Submission to the

Northern Territory Emergency Response
Review Board

September 2008

Preamble

The Federal Government's emergency intervention shone a strong light on the unacceptably high levels of poverty and disadvantage experienced for many decades by the Northern Territory's Indigenous people.

Whatever views are held about the overall political motivation of the Intervention – and we recognise there are many – both for and against – it has brought a welcome and pointed focus to the mountain of issues that Aboriginal Territorians face on a daily basis.

Since Labor won Government in August 2001, Cabinet and Caucus together have worked to address these issues.

In March 2002 Minister John Ah Kit told the Legislative Assembly

> *We cannot pretend that a community is functional, when half the kids don't go to school because they have been up most of the night coping with drunken parents—or because they themselves have been up all night sniffing petrol.*

> *We cannot imagine that a community is functional when less than one in ten people can read or write; or where people are too ill through chronic disease or substance abuse to hold on to a job—let alone receive training.*

> *Or where kids are born with illnesses that have largely disappeared from most of the Third World, and those who survive into adulthood can be expected to die two decades earlier than their non-Indigenous counterparts*

> *Or where only 14 per cent of our kids reach Year 12—compared to 80 per cent of their non-Indigenous brothers and sisters in the cities and major towns.*

> *It's a downward spiral of despair for far too many of our fellow Territorians. A spiral of being ill before birth; of being poorly fed in childhood; of being deaf at school; of a life without work that will be cut short by a litany of disease and violence.*

> *For far too many people, each week that goes by is not marked with the simple joys of living, but with the need to organise funerals.*

As we identified these issues we also began, with practical measures, the long process of righting a generation of neglect. But the task was always beyond the existing financial resources of the Northern Territory Government on its own. There is simply such a massive backlog of unmet need. The Federal Government at the time felt it was unable to respond to our numerous requests for further assistance to help change the lives of Aboriginal Territorians.

By 2007 clouds of concern gathered into a storm when public and media comment began to further highlight the terrible circumstances surrounding the lives of so many Indigenous Territorians.

The Northern Territory Government commissioned the *Little Children Are Sacred* Report. We developed a generational change plan which we called *Closing the Gap* as our response. The Federal Government brought on the Intervention. The thing everyone agreed on was that action that would bring change was desperately needed. That is why we place so much importance on strengthening governance arrangements through our local government and service delivery reforms.

With the election of a new Federal Government and a consultative policy direction, a real opportunity has now arisen to work in partnership to address the chronic disadvantage suffered by so many Aboriginal people in the Northern Territory.

A real partnership based on mutual respect and understanding remains our major goal. There are no alternatives to hard work, adequate funding and a renewed desire to rebuild a strong and functional Aboriginal society.

If we do not change the current shocking life expectations that Aboriginal people face, then we will have failed.

The change will take at least a whole generation – that is at least 20 years. And the change can only come with the full responsibility, involvement and participation of Aboriginal Territorians.

Above all, the Northern Territory Government considers itself a government for all Territorians.

But we also recognise, given Aboriginal people now comprise over 30 per cent of our population, we have a special obligation to be both accountable to and responsible for improving the life outcomes of Aboriginal Territorians. For Government this also means we must be open and transparent in explaining all of our efforts.

Aboriginal Territorians speak to us constantly about the desire for certainty in their lives. They want to build a clear path forward that leads to a better life for themselves and their children.

We all know that's the right thing to do – now in real partnership – we should just get on with it.

Paul Henderson
Chief Minister

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1. EXECUTIVE SUMMARY

INTRODUCTION

The Northern Territory Emergency Response (NTER) has delivered significant, additional resources for the services provided to Indigenous Territorians. The extent of these additional resources has demonstrated the size and complexity of the task required to Close the Gap of disadvantage between Indigenous and non-Indigenous Territorians.

While the NTER commenced without consultation with affected communities or the Northern Territory Government (NTG), the NTG decided that it would fully cooperate with and support the NTER, recognising that it had the capacity to provide a substantial and intensive focus on the care of children in the Northern Territory; and that this focus would necessarily put a national spotlight on the substantial effort and investment required to address the findings of the *Little Children are Sacred* report.

Importantly, this focus could be applied in a way that was beyond the financial capacity of the NTG and would necessarily require a substantial rethink of the role of government in service delivery, including addressing service deficits and the requirement for a concerted and sustained effort to address the infrastructure and service backlog.

Cooperative effort with some of the NTER initiatives has improved over time. However, there were aspects of the NTER that, in the NTG's view, were not essential to achieving the NTER's objectives, were unnecessarily discriminatory, or did not take account of more effective policy and program delivery already in place or being developed in the Northern Territory.

The NTG opposed the blanket removal of the permit system on Aboriginal land and the introduction of the $100 alcohol purchase law. Concerns were also raised about some key features of the NTER, including the abolition and revision of CDEP; the implementation of alcohol restrictions; compulsory five year leasing; 'blanket' welfare quarantining; service duplication arising from some parts of child health checks and the lack of effective engagement with Indigenous communities affected by the NTER.

Many of these concerns can be characterised as matters that go to the implementation rather than the intent of the NTER.

The view of the NTG is that the NTER Review Board should not be distracted by whether the NTER should continue, but rather the way in which it should be continued and the governance arrangements that would produce the most effective partnership and accountability. The Board should consider how the focus and intent of the NTER can best be maintained and harnessed to meet the key performance indicators required by the Closing the Gap program of both governments.

Sustained investment building on past and current initiatives, utilising the considerable knowledge and experience that exists within the Territory, is critical to meeting the challenges of Closing the Gap and the growing pressures of changing demography. These demographic changes require expansion in services and improved infrastructure in remote and urban areas. Notwithstanding substantial commitments from the NTG's budget, the quantum of funds required is well beyond the financial capacity of the Territory.

The Australian Government's stated investment in the NTER of $1.3 billion is equivalent to a third of the NTG's annual budget. The sheer size of the commitment demonstrates the difficulty of the task which has faced the Northern Territory since self-government. The NTG inherited responsibility for a large under-resourced land mass without access to a source of funding to bring those under-resourced areas up to a comparable national standard.

The NTG currently spends about 52 per cent of its budget on Indigenous related services, compared with the 44 per cent it receives in Indigenous-related revenue (*2006-07 Northern Territory Indigenous Expenditure Review, 2008*). In addition, the NTG has committed an additional $286 million over five years as part of the original 2007 Closing the Gap investment and has made further commitments in 2008.

In response to the NTER Review Board's request, the NTG has considered what is necessary, in its view, by way of additional funding to Close the Gap in Indigenous outcomes. See 'Resources' below.

An additional concern is that the NTER identified just 73 Territory communities as being eligible for additional services and investment. This has created inequities, uncertainties and confusion over service delivery. It is increasingly difficult to explain to those communities outside the 73 identified NTER communities why they are not receiving additional services. Going forward, an agreed service delivery framework for all Territory communities is required as part of a proposed new governance arrangement. This would, through more effective communications and engagement, provide certainty and clarity for people on-the-ground and provide more equitable and sustainable outcomes for all Indigenous Territorians.

The Territory submits that there are three key points which need to be emphasised in developing recommendations for a new approach to service delivery in Indigenous affairs:

1. **Community Engagement** – the Territory submits that it is axiomatic that program delivery is more effective when it is informed by, developed with, and implemented in partnership with, the community.

2. **Resources** – the Territory submits that the quantum of resources required to Close the Gap must begin with the resources required to eliminate the backlog in infrastructure and service delivery. Addressing this backlog is separate from, but a necessary condition for, the successful application of resources towards programs and initiatives currently being developed through the Council of Australian Governments (COAG) and other reform agendas. A new financial framework is required, representing ongoing NTER funding, and separated from the GST or COAG funding processes, with the funding being delivered through a continuation of tied grants or Commonwealth own-purpose expenditure.

