

Submission to the Senate  
Finance and Public Administration Reference  
Committee  
on:

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The appropriateness and  
effectiveness of the objectives,  
design, implementation and  
evaluation of the Community  
Development Program (CDP)

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Ngaanyatjarra Council  
Perth & Alice Springs  
26 May 2017

— **NGAANYATJARRA** —

**COUNCIL (Aboriginal Corporation) ICN: 101**

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26 May 2017

Senate Finance and Public Administration Committee  
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Parliament House  
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Dear Committee Chairperson

**Re: Review of Community Development Program (CDP)**

I live in Warburton, the largest of the communities in the Ngaanyatjarra Lands, and became Council Chairman in October 2016 following a general election among all the members of the Ngaanyatjarra Council spread across 12 communities.

We are making this submission to explain to you that we don't want CDP. We didn't want it when it started but we thought it would be like CDEP because it has the same letters. That was wrong to use those letters because it tricked us.

The Ngaanyatjarra people have worked hard since before our grandparents time to learn how we can look after each other now that we live in communities. Living in communities has been a big change for us. This submission will explain to you all the good things we have done to look after Ngaanyatjarra people.

We now find ourselves in a situation where desert people cannot feed their families. People don't know what they can do to fix this problem. They feel frustrated and helpless. This is bad because people move to places that have a Centrelink office and many get into trouble when they are away from their own country.

We have learned from our history that we can do a good job of looking after our people in communities. We feel that the government stole our self-respect when CDEP was taken away and that we will sink even lower if we are forced to go on the Healthy Welfare Card. We don't have any alcohol or pokie machines on the Lands so we don't understand why people say that we need the Healthy Welfare Card.

We want the government to let us manage our own communities. We can't do this unless we get rid of CDP and go back to the CDEP. We can do a good job.

I know that our submission is meant to be short but we are a long way from other places so most people don't know about us. We want people to learn about our story so they can understand why CDP has been bad and why we want to go back to CDEP.

Yours sincerely

**Ngaanyatjarra Council**

**Mr Dereck Harris**

Chairman

## 1 Introducing the Ngaanyatjarra

The Ngaanyatjarra Lands consists of a large section of desert in Western Australia to the west of its border with South Australia and the Northern Territory. This location is shown in Figure 1 together with the twelve member communities that form the Ngaanyatjarra Council. The Great Central Road, a key arterial road linking Perth to northern Queensland, is also shown.

Warburton, the largest community was established as a Christian mission in 1934. Warburton is located 1,000 kilometres from the two nearest regional centres: Alice Springs in the Northern Territory and Kalgoorlie in Western Australia. Warburton has approximately 500 Aboriginal residents and more than 50 agency staff.

Four communities began as outstations in the mid-1970s: Jameson, Blackstone, Warakurna and Wingellina. Six communities were created over the next decade: Tjirrkarli, Tjukurla, Wanarn, Kiwirrkura, Kanpa and Patjarr. Cosmo Newberry had an earlier history as a mission.

The Ngaanyatjarra people are a mobile population. Approximately 1,500 reside on the Lands. They travel to other Aboriginal communities where family ties exist, for example Balgo, Wiluna and Tjuntjuntjara, and to service centres such as Kalgoorlie, Perth and Alice Springs.

Residents of the Lands are predominantly Ngaanyatjarra speakers but other Western Desert dialects (predominantly Ngaatjatjarra and Pitjantjatjara) are also spoken. Much of everyday community life is in the vernacular. The proceedings of the Ngaanyatjarra Council are conducted in both Ngaanyatjarra and English.

Because of extreme isolation, little is known of the history of contact between the Ngaanyatjarra and government agencies. It is important to rectify this gap in knowledge in order for the failure of top-down 'improvement' programs such as the CDP to be understood.



Figure 1. Map showing the location of the Ngaanyatjarra Lands in Australia with the arrangement of the communities in relation to the Great Central Road illustrated.

