heard of those in your role; Ms Katona, was there any commentary that you might have heard in relation to opting in or opting out, and a better way of doing it?

Ms Katona: I understand that when options were first discussed with the Northern Land Council an opt-out proposal was suggested. Over time, the Northern Territory government presented an opt-in approach as the process that would shepherd the sunset of the legislation.

CHAIR: I thank you for your attendance at today's hearing. If you have been asked to provide any additional information, or if there is anything else you would like to provide, please forward this to the secretariat by 16 December 2022. You'll be sent a copy of the transcript of your evidence, to which you may suggest corrections.

Committee adjourned at 15:56