3. **A New Governance Framework** – the Territory submits that a new partnership arrangement is required that establishes better coordination and working arrangements across the three tiers of government, the non-government and community sectors. This new partnership will require a transparent and accountable implementation, monitoring and evaluation framework. This framework should define the roles and responsibilities for service delivery of each tier of government and service providers. It should be designed as a key governance mechanism to manage and align the range of initiatives, strategies and evidence-based reporting requirements to be applied to the Closing the Gap programs of both governments. This framework should be coordinated and managed by the NTG.

NTER MEASURES

NTER Measure 1: Welfare Reform and Employment

The challenges involved in transitioning from a welfare paradigm to an employment-based model are complex and substantial.

There is a substantial shortfall (or jobs gap) for approximately 12 000 people of working age outside the main urban centres in the Northern Territory.

Both governments have accepted that differentiating among communities based on local labour market circumstances is helpful to understanding the requirement to avoid a one-size fits-all solution.

The development of place-based approaches to economic development will provide an opportunity for localised strategies to be developed to match local and regional opportunities to the interests, aspirations and capabilities of locals.

To facilitate pathways to employment, a seamless and coordinated approach to employment and business support programs is required.

A comprehensive overhaul of the delivery of accredited and non-accredited training is required to directly link funding and training to employment outcomes, including the delivery of training for smaller cohorts of trainees.

The Territory does not support the continuing blanket application of income management.

Prior to the NTER, the Territory advocated income management as one part of a suite of activities to address welfare dependency, but only on the basis of a behavioural trigger such as school attendance. Additional behavioural triggers could include alcohol and justice orders, child neglect and rent arrears.

Moving to a behavioural based income management model would facilitate the reinstatement of the *Racial Discrimination Act 1975*, the suspension of which is not accepted by the Territory as consistent with the principles of good public policy.

The Territory also recommends that systems are in place for individuals to opt in to income management and that support and assistance is available for those responsible members of the community who might otherwise be vulnerable to family or community pressure.

CDEP needs to be considered as part of a continuum in workforce development that can lead to jobs where local job markets currently exist or where local economies can be built over time.

A range of incentives need to be applied to encourage people to transition towards a real job, or support people who voluntarily choose to move to another centre for training or work.

Lessons from successful CDEP programs should be adopted in any revised CDEP program. Specifically, the removal of a waged CDEP program from those areas where the jobs gap is substantial would be counter-productive to the balance of incentives and disincentives to developing a positive work culture.

In this regard it is critical in the effort to move from a welfare to a work paradigm, that CDEP is not used as a mechanism to avoid income management. This can be achieved by strictly applying eligibility criteria for entering the CDEP program based on the behavioural triggers for income management; and strictly applying employer-employee responsibilities while participating in the CDEP program. In other words, failure to meet behavioural standards will preclude people from entering the program and receiving a wage. Failure to honour employee responsibilities, for example failure to regularly turn up for work and behaviour which brings the employer or CDEP program into disrepute, will result in an individual losing the privilege of a CDEP wage and returning to income management.

Building and supporting local organisational capacity, including adequate resources and support to implement accountability frameworks that can deliver on key program principles such as 'no work, no pay', will provide more effective and flexible short, medium and long term outcomes.

Early positive results from community stores initiatives need to be continually monitored with improvements made and supported across all communities.

Welfare Reform and Employment

Key recommendations:

- Industry based and place-based strategies to develop local economies and build pathways to jobs.
- Overhaul of training delivery to link training to job outcomes.
- Blanket application of income management to be replaced by behavioural triggers such as school attendance, alcohol and justice orders, child neglect and rent arrears.
- Systems put in place for individuals to opt in to income management and that support and assistance is available to those responsible members of the community who might otherwise be vulnerable to family or community pressure.

- Introduction of a revised CDEP program which will:

  o support mobility for those individuals who chose to move to obtain work;
  o require the transition of people to work where jobs are available;
  o provide a wage and incentives regime where there is currently a substantial jobs gap in the local labour market;
  o ensure that CDEP is not used as a mechanism to avoid income management by strictly applying eligibility criteria for entering the CDEP program based on the behavioural triggers for income management; and by strictly applying employer-employee responsibilities while participating in the CDEP program.

- Commitment to ongoing funding of Commonwealth and Northern Territory programs that have transitioned CDEP positions to paid employment.

- Monitor and evaluate community store outcomes and support improvements across all communities.

- Significant investment in work readiness (including literacy and numeracy, life skills and family support), financial and economic literacy.

- Investment in capacity building for local and regional organisations.

NTER Measure 2: Law and Order

Law and order is the foundation for improving the current and future life style and aspirations of Indigenous people in remote communities. Without a safe environment in which to live and work, it is doubtful other measures will succeed.

An important emphasis of the initial intervention, and a focus that should continue, is the role of increased policing and law and order initiatives in 'stabilising' communities to allow health, employment and economic measures to be implemented.

There are considerable challenges to maintaining law and order in the Northern Territory, including a high proportion of remote communities with limited services; high prevalence of substance abuse within remote communities; and town camps in urban centres with similar policing issues to remote communities, but where alcohol, illicit drugs and other abused substances are cheaper and easier to access.

A permanent police presence is highly regarded by the community. Police, particularly those living and working in a community, are often viewed as the only means of providing protection to those who are vulnerable and at risk.

Prior to the NTER, 38 NT Police Stations serviced remote communities across the Northern Territory. Between July 2007 and February 2008 NT Police built 18 additional temporary police stations under the auspices of Task Force Themis in prescribed communities across the Territory.

This massive undertaking to increase police capacity was built on top of a range of effective crime reduction strategies that NT Police had implemented prior to the NTER.

The increased police presence under NTER has had a dramatic, positive effect on law and order in remote Northern Territory communities. There is clear evidence that communities are safer. There is also a strong desire by communities to retain the increased police presence and a dread of what will occur if police are removed. There are continuing demands from other communities also seeking a permanent police presence.

The capacity building enabled by the NTER has provided NT Police with the ability to expand crime reduction strategies into more remote communities. However, increasing NT Police's remote policing capacity by 50 per cent is not sustainable without a commensurate increase in operational and support capacity.

The NTER, particularly the increased police presence, has increased demand on the justice system, highlighting a need to provide or upgrade court and associated facilities in remote and regional areas. At the same time it has substantially increased the incidental costs of providing justice services. In addition, demand on both custodial and community correctional services is expected to increase.

Prior to the NTER, significant initiatives to control the supply and reduce alcohol related harm were already in place. This included regulation of alcohol advertising and promotional activities, requirements for the responsible service of alcohol, new public restricted areas, general restricted areas and over 110 private restricted premises. There were also strong measures to seize and dispose of vehicles following breaches of the Liquor Act.

As part of the NTER, Australian legislation overlaid and became part of the Northern Territory Liquor Act, with some negative consequences, including confusion caused by complex regulations and frustration at ineffective or poorly targeted restrictions. The NTER legislation also had the effect of weakening parts of the Northern Territory Liquor Act.

There is evidence that the NTER alcohol measures and increased police presence have increased the shift of residents of prescribed communities into urban centres, resulting in major impacts on resourcing for housing (particularly temporary housing), health, education, alcohol treatment and policing.

There is also anecdotal evidence that there has been an increase in the number of semi-permanent drinking camps on the outskirts of prescribed communities or 'dry towns', creating safety concerns associated with excessive drinking, proximity to major roads and increased traffic to and from the camps.

Conversely there is also anecdotal evidence that the Commonwealth declaration of prescribed communities has resulted in these camps shifting further away from community boundaries (as the prescribed areas are larger than the communities themselves), with some communities welcoming the resultant reduction in noise and anti-social behaviour. New supply conditions on licensees have also had a dramatic effect in some communities.