## 2 History of late contact and isolation

### MORE REMOTE THAN MOST REMOTES

The history of Ngaanyatjarra contact with white settlers differs from that of the Aboriginal people to the east. The Overland Telegraph Line stretching from Adelaide to Darwin was completed in 1872 and the Adelaide-Alice Springs railway completed in 1929. As a result, white construction workers, station hands and adventurers were drawn into the interior of South Australia and the Northern Territory.

In the Ngaanyatjarra Lands, the first rough track from the railhead at Laverton, located 600 kms to the southwest of the Warburton Ranges, was not completed until 1931. The isolation, arid climate, and the difficulties of gaining access from the Goldfields settlements meant that cattle and sheep stations were never established. Hence, Ngaanyatjarra men did not experience seasonal work as stockmen or labourers. Officials in Perth had no idea of how many people lived on the Lands. They were reliant on anecdotal reports from explorers and prospectors. Official patrols did not begin until the mid-1950s.

While the isolation may have helped protect Ngaanyatjarra people from destructive outside influences, and this history has undoubtedly helped to preserve their culture, it has also meant that no Ngaanyatharras acquired experience of working for rations or wages in contrast to the Central Desert people across the border.

### THE CENTRAL RESERVE IN WESTERN AUSTRALIA

When the Central Aboriginal Reserves were proclaimed in the period 1918-1921, Western Australia contributed one third of the 65,700 sq. mile landmass. However, the driving force came from South Australian church leaders. Even the Northern Territory Administration showed more interest than the Western Australian Government. When the boundaries of the Reserves were drawn, no surveyors from Perth visited the area. Lines were simply drawn on a map in the Surveyor General's office.

Even though large sections of land adjacent to the Central Reserve in Western Australia were added to it in 1937, there were no plans by the Government to do anything with the Reserve or provide services to the people who lived on it. The indifference shown by governments to the Ngaanyatjarra country continued over subsequent decades.

The Government of Western Australia dealt with the huge tract of country forming the Central Reserve as though it were uninhabited.

The protracted indifference towards the nomadic inhabitants is illustrated by the abrupt decision to excise a third of the Reserve in 1955 for mining purposes. In 1958, the Government readily approved the excision of land for the Giles Meteorological Station near present-day Warakurna. It also keenly supported the construction of the system of roads to service the Woomera Rocket Range that stretched across the Central Reserve into the Western Desert.

The country contained within the huge excision was of great religious and social significance to the Ngaanyatjarra people. The decision to open it up for mining occurred without any media coverage or consultation with the Aboriginal owners yet archaeological evidence has demonstrated that they have occupied this area continuously for *at least* 11,000 years.

In 1972, following threats by the Commonwealth to withhold funding to Western Australia, the State Government returned the land to the Reserve.

## THE EARLY DAYS OF WHITE CONTACT

### **The Warburton Mission era**

Warburton Ranges Mission, established in 1934, was the only settlement within the Western Australian section of Central Australia until the mid-70s. It was the poorest of all the Aboriginal settlements in the State while under the control of the United Aborigines Mission and, in later years, the State government. Access to the Mission via the 600 km dirt road from Laverton was difficult and hazardous. Administratively, the Western Australian Government showed no interest in the region other than to receive reports of mineral exploration and grazing possibilities. Eventually, the Mission became a gathering place for Ngaanyatjarra people living within the Central Reserve. At times the people living in the camps adjacent to the Mission numbered more than 500 people.

The Mission in Warburton was one of the largest in Western Australia, yet it received no state government support until 1951. Its income came entirely from donations from the faithful and the bounty on dingo scalps. After 1951, it received a small subsidy calculated on the basis of the number of school children resident in the dormitory and the number of infirm adults. It also received occasional grants-in-aid, but never acquired sufficient funds to regularly employ men and women for their labour.

It was a tough life for Ngaanyatjarras living in the bush camps adjacent to the Mission. There were insufficient resources to feed everyone so rations were restricted to residents who participated in Christian services and itinerants who handed in dingo scalps. Making sure that *everybody* had sufficient food, the missionaries argued, was the responsibility of the State Department of Native Welfare. This matter was never satisfactorily resolved until after the closure of the Mission in 1972.

