



MINISTER FOR INDIGENOUS AFFAIRS

Reference: C15/90430

The Hon Philip Ruddock MP
Chair
Parliamentary Joint Committee on Human Rights
Parliament House
CANBERRA ACT 2600

Dear Chairman 

Thank you for your further letter of 10 September 2015 with additional questions from the Parliamentary Joint Committee on Human Rights (the Committee) in relation to Stronger Futures measures. Please find responses prepared by my Department below.

Land Reform

All community living area communities were potentially affected by the regulation. There are over 100 community living areas in the Northern Territory. They range in size from towns to small family outstations. The 16 communities consulted are the largest (by population) community living areas. The 16 communities were selected in consultation with the Central and Northern Land Councils.

Measures to address alcohol abuse

In relation to the Committee's question as to the number of alcohol protected areas (APAs), it is not feasible to provide a numerical answer. Existing APAs were originally 'prescribed areas' under the *Northern Territory National Emergency Response Act 2007* (NTNER Act). These prescribed areas were preserved as APAs under the *Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Act 2012*. In broad terms, the following areas under the NTNER Act were deemed prescribed areas:

- Aboriginal land as defined in the *Aboriginal Land Rights (Northern Territory) Act 1976*;
- Community living areas under the *Lands Acquisition Act* of the Northern Territory; and
- Town camps that have been declared for the purpose by the Minister.

To date I have approved one Alcohol Management Plan (AMP) for the Titjikala community. It was approved on 26 May 2014. So far, seven AMPs have been rejected. Each AMP was rejected because it had the potential to increase alcohol related harm.

No APAs have been revoked or varied under the *Stronger Futures in the Northern Territory Act 2012* (SFNT ACT).

In terms of timing, the Titjikala AMP was finalised by the community in June 2013 and approved on 26 May 2014. In the intervening period, additional documentation was sought from the Northern Territory Government, to ensure an informed decision was made about the proposed AMP.

A community can request at any time to the Minister to have an APA varied or revoked, regardless of whether an approved AMP is in place. As I outlined in my previous response, subsection 27(5) of the SFNT Act outlines the circumstances in which a rule to vary or revoke an APA may occur. An APA may be varied or revoked:

- On the Minister's own initiative; or
- Following a request made to the Minister by, or on behalf of, a person who is ordinarily resident in the area to which the rule APA rules normally relate; or
- Following approval of an AMP relating to the area subsection 17(1) of the SFNT Act related to the determination to approve or refuse an AMP.

Before varying or revoking an APA the Minister must undertake community consultation in accordance with subsection 27(6) of the SFNT Act. Any decision to vary or revoke an APA must also take into account the matters set out in subsection 27(9) of the SFNT Act.

Although AMPs and APAs may interact, AMPs are not a function of APAs. AMPs are designed to support communities to drive locally tailored solutions to alcohol-related harm in their community. Approval of an AMP may be accompanied or followed by a request for a revocation or variation to an APA in accordance with the Act, but an approved AMP will not automatically lead to a revocation or variation of an APA.

The SFNT Act ceases to have effect at the end of 10 years after its commencement, which will be in July 2022.

There is a range of information in the public domain about the effectiveness of AMPs as a policy tool, including:

- Clough, A.R. et al (2014) 'Study Protocol - Alcohol Management Plans (AMPs) in remote indigenous communities in Queensland: their impacts on injury, violence, health and social indicators and their cost-effectiveness', Biomedical Central Public Health. Available at: www.biomedcentral.com/content/pdf/1471-2458-14-15.pdf
- Smith, K., Langton, M., d'Abbs, P., Room, R., Chenhall, R., Brown, A. (2013) 'Alcohol management plans and related alcohol reforms'. Written for the Indigenous Justice Clearinghouse. Available at: www.researchgate.net/profile/Kristen_Smith/publication/262818179_Alcohol_management_plans_and_related_alcohol_reforms/links/548fad9d0cf2d1800d862987.pdf
- d'Abbs, P., McMahon, R., Cunningham, T., Fitz, J. (2010) 'An evaluation of the Katherine Alcohol Management Plan and Liquor Supply Plan'. Menzies School of Health Research. Written for the Northern Territory Department of Justice. Available at www.nt.gov.au/justice/documents/KatherineAMPEvaluation.pdf
- Senior, K., Chenhall, R., Ivory, B., & Stevenson, C. (2009) 'Moving beyond the restrictions: The evaluation of the Alice Springs Alcohol Management Plan', Menzies School of Health Research & Monash University, Medicine Nursing and Health Sciences, School of Public Health and Preventive Medicine. www.territorystories.nt.gov.au/bitstream/10070/218442/2/Vatskalis-110609-Alcohol_restrictions_working_in_Alice_Springs_attachment.pdf

- Margolis, S. A., Ypinazar, V. A. and Muller, R. (2008) 'The impact of supply reduction through alcohol management plans on serious injury in remote Indigenous communities in remote Australia: A ten-year analysis using data from the Royal Flying Doctor Service', *Alcohol & Alcoholism*. vol. 43, no. 1: 104-110. Available at: <http://alcalc.oxfordjournals.org/content/43/1/104.long>. This is the evaluation referred to in PM&C's July 2015 response to the Parliamentary Joint Committee on Human Rights.

On a related matter, I would like to advise the Committee that in accordance with section 28 of the SFNT Act, and section 114 of the *Classification (Publications, Films and Computer Games) Act 1995*, I tabled reports of the independent reviews into laws relating to prohibited material and alcohol legislation in both Houses of Parliament on 16 September 2015.

School Enrolment and Attendance through Welfare Reform measure (SEAM)

The *Improving School Enrolment and Attendance Through Welfare Reform Measure (SEAM) Trial 2009-2012* Final Evaluation Report is available on the PM&C website: www.dpmc.gov.au/sites/default/files/publications/Improving_School_Enrolment_Attendance_through_Welfare_Reform_Measure_trial.pdf

Income management data

The attached information has been provided by the Department of Social Services, and is as at 28 August 2015. Data is no longer collected by income management site, but by standard statistical boundaries. The areas below most closely align with income management sites.

Yours sincerely

NIGEL SCULLION

28 / 9 / 2015

Attachment – Income Management Data

Total Number of People on Income Management [^]	Total	Per Cent Indigenous
Northern Territory	20,778	88%
— Alice Springs	5,372	96%
— Barkly	1,481	96%
— Katherine	3,487	95%
— Daly-Tiwi-West Arnhem	3,942	95%
— East Arnhem	2,827	97%
— Rest of Northern Territory	3,669	53%
Western Australia	1,835	65%
— Kimberley	826	97%
— Goldfields (<i>Ng Lands, Laverton and Kiwirrkurra</i>)	194	98%
— Greater Perth	749	20%
— Rest of Western Australia	66	82%
South Australia	1,021	43%
— Greater Adelaide (<i>Playford</i>)	637	17%
— Western & West Coast (<i>Ceduna Region</i>)	66	97%
— APY Lands	235	97%
— Rest of South Australia	83	47%
Victoria	395	18%
— Shepparton	310	17%
— Rest of Victoria	85	22%
New South Wales	258	14%
— Greater Sydney (<i>Bankstown</i>)	187	9%
— Rest of NSW	71	26%
Queensland	1,916	44%
— Greater Brisbane (<i>Logan</i>)	1,000	16%
— Rockhampton	454	29%
— Far North (<i>Cape York</i>)	100	98%
— Rest of Queensland	362	54%
ACT	<5	n/a
Tasmania	12	n/a
Unknown/Missing	n/a	n/a
Total	26,231	78%

[^] Potential inconsistencies from any data reported prior to 1 July 2015 are due to a change in reporting method for the income management programme, to conform to the Australian Statistical Geography Standard (ASGS). The data represents the current residential address of income managed customers within designated statistical areas.