Legislative changes regarding pornography offences have been difficult to enforce. The Department of Justice is delivering a model education program on the Australian film and literature classification system to remote communities. All communication tools have been developed in consultation with communities and a Senior Indigenous Men's Group has been formed for the purpose.

NT Police's experience is that night patrols on communities without police involvement and coordination are characterised by inappropriate recruitment, ineffective administration, poor accountability and misuse of equipment.

Law and Order

Key recommendations:

- Adequate long term Commonwealth funding is required to sustain the 'surge' approach to policing, including capital and recurrent funding for Themis police stations to become permanent facilities.

- Implement and resource a strategic approach to community safety underpinned by Community Safety Plans incorporating Alcohol Management Plans.

- A collaborative and strategic approach be taken that builds on the NTG Alcohol Management Framework and Closing the Gap strategy to respond to excessive alcohol consumption in a more consistent and coherent way.

- As a matter of priority, urban drift and population mobility studies be undertaken to underpin service delivery planning and responses.

- Night patrols be adequately resourced and integrated with NT Police and other services.

- Additional resources be provided to enable an effective local justice system to operate in communities.

NTER Measure 3: Enhancing Education

The profile of Northern Territory Indigenous students in regard to health, nutrition, overcrowding, mobility and English as a second language presents constant challenges.

The attendance rates of the majority of Indigenous students in Remote and Very Remote schools are so low that they have little chance of achieving national benchmarks. The average attendance rate for Indigenous students in Very Remote schools is 65 per cent.

About 48 per cent of government education expenditure is directed towards Indigenous students who make up 40 per cent of the student population. The cost per Indigenous student is $22 378 compared to a cost for a non-Indigenous student of $13 979.

Northern Territory schools are currently staffed on enrolment moderated by attendance plus an allowance of 10 per cent, and the Northern Territory experiences a high teacher turnover. To place an additional teacher in a Very Remote school has been calculated to include $156 000 for salary, relocation, remote conditions and allowances, $9 092 in grants to the school and between $400 000 and $900 000 to provide new housing, dependent upon location.

'Growing Our Own' is a key long term strategy to address workforce issues and involves professional and skills development of community members in the education process by taking on the role of teacher's assistant, training to become a teacher, or undertaking other school-based roles.

Training needs to be provided in flexible ways that allow Indigenous trainees to learn within their own community, for example using online technology.

Since the introduction of the NTER, enrolments have increased by about 400 students in the schools within prescribed communities, but average attendance has remained stable at approximately 65 per cent.

The central and critical importance of increasing attendance rates is well documented. All relevant community measures should contribute to increasing school attendance. For example, one of the behavioural triggers for income management or becoming ineligible for CDEP should be school attendance.

Under NTER an additional 15 new classrooms are being provided for remote communities at a cost of about $340 000 each. The construction of the classrooms is expected to be completed by September 2008.

School Nutrition programs are being implemented by the federal Department of Education, Employment and Workplace Relations, with assistance provided by the Northern Territory Department of Education and Training (DET), to provide children with breakfast and lunch at schools in 49 communities and seven town camps. It is not clear whether the nutrition programs have contributed to the increase in enrolments in some schools.

The service delivery model currently being explored by the DET is a hub service delivery model which will service a number of smaller communities from a central or hub location, with a pilot program in Maningrida.

Improved data and information tracking processes is needed to improve the well-being and educational outcomes for individual students, and identify those most at risk. However, attempts to agree to a cross-government data sharing framework to allow the establishment of an Agreed Student Number (the total possible number of school aged children for each community) have not been successful to date.

Strategies to manage attendance and mobility are complex and solutions do not lie with the school alone but must be shared across agencies and communities.

The success of a school ultimately depends on the quality of teaching, school leadership and partnerships with parents and the community. The best gains in education outcomes for Indigenous students will be made in partnership with Indigenous parents and communities.

As part of the 2005-2008 DET Indigenous Education Strategic Plan, the Department began to negotiate Remote Learning Partnerships with communities in 2007. In April 2008 Minister for Education Marion Scrymgour announced the *Transforming Indigenous Education* Package, setting a new direction for Indigenous education. This includes establishing two Community Partnership Education Boards, in the Warlpiri Triangle and the Yolngu-Matha speaking communities in the Miwatj region. These Boards build on the Remote Learning Partnership Agreements and will provide strong and genuine community ownership and management of education training services.

Enhancing Education

Key recommendations:

- Design a whole-of-government approach, community by community, focused on improving educational outcomes through long term planning, with attention to policy on the level of service to be provided.

- Implement a well designed process in a large community, Maningrida, to fully develop a sustainable model with criteria for levels of service delivery, rigorous evaluation and planning in place for implementation at varying levels of scale.

- Establish protocols and processes for collection of critical data across the Northern Territory and Australian governments to improve tracking of attendance, educational programs and other relevant indicators of child wellbeing.

- Build Indigenous community capacity in governance and employment within the education sector ('Growing Our Own').

- All relevant community measures, eg. income management, should contribute to increasing school attendance.

- Build school infrastructure that supports teaching and learning programs appropriate to the level of service delivery, incorporating integrated approaches, greater flexibility of use, and incorporating appropriate levels of technology.

NTER Measure 4: Supporting Families

The child protection reform agenda commenced by the NTG in 2004 is progressing and continues to achieve results. Recent milestones include new legislation for the protection of children commencing in stages in 2008, development of a central child protection intake service for the Northern Territory, establishment of the Child Abuse Taskforce operating in Darwin and Alice Springs, and establishment of an Aboriginal Community Resource team to work alongside the Taskforce.

In response to the NTG inquiry into child sex abuse (*Little Children Are Sacred*), the NTG's *Closing the Gap: A generational plan of action* was launched in August 2007.

This initiative committed an investment of $286 million over five years across child protection, family violence, policing, justice, alcohol and drugs, health, housing, education, jobs and culture.

As part of the NTER, the Northern Territory and Australian governments have worked to establish a mobile child protection team, additional safe places in seven communities and the development of diversionary activities for youth.

The Safe Places created under the NTER provide an important focus for the violence prevention and safety services in Indigenous communities, but will not break the cycle of violence or reduce the incidence of family violence without other preventative programs and better linkages to other services.

Investment in Indigenous Child and Family Centres in five communities through the COAG process is welcomed but needs to be expanded to enable more communities to establish integrated models. Many communities have small child care or crèche services, and Northern Territory experience is that if these services are supported, they can grow and develop into more comprehensive early childhood services.

Youth diversionary activities have a positive impact in communities and the NTG supports youth programs as a key feature of the community service system. Strengthening and expansion of youth services needs to continue.

Supporting Families

Key recommendations:

- That the Australian and Northern Territory governments enter into a four to five year agreement for the resourcing and delivery of integrated family violence services in the Northern Territory.

- That the Australian Government commit to a continuation of the new COAG Early Childhood service reform to enable expansion to a further 37 communities in the next five years.

- That the Australian and Northern Territory governments agree to fund youth development programs in remote and regional communities in the Northern Territory.

NTER Measure 5: Improving Child and Family Health

The Australian primary health care system model presents particular challenges to the Territory. The centrality of GPs and Medicare-based fee for service funding to the national primary health care model presents particular problems in remote areas of the Northern Territory where:

- there is an extreme shortage of doctors limiting access to GPs;

- most health centres are small and experience a disproportionately heavy administrative burden in claiming Medicare funding;

- most primary health care services are provided by other professionals such as Allied Health Workers and nurses whose services are generally non-Medicare refundable;

- many comprehensive primary health care services, particularly population health and promotion services, are not refundable under Medicare; and

- even where Medicare services are claimable, the actual costs of delivering services in a remote area are much higher than in urban or rural settings and the refunded benefit may not match the cost.