### **First welfare payments**

The first social security payments were for Child Endowment and began in the 1940s. The Commonwealth paid benefits in bulk to the Mission authorities. Without this income people would have starved.

The Ngaanyatjarra people managed to subsist on a combination of hunting and gathering, as well as occasional part-time and irregular employment, coupled with shared welfare payments to eligible family members. Those who were eligible collected their entitlement in the form of rations from the Mission store and shared it with their relatives in the camps a mile away. Age and Invalid Pension payments followed later. Thus the dependence on rations and welfare payments has a long history and began decades before Unemployment Benefits came on stream.

In 1970, the Commonwealth Department of Social Services stopped the bulk payments to warrantees cheques were paid directly to beneficiaries. This was considered necessary as sharing among kin (a practice referred to as o 'camp socialism' by one official) was seen to undermine the welfare system.

A survey of Central Australian Aboriginal settlements conducted in 1971, prior to the introduction of Unemployment Benefits, found that pensioners, at that time 10 per cent of the Warburton community, were paid \$780 per year while the remainder of community members were expected to live on \$41 per year.

### **Learning English and whitefella ways**

When the Mission began in 1934, a simple stone-slab building served as a church and schoolhouse. The focus of the school curriculum was on Bible studies and the untrained teachers aimed to teach students sufficient English to read the scriptures. To assist in this endeavour, dormitories were constructed and parents were encouraged to leave their children at the Mission while they resumed their nomadic life. Children commonly achieved a Grade 4 level of English literacy. This level of education meant that even if paid work became available, Ngaanyatjarra people would be restricted to unskilled jobs.

The standard of basic numeracy among school leavers was also low. As a result, once Warburton moved from rations to a cash economy people struggled with 'financial literacy' even though missionaries and schoolteachers sought to assist people to manage money. The combination of low financial literacy and English language skills hampered the engagement of Ngaanyatjarra people with government bureaucracy on matters pertaining to eligibility for social security support and the receipt of pension entitlements. Missionaries and white government officials had to complete the paperwork on behalf of prospective or signed-up pensioners.

When temporary or part-time jobs did become available, they were nearly always made available to older men and women. In only a handful of cases did school-leavers finish secondary schooling and enter the paid workforce. Hence, the idea that the completion of secondary schooling provided the gateway to paid work was implausible. This reality has undermined the status and relevance of secondary education.

### **UNREST IN THE 1970s**

During the 1970s, government ministers and their officials began to make visits to the Ngaanyatjarra Lands where they made promises they were unable to keep. Residents became accustomed to ministers and their officials flying into the Lands, meeting a few people, making promises and then flying away.

After a while, the people adopted a polite though sceptical attitude towards visitors' promises and, eventually, became disengaged from the planning for economic development. The consequences of this disengagement are reported in the proceedings of Royal Commissions and official inquiries.

The report of the 1974 Furnell Royal Commission into Aboriginal Affairs in Western Australian included a case study of Warburton. The Commissioner doubted Warburton would ever become an economically self-sufficient settlement. In the following year, Magistrate Syddall, the Chair of a 1975 Committee inquiring into race relations in Laverton and Warburton Ranges was scathing in his criticism of how agency officials had wrecked the possibility of building a harmonious and productive community at Warburton. Syddall's review had been prompted by the arrest at Skull Creek without any proper cause of a large number of Warburton men travelling in convoy to Laverton, an event that was itself the subject of another Royal Commission.

During the 1970s, relations between the Aboriginal and non-Aboriginal residents in Warburton deteriorated. In 1975, work on the new hospital was suspended and the tradesmen were forced to leave town. The school was closed and teachers and nurses left for Kalgoorlie. Though work on the hospital resumed and the school re-opened, tensions remained. In 1979, the Australian Inland Mission withdrew its services out of concern for the safety of the nurses. Alcohol and petrol sniffing were partly to blame for the state of affairs

though a major contributing factor was the inability of agencies to understand and address the frustrations experienced by the Ngaanyatjarras. Warburton acquired a reputation as the most troubled Aboriginal community in remote Australia.