The net result of the national Medicare policy and funding context is that the Northern Territory has the lowest per capita funding of any State or Territory from the Commonwealth funded Medicare scheme. Recent research indicates that the funding shortfall increased from $15.8 million in 1994-1995 to $23 million in 2003-2004.

Unlike other states, the NTG has invested substantially in primary health care delivery. Along with two community controlled health zones, the NTG is the major primary health care service provider throughout remote areas of the Northern Territory. Services are provided through Departmental remote health centres, non-government organisations and independent Aboriginal Community Controlled Organisations.

Before the NTER, the Northern Territory was already investing substantially in child health services in remote communities. This comprehensive child health service has continued to be provided in parallel with the NTER child health checks and follow-up treatment and care.

The NTER initially focused only on the provision of child health checks (Phase 1) and follow up treatment and care of those children who had been diagnosed with a problem (Phase 2).

In September 2007, the Australian Government agreed to provide an additional $100 million over two years to "improve the quality, accessibility and efficiency of primary health care and related health services for remote communities". This significant expansion was known as Phase 3 and has now been renamed the Expanding Health Services Delivery Initiative (EHDSDI). This initiative is underpinned by an MOU between the Northern Territory Department of Health and Families (DHF) and the Commonwealth Department of Health and Ageing (DoHA). It is a health service delivery partnership between the NTG, Australian Government and the Aboriginal Medical Services Alliance Northern Territory (AMSANT).

Recurrent Australian Government funding for the expanded remote primary health care services after the two year period (to 2010-2011) will depend on an evaluation of EHDSDI. Without a commitment of ongoing recurrent funding, there is a strong risk that the outcomes achieved by this initial investment of funds will be compromised.

The NTER has allowed for a catch-up in hearing testing in Central Australia (not previously possible with the levels of funding) and completion of dental treatment and significant surgical procedures. A start has been made on the development of a Community Hearing Worker workforce, and infrastructure such as hearing booths and dental facilities are now in the planning stages.

The Northern Territory Aboriginal Health Forum (comprising representatives of AMSANT, DHF and DoHA) has developed a framework to support Aboriginal communities in the planning, development and management of primary health care and community care services.

The framework, known as 'Pathways to Community Control', is based on the principle that Aboriginal communities have the right to participate in decision-making that affects their health and wellbeing. However, the framework also accepts that not all communities will have the same aspiration or capability to manage the planning, development and delivery of primary health and community services at the same point in time.

DHF is also committed to the regionalisation of services to ensure more efficient and sustainable delivery of core health services.

Remote health centres will also be supported by a range of visiting services from 'hubs.' Initially existing 'hubs' in Darwin and Alice Springs will be expanded. The expansion of hubs in other regions will be subject to the availability of infrastructure.

A substantial amount of the new funding will raise staffing levels across the health system in remote communities to be able to provide acute care or illness treatment and other primary health care services. While this workforce expansion presents a unique opportunity to significantly increase health care services across the Territory, the overall rate of Indigenous participation in the health workforce in the Northern Territory remains a significant concern. In planning for the future, the need to increase Indigenous employment in the primary health care sector is considered critical.

A major additional category of Aboriginal Community Workers will be established to focus broadly on public health, health promotion, prevention and family/community services. Subject to consultation and local circumstances, these positions may be based in communities or may service communities from hubs or urban centres. One of the anticipated roles of these workers will be to undertake work in their own communities and provide the community link for visiting specialist services.

An active lifestyle, such as that involving participation in sport and recreational activities, is critical to improving individual and community health and to providing youth with meaningful lifestyles. Physical activity is directly related to factors that impact positively on learning and counteract the development of antisocial behaviours. Under pre-NTER arrangements negotiations commenced for the establishment of a Youth Schedule that would include the Indigenous Sports Program.

Improving Child and Family Health

Key recommendations:

- The 'Pathways to Community Control' strategy be supported as a positive and systematic framework for working towards a remote primary health care system under Aboriginal community control.

- Expansion of the regionalisation process to deliver core primary health care services to a sustainable service population.

- Expansion of hub services in major regional centres to ensure that Aboriginal communities and community-based health professionals have access to a range of visiting support services on a more regular basis.

- The proposed service / workforce expansion presents a unique opportunity to significantly increase access to core primary health care services across the Northern Territory.

- Increase access to core primary health care services across the Northern Territory by expanding workforce and service provision.

- Provide appropriate training and support to increase Aboriginal employment in the remote primary health care sector.

- Implement fundamental reform to all remote primary health care service providers flowing from the agreed principles underpinning the service expansion and reform process through the EHSDI.

- Establish a major additional category of Aboriginal Community Workers to focus broadly on public health, health promotion, prevention and family/community services. Subject to consultation and local circumstances, these positions may be based in communities or may service communities from hubs or urban centres.

- Re-commence discussions to address the needs of Indigenous youth, including specific reference to the future of the Indigenous Sports Program.

NTER Measure 6: Housing and Land Reform

Access to adequate housing, infrastructure and essential services provide the basis for healthy families, a healthy lifestyle, strong communities and economic growth.

Demographic trends in the Northern Territory Indigenous population suggest that there will be substantial and increasing pressure on both remote and urban housing and infrastructure.

Tackling housing shortages and overcrowding in Indigenous communities is a priority of the Northern Territory and Australian governments. A jointly funded and managed $647 million Strategic Indigenous Housing Infrastructure Program will be delivered in prescribed communities over the next five years.

Despite this investment, it is estimated that additional investment of $2.059 billion is required in the Northern Territory to meet the backlog for community housing and for essential infrastructure.

Both the Australian and Northern Territory governments accept the need to secure substantial investments in housing and other infrastructure with suitable land tenure arrangements.

The compulsory acquisition by the Australian Government of title under the five year lease provisions of the NTER has resulted in administrative and financial benefits, but has been criticised by Land Councils and traditional owners.

There is also confusion across communities regarding the status of short term tenure arrangements and the permit system.

The NTG supports certainty and clarity through the transition within the five year lease period to a negotiated land tenure arrangement under the *Aboriginal Land Rights Act (Northern Territory) 1976*.

Such a transitional arrangement would also permit the reinstatement of the *Racial Discrimination Act 1975*.

Limited positive feedback has been received on the Community Clean Up Program introduced as part of the NTER. The program largely duplicated NTG initiatives. The lack of a strategy bringing government efforts together has wasted resources and compromised the potential for community benefit.

Substantial investment in enabling infrastructure, particularly roads and telecommunications, is critical to the effective roll out of major construction and investment programs; and to the effective implementation of a hub service delivery model within an agreed service delivery framework.

Ad hoc and un-coordinated engagement in sacred site protection measures has resulted in confusion, damage to sacred sites and delays in implementing adequate measures to protect sacred sites.

Housing and Land Reform

Key recommendations:

- Planning processes to be based on agreed service delivery levels for prescribed and non-prescribed communities.

- Use increased investment in housing to develop local employment opportunities and promote economic and local enterprise development.

- Strategic significant investment in roads and telecommunications is required.

- Transition within the term of the five year leases to long term negotiated leases under the *Aboriginal Land Rights (Northern Territory) Act 1976* to facilitate the reinstatement of the *Racial Discrimination Act 1975*.

- Clarify the future of the Community Clean Up Program - if the program is to continue, then coordinate and integrate it into similar NTG and Australian Government programs (eg. Fixing Housing for Better Health).

- Adopt a coordinated approach to the protection of sacred sites.

NTER Measure 7: Coordination

Bilateral arrangements in operation prior to and subsequent to the NTER have demonstrated that both governments are willing and capable of working effectively and cooperatively where suitable structures and mechanisms are in place.

Subject to the caveat that the use of the term 'viable communities' is not preferred, the Territory concurs with the NTER Taskforce's strong recommendations "to maintain funding with the aim of protecting children and creating a better future for Aboriginal people in the Northern Territory" and "to consider additional investment to alleviate overcrowding in remote communities in the Northern Territory".

The Territory takes the view that coordination and collaboration through a senior government representative on communities with extensive local knowledge is particularly valuable. However, the Northern Territory experience with Government Business Managers (GBMs) has been mixed.

GBMs would be better served by being accountable to the proposed new governance framework, and managed by the NTG.

The Australian Government commitment to employ up to 20 Indigenous community members to act as community agents is welcomed. This initiative has the potential to be replicated in a range of service delivery fields and should be integrated within a wider local recruitment strategy that offers local people the chance to progress into senior and influential roles within community and non-government organisations and the three tiers of government.

Long term investments are required to ensure external and local recruits will be appropriately housed and have suitable working environments. There needs to be recognition that housing and office facilities for service workers are part of the accumulated investment backlog in Northern Territory communities.

Coordination

Key recommendations:

- Suitable governance mechanisms should be put in place to ensure effective decision making responds to evidence based monitoring and evaluation mechanisms within the agreed service delivery framework.

- The role of GBMs is better served by being accountable to the proposed new governance framework, and managed by the NTG.

- The role of Community Agents should be considered within a wider local recruitment strategy that provides opportunities for local people to progress to senior roles.

- Recruitment strategies require long term investments to ensure external and local recruits will be appropriately housed and have suitable working environments.

CLOSING THE GAP

The 2007 *Closing the Gap of Indigenous Disadvantage - a Generational Plan of Action* (Closing the Gap) incorporates the NTG's response to the *Little Children Are Sacred* report. Closing the Gap goes beyond the recommendations of the report and addresses the underlying social and environmental factors contributing to child sexual abuse.

Closing the Gap sets out the NTG's vision, objectives and targets to overcome Indigenous disadvantage. Fifty-six priority actions based on the best available evidence are being implemented in the first five years across seven Action Areas.

While the Northern Territory has the jurisdictional responsibility and delivery mechanisms in place to address Indigenous disadvantage across the Territory, it has lacked the resources to implement the level of change necessary.

The integration, coordination and alignment of Closing the Gap initiatives with future NTER measures will require building on a range of existing mechanisms.

Key outcomes of an integrated and coordinated approach would be the facilitation of joined up service delivery across three tiers of government, including regional and place-based approaches and critical linkages with the range of reform agendas, policy platforms and initiatives currently being developed in Indigenous affairs at national and Territory levels.

COAG

COAG leaders have agreed to sustained engagement and effort by all governments over the next decade and beyond to achieve Closing the Gap targets for Indigenous people.

COAG has identified seven building blocks that are comparable to the seven Action Areas the Northern Territory is progressing under Closing the Gap and the seven NTER Measures.

COAG's reform agenda is expected to commence in 2009, providing a unique opportunity for an holistic approach to Indigenous affairs and service delivery based on the seven common themes of Closing the Gap, COAG and the NTER. This opportunity will provide the conceptual framework for a new approach to engagement with the Indigenous community, additional resourcing, and facilitation of an integrated and coordinated approach to joined up service delivery across three tiers of government.

COAG has established a number of working groups to progress national reforms and has agreed that the Working Group on Indigenous Reform should continue to develop reform proposals for improving community safety, remote service delivery and Indigenous economic development and active welfare, for consideration in October 2008.

In addition COAG has requested the Working Group, in conjunction with other working groups (Business Regulation and Competition, Health and Ageing, Productivity Agenda, Housing, Infrastructure, Climate Change and Water) report to COAG in December 2008 on how COAG's broader reform agenda will deliver an integrated strategy on closing the gap for all Indigenous people.

While the NTG is actively engaged in the COAG reform process, it is important to note that the Territory is not expecting to receive significant funding to address the backlog issues through this process. Additional resources to address the backlog will need to be provided separately either as a tied grant or Commonwealth-own expenditure.

THE WAY FORWARD

Engagement – Communications and Local Employment

The Territory submits that a new approach to service delivery is required.

This new approach must be based on a negotiated partnership arrangement between all key stakeholders underpinned by best practice community engagement, an agreed service delivery framework and a substantial and long term commitment to appropriate levels of resourcing.

Effective communication, consultation and engagement are fundamental and critical steps for any new framework of delivery and can be summarized in terms of accepting and acknowledging the importance of mutual respect.

One of the most effective ways to engage with local people and ensure the likelihood of continuity on the ground is to make a concerted effort to employ local people.

Innovative and flexible strategies must be adopted to ensure the earliest transition of locals to all levels of seniority within the agreed service delivery framework.

Statistics for interpreter use indicate an increase in activity, although not at the level that would have been expected given the scope and intensity of the NTER initiatives.

Increased funding for interpreting would:

- enable development of more effective communications strategies;
- provide a guarantee of ethical and accurate interpretation of language;
- enable recruitment and training of additional interpreters; and
- provide 'real jobs' and employment activities for Indigenous people.

In an extension of the principle of community engagement, the NTG is giving priority to the participation of Indigenous people in local governance. Supporting this policy will create a consequent demand for high quality, locally delivered governance and leadership training.

Engagement

Key recommendations:

- Substantial investment is required to effectively engage with local people.
- Adoption of best practice communications techniques.
- A concerted effort is required to employ locals at all levels and roles, including pathways to senior management roles.
- Increase funding for the Aboriginal Interpreter Service.
- Provide high quality, locally delivered governance and leadership training.

Resources

The NTG currently spends about 52 per cent of its budget on Indigenous related services, compared with the 44 per cent it receives in Indigenous-related revenue (*2006-07 Northern Territory Indigenous Expenditure Review, 2008*). In addition, the NTG has committed an additional $286 million over five years as part of the original 2007 Closing the Gap investment and made further commitments in 2008.

In response to the NTER Review Board's request, the NTG has considered what is necessary, in its view, by way of additional funding to Close the Gap in Indigenous outcomes. This is a difficult task and the Territory has established a number of principles to guide its consideration of the future resource requirements.

In particular, it is the Territory's strong view that both governments need to maintain their existing commitment to current levels of Indigenous services:

- For the NTG, this requires maintenance of current levels of mainstream services provided to Indigenous Territorians and announced commitments to Closing the Gap initiatives. This is estimated to be 52 per cent of Territory general government expenses.

- For the Commonwealth Government continuation of NTER funding at least at current levels which is estimated at $385 million per annum.

- For both governments, commitment is required for the establishment of permanent infrastructure to support NTER initiatives including facilities, government employee housing and associated essential services, with the Commonwealth providing the capital funding and the Northern Territory responsible for infrastructure delivery and implementation. This, along with a commitment to addressing the backlog in community housing, is estimated at total capital funding of $2 456 million with expenditure to be undertaken at a sustainable annual amount.

- In addition, both governments should commit support to targeted, new or expanded initiatives in justice, education and health services with strategic investment in transport and communications infrastructure necessary to support additional investment in services. The cost of this additional investment is estimated to be $262 million ongoing, with $1 025 million for associated infrastructure.

- Enabling infrastructure such as roads and telecommunications is critical to remote service delivery.

This assessment illustrates the necessity for NTER or NTER-like funding to continue at elevated and sustained levels including the investment in permanent facilities over a considerable time in order for conditions for Indigenous people to improve and be maintained at levels comparable to their non-Indigenous counterparts.

Much of the NTER funding does not extend beyond 2008-09 and is subject to the NTER Review Board's recommendations. Funding estimates provided in this section have been developed for services from 2009-10, and are in line with the principles outlined for maintenance of current NTG and NTER effort, infrastructure to support ongoing NTER funding and new targeted initiatives.