One of the reasons for disharmony was the disjunction between agency staff views about the kind of economic development that they considered to be essential and the reality of the lives of the Ngaanyatjarra people. Over several generations, a way of life had developed in regard to the kind of work missionaries and agency officials could reasonably expect of Ngaanyatjarra adults, however, by the time Commonwealth funding became available, government agencies employed white contractors to complete the construction work associated with development. By 1974, most Ngaanyatjarra adults had become recipients of Unemployment Benefits, yet even though more money was circulating, the community was trapped by disharmony and occasional acts of violence towards whites, events that were notorious.

Robyn Davidson, famous for her camel trek in 1977 from Alice Springs to the Western Australian coast, wrote this unflattering description of Warburton.

Warburton is a hole. After the magnificence of the country and the charm of the tiny settlements I had passed through, it came as an unpleasant shock. Every tree had been knocked down for miles for firewood. Cattle had eaten out the country around the water-hole and dust rose in suffocating billowing clouds. The flies carpeted every square inch of skin, even though it was mid-winter. And in the middle of the desolation, surrounded by lean-tos and the shanty town humpies of the Aboriginal people, was a hill where the whites' buildings clustered together, fortified (presumably against Aboriginal aggression) by high cyclone fences and barbed wire.

Robyn Davidson's view is supported by an aerial photograph taken around the time of her visit. Figure 2 shows the environmental degradation that was the result of people camping outside the community in the absence of housing and other infrastructure.

This was the climate into which in 1979 the Community Development Employment Projects (CDEP) was introduced to the Ngaanyatjarra Lands.



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Figure 2: Warburton 1977, the year that Robyn Davidson visited.

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### **3 Responsible community administration**

#### **CDEP**

##### **The rationale**

In 1976, H C Coombs, one of the architects of CDEP, visited remote communities in Central Australia and observed firsthand the challenges they faced. He was struck by the absurdity of paying people to be idle when work in communities could not be undertaken because of a shortage of funds. Coombs and other officials persuaded the Commonwealth Government to waive the rules governing the payment of Unemployment Benefits in selected remote Aboriginal communities and so the CDEP was born.

Under the CDEP, a lump sum equivalent to the aggregated individual Unemployment Benefit entitlements was paid to the incorporated Aboriginal councils. It was then up to each council to develop a work program and engage local people in projects that would benefit the whole community. In addition, the councils were paid to administer the scheme. It was decided to delegate the resolution of the issues that arose during implementation to local administrators. The Ngaanyatjarra Lands was a pilot for the new CDEP.

The Department of Aboriginal Affairs (DAA) used CDEP as a key vehicle for the implementation of the Government's self-management policy. The primary goal was to ensure that the CDEP strengthened the viability of communities and the quality of life for their residents.

##### **Early years in Warburton**

In 1979, Warburton Council received CDEP funding for 61 positions. This enabled the Council to employ on a part-time basis about 100 persons on CDEP wages at any one time. Over the course of the year, 160 Warburton residents cycled through the program, thereby spreading the funding widely in the community. In the 1979-80 financial year, the CDEP allocation was expected to reach \$325,000, a massive injection considering the funding available only six years earlier when the mission closed. What is more, of the projected Commonwealth allocation for Warburton, the CDEP item accounted for nearly two-thirds of the total government funding. It became the primary source of government assistance to operate the Lands communities.

The large increase in cash circulating in the Warburton community, initially consisting of the Unemployment Benefits and subsequently CDEP wages, greatly enhanced the appetite of Warburton people for Western commodities and their capacity to purchase them. The concept of 'rations' had become a relic of the past. The former mission store, constructed mainly of corrugated iron, no longer sufficed and a loan of \$235,000 from the Aboriginal Development Commission enabled the construction of a new store using local labour.

During the initial years, there were many challenges. CDEP was organised around family groups with each family allocated a vehicle and expectations regarding municipal services. This was not productive so the State and Commonwealth officials conferred and appointed Chris Marshall, an experienced public servant in Aboriginal affairs, to the position of Community Coordinator. He insisted on living in Warburton and was delegated considerable decision-making discretion from both State and Commonwealth bureaucracies.



### **The benefit of local decisions**

A year later, a review of Warburton's progress was completed for the Commonwealth Department of Aboriginal Affairs. The CDEP program had been in operation for two-and-a-half years. The obvious dysfunction encountered in the previous year had been addressed although a new set of problems had arisen. Even so, the Community Coordinator was optimistic that the CDEP would become a valuable community development tool.

The major problem arose from the size of the workforce, virtually the entire adult population except the pensioners – 140 people in all. First, it was difficult to develop ongoing projects with which to keep the workforce employed, and second, there were too few people who could supervise the work to be done. Further, the Warburton Council found it difficult to make hard decisions.

The Department of Aboriginal Affairs policy at the time was to gradually transfer power from non-Aboriginal staff to the Warburton Council itself. One of the key areas of responsibility that needed to be delegated was the capacity to determine weekly wages. Here, the Community Coordinator recognised that it was a challenge for a traditional decision-making forum to determine wage payments objectively on the basis of the work performed. The status of people and their temperament had to be factored into the determinations. The Community Coordinator dealt with this tension by sitting down with Councillors over several weeks. This was difficult but the outcome was achieved.

The main advantage of CDEP was the flexibility it gave to community administrators. It was relatively easy to fill vacancies in the CDEP workforce, respond to emergencies, re-prioritise jobs, and so on. The strengths generally outweighed the weaknesses.

In addition to funding municipal services, CDEP projects focused on housing renovations and maintenance occurred under the supervision of a non-Aboriginal tradesman that not only kept the housing stock in order but also provided practical, on-the-job training. Workers were paid to assist with the development of outstation infrastructure and an area of activity centred on an attempt to resurrect the cattle industry, an endeavour that was not successful.

Thus, five decades after the foundation of the mission, the CDEP offered for the first time the possibility of full employment, albeit in circumstances and on terms that took account of some of the powerful cultural dynamics that characterised Ngaanyatjarra social relations. As the Community Coordinator observed, this system was not perfect but it worked.

Much of the credit for the successful introduction of CDEP can be attributed to the Community Coordinator, Chris Marshall. He had the strong support of the Commonwealth and State Governments, as well as public servants who worked for them. He was widely respected by the members of the Warburton community. He was able to achieve the success to a large extent because of the powers delegated to him and his careful use of them when deciding whether to intervene in the Council's affairs. Living in Warburton meant that he was always available to meet with participants. He understood how the Ngaanyatjarras should be consulted and how they preferred to make decisions. Warburton and its sister communities were set up for two decades of progress.

Credit must also be given to the Commonwealth Department of Aboriginal Affairs and its regional officials who supported development. The response of the Commonwealth contrasted with that of Western Australian Government officials whose efforts were directed towards meeting basic service delivery obligations.

## Managing communities

### **An era of progress**

Most of the developments that have strengthened the Ngaanyatjarra Lands communities occurred during the period after CDEP had come to function effectively. Some, but not all, of the achievements of this era are outlined.

In 1981, the Ngaanyatjarra Council was formed as a cooperative of 12 desert communities.

During the 1980s, Ngaanyatjarras elected to the Shire of Wiluna were able to challenge a view that central Western Australia was largely unoccupied such that the few nomadic Aborigines who lived there ought to be cared for by the Native Welfare Department. In 1993, the Shire of Ngaanyatjarraku was created from the eastern section of the Shire of Wiluna. The Shire offices are now located in Warburton and local government services are provided.

The businesses that now function under the Ngaanyatjarra Council umbrella were initially created because the roads were so poor that providers from outside the Lands could not be relied on. Ngaanyatjarra Area Transport Service (NATS) supplies fresh food that is delivered fortnightly. Ngaanyatjarra Services has branches responsible for repairs, maintenance and construction.

The Funeral Fund was established in Warburton in 1985 following the distress created when a funeral was held up because of non-payment for several previous funerals. Other communities followed with CDEP participants contributing \$2 per week. The Funeral Fund now relies on allocations from Mineral Exploration Compensation payments.