Accordingly, the estimates in section 6.3 are provided by funding source and include details of current NTG spending and commitments, and the Commonwealth's NTER funding as understood by the Territory (there may be some areas where the full extent of Commonwealth funding is not known). An estimate of the infrastructure required to provide NTER services with permanent rather than temporary facilities has also been provided and includes essential services and government employee housing. In addition, targeted programs considered to be an important additional contributor to Closing the Gap have been proposed.

The estimates have been categorised according to the 'building block' areas of Indigenous service delivery and reform common to the NTER, Closing the Gap and the COAG reform process: community safety, education, health, housing and infrastructure, employment and economic participation and governance and coordination. In line with the treatment in the 2008-09 financial year, continuation of NTER funding and any additional investment needs to be treated by exclusion from the horizontal equalisation processes administered by the Commonwealth Grants Commission so that the additional NTER funding is not offset by a reduction in existing funding sources.

Service Delivery Framework

The current reform agenda in Indigenous affairs provides a unique opportunity to align and coordinate across a range of inter-related strategic initiatives. These initiatives clearly build on the seven building blocks identified across the COAG and Closing the Gap agendas and cannot work independently without prejudicing outcomes.

An overarching strategic framework is essential in providing the sign-posts and road map to which all stakeholders can commit with clarity and certainty.

Agreed service delivery levels for all Northern Territory communities must be based on transparent criteria developed and agreed through the community engagement process.

The NTG is also significantly advanced in developing a clear and comprehensive picture of current service delivery and will use this work-in-progress to underpin the necessary consultation process and economic modelling.

Defining service delivery levels should start from the fundamental principle that all children must receive quality early childhood services and education; and then go on to consider the appropriate criteria for the level and provision of all service delivery requirements.

Key principles

Key principles underpinning the development of an agreed service delivery framework include community engagement, continuity, government responsibility and accountability, equitable status between governments and transparency and accountability.

It is critical to a new partnership framework that government takes responsibility for service delivery within the agreed framework. This means being held accountable for either delivering the agreed services and/or guaranteeing the delivery of those services in circumstances where delivery is devolved to appropriate alternative mechanisms such as Shires, regional boards or local organisations and business entities.

The framework must include detailed monitoring and evaluations which holds agencies responsible and accountable for delivering (or guaranteeing the delivery) of agreed service levels.

Service Delivery Framework

Key recommendations:

- A comprehensive service delivery framework be developed and agreed according to criteria negotiated with all stakeholders.

- The framework will define agreed service levels, delivery, responsibilities and timelines linked to an agreed investment strategy.

- Robust monitoring and evaluation procedures must be in place as part of the framework to ensure responsible agencies are held accountable for the delivery of services within the agreed framework.

- Investments in broadband capacity as critical enabling infrastructure for electronic service delivery.

- Investment in roads to facilitate access and servicing of the roll-out out of housing and other infrastructure programs and to enable the hub services model to operate effectively.

Reporting

Significantly, no base-line data or date collection methodology was agreed or implemented at the commencement of the NTER. This now makes it impossible to provide a comprehensive and accurate evidence based analysis of progress achieved since the NTER was announced.

There are significant challenges in the collection, analysis and reporting of data to provide the evidence base for Closing the Gap and the data sets requested by the NTER Review Board.

Data has been provided for the NTER Monitoring Report on a 'best can do' basis with the shortfalls highlighting where work to improve the availability of data is needed.

Development and targeted research for short term monitoring and evaluation will help address short-falls in administrative data quality and allow time for agencies to 'catch up'.

In the longer term, improvements to administrative data are required to supplement and validate the findings from qualitative and small quantitative projects. Further work would benefit from mutual agreement surrounding key principles for future data collection and ways of working together across governments.

Importantly improvements are also required in population level data. Due to an unsatisfactory count in the Territory, 2006 census data cannot be used reliably at the community level.

Alignment of content for the many Indigenous reporting obligations would streamline and minimise separate reporting arrangements for:

- Overcoming Indigenous Disadvantage;

- COAG Indigenous Reform;

- the Northern Territory's Closing the Gap;

- Indigenous compendium for the Report on Government Services; and

- NTER reporting.

Reporting

Key Recommendations:

- Develop and implement a robust data collection framework to provide an evidence base for informed decision making under proposed new governance arrangements - among other things, this will include a comprehensive community by community data profile to measure progress.

- Build on collaboration and cooperation between the Australian and Northern Territory governments.

- Reach mutual agreement on key principles for future data collection and future ways of working together across governments.

- Align content for the many Indigenous reporting obligations.

- Improve population level data sources, particularly the census of population and housing to deliver reliable community level data.

Addendum

(2 October 2008)

This submission states that "the suspension of [the *Racial Discrimination Act*] is not accepted by the Territory as consistent with the principles of good public policy."

In making this statement, and in making recommendations on income management and five year leases that "would facilitate the reinstatement of the *Racial Discrimination Act 1975*", the NTG intended that this position should also apply to the *Anti Discrimination Act (NT).*

The NTG consequently makes the following additional key recommendations to those previously released in September 2008:
- That Northern Territory laws concerning discrimination must apply to all areas and acts occurring in the Territory.
- That the Commonwealth's NTER legislation be amended to remove the "exclusion of a law of the Northern Territory that deals with discrimination so far as it would otherwise apply", thereby reinstating the application of the *Anti Discrimination Act (NT).*

2. INTRODUCTION

2.1 Purpose

The purpose of this position paper is to define the Territory policy response to the introduction of the Northern Territory Emergency Response (NTER) in June 2007.

The NTER has delivered significant additional resources for the services provided to Indigenous Territorians. The extent of these additional resources has demonstrated the size and complexity of the task required to Close the Gap of disadvantage between Indigenous and non-Indigenous Territorians.

This paper sets out a clear case for maintaining and enhancing the current focus and scale of the investments required to meet the challenges of three decades of investment backlog.

This paper sets out to lay the foundations for a new and comprehensive governance framework for working together to Close the Gap. This new framework must build on the history and experience of service delivery in the Northern Territory prior to and during the NTER, and must guarantee the active engagement of the community and all stakeholders in a transparent and accountable framework to which all parties can commit.

2.2 Reform Agenda

This policy response from the NTG is necessarily informed by a range of considerations including the passage of time, changes in government and an emerging framework of policy considerations including Closing the Gap, CDEP reform, the COAG reform agenda and local government reform.

The challenges associated with a substantial reform agenda in Indigenous affairs can not be underestimated. Lessons learned from the NTER experience must be considered as part of this policy framework, just as lessons learned from the successes and failures of previous public policy in Indigenous affairs (predating the NTER) must be applied to reviewing the NTER and reflecting on a way forward for the NTER and the emerging reform agenda.

2.3 Northern Territory Response to the NTER

While the NTER commenced without consultation with affected communities or the NTG, the NTG decided that it would fully cooperate with and support the NTER, recognising that it had the capacity to provide a substantial and intensive focus on the care of children in the Northern Territory; and that this focus would necessarily put a national spotlight on the substantial effort and investment required to address the findings of the *Little Children are Sacred* report.

Importantly, this focus could be applied in a way that was beyond the financial capacity of the NTG and would necessarily require a substantial rethink of the role of Government in service delivery, including addressing service deficits and the requirement for a concerted and sustained effort to attempt to address the infrastructure and service backlog.

While the NTG cooperated with and supported the roll-out of the NTER, the NTG also made clear its opposition to the blanket removal of the permit system on Aboriginal land and the introduction of the $100 alcohol purchase law. Concerns were also raised about some key features of the NTER, including the abolition and revision of CDEP; the implementation of alcohol restrictions; compulsory five year leasing; 'blanket' welfare quarantining; service duplication arising from some parts of child health checks; and the lack of effective engagement with Indigenous communities affected by the NTER.

Many of these concerns can be characterised as matters that go to the implementation rather than the intent of the NTER.

2.4 Closing the Gap

The agreed end outcome of government policy in Indigenous affairs is now uncontested and can be summarised as Closing the Gap of Indigenous disadvantage.

In this regard it is noteworthy that Closing the Gap was initially coined as the specific Northern Territory plan of action, incorporating its response to the *Little Children are Sacred* report.

That Closing the Gap has now become the underlying premise for national Indigenous affairs policy is emblematic of the fact that prior to the NTER, the Territory had a significant record of engagement and service delivery in all the priority areas identified in the NTER.

2.5 A New Approach

The view of the NTG is that the NTER Review Board should not be distracted by whether the NTER should continue, but rather, how the focus and intent of the NTER can best be maintained and harnessed to meet the key performance indicators required by the Closing the Gap program of both governments.

Sustained investment building on past and current initiatives, utilising the considerable knowledge and experience that exists within the Territory, is critical to addressing the challenges of Closing the Gap. This will require an understanding of the growing pressures on infrastructure and service delivery in remote and urban areas of a rapidly growing (and mobile) youthful Indigenous demographic, and a rapidly ageing population. Notwithstanding substantial commitments from the NTG's budget towards addressing these needs, the quantum of funds required is well beyond the financial capacity of the Territory and can only be tackled in partnership with the Australian Government, the private sector and Indigenous Territorians.

The Australian Government's stated investment in the NTER of $1.3 billion is equivalent to a third of the NTG's annual budget. The sheer size of the commitment demonstrates the difficulty of the task which has faced the Northern Territory since self-government. The NTG inherited responsibility for a large under-resourced land mass without access to a source of funding to bring those under-resourced areas up to a comparable national standard.

The NTG currently spends about 52 per cent of its budget on Indigenous related services, compared with the 44 per cent it receives in Indigenous-related revenue *(2006-07 Northern Territory Indigenous Expenditure Review, 2008*). In addition, the NTG has committed an additional $286 million over five years as part of the original 2007 Closing the Gap investment and has made further commitments in 2008.

In response to the NTER Review Board's request, the NTG has considered what is necessary, in its view, by way of additional funding to Close the Gap in Indigenous outcomes. See '6.3 Resources' below.

An additional concern is that the NTER identified just 73 Territory communities as being eligible for additional services and investment. This has created inequities, uncertainties and confusion over service delivery. It is increasingly difficult to explain to those communities outside the 73 identified NTER communities why they are not receiving additional services. Going forward, an agreed service delivery framework for all Territory communities is required as part of a proposed new governance arrangement. This would, through more effective communications and engagement, provide certainty and clarity for people on-the-ground and provide more equitable and sustainable outcomes for all Indigenous Territorians.

The Territory submits that there are three key points which need to be emphasised in developing recommendations for a new approach to service delivery in Indigenous affairs:

1. Community Engagement

The Territory submits that it is axiomatic that program delivery is more effective when it is informed by, developed with, and implemented in partnership with, the community. This position is supported by all national and international literature on best practice social and community development programs and is born out by the experiences of Indigenous affairs in the Northern Territory both prior to and during the NTER.

2. Resources

The Territory submits that the quantum of resources required to Close the Gap must begin with the resources required to eliminate the backlog in infrastructure and service delivery. Addressing this backlog is separate from, but a necessary condition for, the successful application of resources towards programs and initiatives currently being developed through the COAG and other reform agendas.

A new financial framework is required, representing ongoing NTER funding, separated from GST or COAG funding processes, with the funding being delivered through a continuation of tied grants or Commonwealth own-purpose expenditure.

3. A New Governance Framework

The Territory submits that a new partnership arrangement is required that establishes better coordination and working arrangements across the three tiers of Government, the non-government and community sectors. This new partnership will require a transparent and accountable implementation, monitoring and evaluation framework. This framework should define the roles and responsibilities for service delivery of each tier of government and service providers. It should be designed as a key governance mechanism to manage and align the range of initiatives, strategies and evidence-based reporting requirements to be applied to the Closing the Gap programs of both governments. This framework should be coordinated and managed by the NTG.

3. NTER MEASURES

3.1 NTER Measure 1: Welfare Reform and Employment

Final NTER Taskforce Report June 2008:
Welfare Reform and Employment has consisted of two main activities:
- *Changing the way welfare payments are made, so that benefits intended for children are used for children and support active school participation; and*
- *Remote Area Exemptions were lifted and the phased removal of Community Development Employment Projects (CDEP) was introduced to support the transition to real jobs and mainstream employment services.*

3.1.1   Welfare Dependency

Welfare dependency is widely acknowledged and accepted by governments, commentators and Indigenous spokespeople as the most significant structural impediment to sustainable communities and Indigenous economic development in the bush.

3.1.2   The Jobs Gap

The challenges involved in transitioning from a welfare paradigm to an employment-based model are complex and substantial.

The *Audit of Employment Opportunities in Remote Communities in the Northern Territory August 2006* (DEWR/LGANT) identified 2,955 'real jobs' across 52 communities. The audit revealed that 44 per cent of the positions were held by Indigenous persons however these were mainly in the non-professional areas.

While ABS 2006 census figures have recently been revised, earlier data suggested there were 18,637 Indigenous people of working age (15-64 years) outside the five main towns in the Northern Territory. Demographic analysis of remote Indigenous population trends indicates the Indigenous working age population will grow significantly in future years.

Allowing for approximately 2,000 additional Indigenous jobs transitioning from CDEP through the joint application of Australian and Northern Territory government investments, and discounting for those individuals legitimately unable to participate in employment, there remains a substantial current shortfall of approximately 12,000 jobs – equivalent to approximately nine times the number of existing 'real jobs' (1300) identified as being held by Indigenous people through the 2006 DEWR/LGANT Employment Audit.

3.1.3   Labour Markets

Both governments have accepted that differentiating among communities based on local labour market circumstances is helpful to understanding the requirement to avoid a one-size fits-all solution (*NTG CDEP Discussion Paper, March 2008* at http://www.action.nt.gov.au/cdep/ and *Increasing Indigenous Economic Opportunity: A discussion paper on the future of the CDEP and Indigenous Employment Programs*, http://www.indigenous.gov.au/Increasing_Indigenous_Economic_Opportunity.pdf).

The Territory accepts that care needs to be taken to acknowledge that there are grey areas and cross-overs between communities and regions in relation to the characteristics of the local labour markets. In other words, the following agreed categories should be considered as indicative and useful guides to assist in the development of further in-depth place based analysis:

1. Established economies - locations where there is a labour market, but not accessed by Indigenous people, for example, Yirrkala, Angurugu, Mutitjulu, Borroloola, and possibly Gunbalunya (near the mining town of Jabiru in Kakadu National Park).

2. Emerging or potential economies - towns with an underdeveloped economy but with potential for growth, eg. Maningrida, Nguiu, Wadeye, and Hermannsburg.

3. Limited economies – towns, communities and outstations that have limited prospects for economic development in the next decade.

3.1.4 Complex Programs

A number of agencies and programs are involved in what can appear to proponents as a complex and sometimes impenetrable array of workforce and business development programs and initiatives. Access and continuity of service is particularly challenging for remote Indigenous people with acknowledged deficits in access, language, technical skills, individual and organisational capacity.

The Commonwealth is currently reviewing the provision of universal employment programs and CDEP, while the *Bilateral Schedule on Boosting Indigenous Employment and Economic Development* (see http://www.nt.gov.au/dcm/people/pdf/indigenous_affairs/BoostIndigEmployEconDevelop NT.pdf) pursuant to the Overarching Bilateral Agreement on Indigenous Affairs (see http://www.nt.gov.au/dcm/people/agreement.html) acknowledged the need to streamline small business support services.