The Ngaanyatjarra Savings Plan was established in response to a need to have an alternative to the National Superannuation Guarantee because CDEP participants were explicitly excluded from this. The fund established a base over the first 5 years and, since that time, has made payments to members over 55 years of age.

The Christian Revival helped to rescue people from the chaos of the 1970s. After beginning on Elcho Island, a mission-settled community in the Arafura Sea, evangelists were warmly received by the Warburton church from where they recruited committed individuals who travelled to preach to other Aboriginal communities.

Local Police stations and magistrates courts have played their part. Twenty-five years before the Northern Territory Emergency Response, individuals who brought alcohol onto the Lands were gaoled for 3 months until the 'no alcohol on the Lands' decision of the Council was understood and accepted. Further, perpetrators of domestic violence have been, and continue to be, convicted and punished with the full support of the community.

### **Viability**

The Ngaanyatjarra Council received a fixed amount of funding (in effect, a fee) for each funded place in CDEP. The total was calculated as a percentage of the CDEP payroll based on a verified schedule. At various points in time administration and operational payments varied between 10 and 15 per cent of the payroll, in effect a large sum. In its final full year of operation, the CDEP administration and operational payments to the Ngaanyatjarra Council were \$3.2m.

The CDEP administration and operational payments were received on a recurrent basis over a period of 30 years. Auditors noted annually during this period, that the communities were going concerns provided that these payments were continued.

#### **4 The destructive impact of CDP**

CDEP was cancelled to enable the introduction of income management under the provisions of the Northern Territory Emergency Response legislation in 2007. It was progressively shut down in order to introduce mainstream job service providers to the remotes along with a standardised version of mutual obligation. Closing the Gap became conflated with 'erase the difference'.

As a result, the work done through the CDEP has been replaced by 'work for the dole'. This is not paid work but serves to establish and maintain entitlements to welfare benefits. The required number of hours has increased from 17 to 25, and the penalties for any breach of conditions (usually absences) can lead to a suspension of benefits lasting nearly two months.

The design of the CDP is explicitly based on an assumption that a regime of incentives and disincentives, if sufficiently punitive and applied over an extended period of time, will eventually teach Ngaanyatjarra people the value of regular work. History suggests there is no basis for this assumption. In practice, CDP requires adults to meet their income support obligations by undertaking work-like activities, often relatively meaningless tasks and under strict compliance arrangements. This is a hopeless vision of life on the Lands.

Now, the communities in the Lands are forced to fit into a centralised welfare system where the administration of income support is the responsibility of the Department of Prime Minister and Cabinet, the Department of Human Services and Centrelink. It is dependent on the use of the telephone and internet, unreliable technologies in remote locations, the failures of which place huge pressures on participants and the staff attempting to support them. The CDP and the Ngaanyatjarra Lands are a bad fit.

Not only has CDP destroyed the sense of agency among Ngaanyatjarras that had been fostered over decades, CDP threatens the very viability of the Ngaanyatjarra Lands communities.

#### **5 Where we are now**

Given the benefits associated with CDEP summarised in this submission, in particular, the design features that recognised the dependency of remote Aboriginal people on their communities, it is difficult to establish the logic through which it was removed.

From the perspective of Ngaanyatjarras, the CDP represents a return to an earlier time of government ignorance, indifference and neglect punctuated by random and remotely configured knee-jerk reactions. If a lesson can be learnt from our history, it is that a 'we know best' attitude by government can be expected to lead to rancour and disengagement.

The Ngaanyatjarras have a unique history. They have not previously been forced from their country and wish to maintain the privileges associated with this. However, they are greatly disadvantaged when they leave the Lands, so much so that many Ngaanyatjarra people cannot function adequately when dislocated from community support.

The experience of CDP has been a very negative one. It is expected this Senate Committee will be told in many voices about the harmful expectations placed on people who have limited English, are ignorant about the ways of bureaucracies and who have had their livelihoods withdrawn because of failures that are not necessarily of their own making. This submission takes a different approach; the intention of this submission is to explain the circumstances in which Ngaanyatjarra people live and that they have a proven record of managing themselves better and cheaper than a government can.