3.1.5 Indigenous Economic Development (IED) Strategies and place-based approaches

The development of place-based approaches, which are likely to feature strongly in the IED strategies currently being revised by both governments, will provide an opportunity for localised strategies to be developed to match local and regional opportunities to the interests, aspirations and capabilities of locals.

3.1.6 Capacity Constraints

Literacy and numeracy are the key impediments identified by private sector contactors and businesses interested in attracting an Indigenous workforce or building business partnerships with Indigenous organisations or business entities.

Employment outcomes based on 'best endeavours' continue to disappoint without work and business-ready skills underpinning a capacity to productively engage in the workforce. Notable exceptions include mining (eg. Newmont, Rio Tinto, Gemco), civil works (eg. CDE Enterprises) and hospitality (eg. Accor, Sky City) sectors.

Similarly, the institutional capacity for Indigenous organisations and businesses to engage in service delivery, business and employment brokerage is limited to a handful of stand-out organisations (eg. Bawinanga Aboriginal Corporation, Laynhapuy Homelands Association, Julalikari Council Aboriginal Corporation, Larrakia Development Corporation, CDE Enterprises etc).

The lessons from successes and failures with these companies and organisations need to be understood and applied with the inherent flexibility, long term outlook and two-way respect that are hall-marks of all the documented successful partnerships in business and employment programs.

3.1.7 Options for employment pathways

In developing pathways to employment there are a range of options, each of which will require the application of a seamless continuum of life-long development and support. These pathways include:

- Large mainstream businesses and service delivery including industry sectors such as Government service delivery, mining, construction, pastoral, horticulture, tourism and retail.

- Small and medium enterprises which rely on an Indigenous competitive advantage arsing from cultural knowledge and ownership of land, waters and coast-line. This includes sectors such as cultural tourism, arts, land and sea management, knowledge and research, bush tucker and fishing. The Territory acknowledges in this regard that currently productive but unpaid work in cultural maintenance and hunting and gathering practices warrants further research, consideration and development in this context.

- Small and medium enterprises across all sectors, particularly service and retail, based on the existence of a local economy and the multipliers associated with local expenditure and expenditure by business and recreational visitors. In this regard the Territory is developing an analysis and understanding of local business opportunities based on benchmarking studies of small business against population levels for medium and large communities.

3.1.8 Employment and business support

To facilitate pathways, a seamless and coordinated approach to employment and business support programs is required. This will include a thorough and comprehensive education for those currently at school, or in the case of youth and adults who do not have the required educational standards, significant investments in life skills and work and business-ready programs and initiatives. This will include, as a minimum, English literacy and numeracy, financial literacy and economic literacy (understanding the economic system and the role of wage earners and business within that system), much of which can most effectively be delivered by training local people and using existing Indigenous entrepreneurs to advise (and mentor) others on their experiences.

3.1.9   Training

Targeted training will also be required; preferably on-the-job training that pays a wage, leads to a guaranteed job or business outcome; and has personal support and job retention strategies in place to sustain on-going employment and business outcomes.

A comprehensive overhaul of the delivery of accredited and non-accredited training across the whole range of required competencies is required. Among other things, this will require changes to current funding policies and operational arrangements to directly link funding to employment outcomes (rather than student hours delivered). A key element for reform in this context will be the requirement to facilitate the delivery of training for smaller cohorts of trainees than are currently considered economic under the current funding formulas.

3.1.10 NTER sub-measure: Income Management

Prior to the NTER, the Territory advocated income management as one part of a suite of activities to address the malaise of welfare dependency, but only on the basis of a behavioural trigger such as school attendance. Additional behavioural triggers could include, for example, alcohol and justice orders, child neglect and rent arrears.

While the Territory acknowledges that income management has been strongly supported by many community members – because it has demonstrably put more food on the table, facilitated savings and reduced humbug and fear in some communities - the Territory also acknowledges that for many responsible people the imposition of income management has been offensive and demeaning; and a key contributing factor to an unproductive and inaccurate negative stereotyping of all Indigenous individuals, families and communities.

It is understood that the Review Board has received substantial comment on the combined impacts of the NTER 'demonising' Aboriginal men as child abusers and diminishing self-esteem and confidence through the blanket application of income management without any reference to individual behaviour.

These impacts are particularly critical for Indigenous Territorians who need positive stories and role models to build community and individual pride and productivity off a low base. This is an important issue which warrants on-going research and attention.

The Territory does not support the continuing blanket application of income management.

The Territory would reconsider this position in the event that the blanket application of income management was proposed or introduced for all Australians on welfare payments regardless of race or residency.

In this regard the Territory notes the views of the NTER Taskforce in its final report "that at some point income management should become voluntary, but that vulnerable people may then be pressured by others into leaving income management when their interests may be best served by continuing to have their income managed."

The Territory supports an approach that allows individuals to opt in to income management on a voluntary basis, but recommends that prior to any such reform, systems are in place to provide support and assistance to those responsible members of the community who might otherwise be vulnerable to family or community pressure.

Moving to a behavioural based income management model would facilitate the reinstatement of the *Racial Discrimination Act 1975*, the suspension of which is not accepted by the Territory as consistent with the principles of good public policy.

3.1.11 NTER sub-measure: CDEP

Approximately 8 000 individuals were receiving CDEP prior to its progressive withdrawal throughout the Northern Territory. The uncertain status of CDEP and replacement programs has made it extremely difficult for service delivery agencies and organisation to plan workforce needs.

The recent reintroduction of CDEP in the 30 communities where it was withdrawn last year, has resulted in anecdotal claims of disincentives to take up real employment and negative social impacts from the associated lifting of income management. It is too early to make definitive comments or conclusions, but this does point to the need to take a holistic view of the role of CDEP, including financial literacy and life skills support for participants moving from a history of welfare dependency to a wage.

CDEP needs to be considered as part of a continuum in workforce development that can lead to jobs where local job markets currently exist or where local economies can be built over time.

The Northern Territory has argued in its CDEP discussion paper released in March 2008 for a 'virtuous hierarchy' of programs to reward people for doing the right thing. A range of incentives need to be applied to encourage people to transition towards a real job, or support people who voluntarily choose to move to another centre for training or work.

Lessons from successful CDEP programs should be adopted in any revised CDEP program. Specifically, the removal of a waged CDEP program from those areas where the jobs gap is substantial would be counter-productive to the balance of incentives and disincentives to developing a positive work culture.

In this regard it is critical in the effort to move from a welfare to a work paradigm, that CDEP is not used as a mechanism to avoid income management. This can be achieved by strictly applying eligibility criteria for entering the CDEP program based on the behavioural triggers for income management; and strictly applying employer-employee responsibilities while participating in the CDEP program. In other words, failure to meet behavioural standards will preclude people from entering the program and receiving a wage. Failure to honour employee responsibilities, for example failure to regularly turn up for work and behaviour which brings the employer or CDEP program into disrepute, will result in an individual losing the privilege of a CDEP wage and returning to income management.

Flexibility is required to deliver the over-arching program objective of capacity building, skill upgrading, transition to work and workplace retention.

Shires (and other employers) need to be funded for operational and capital costs including salary related on-costs; have access to funds/expertise to prepare comprehensive Indigenous workforce development plans; and have access to workplace coaches / mentors to maximise retention of Indigenous workforce.

CDEP and Work for the Dole

This structural imperative to maintain the option for a waged program with all the associated benefits and reciprocal responsibilities of real employment is underpinned by the post-NTER experience of welfare-based labour programs such as Work for the Dole. Work for the Dole has suffered from a patchy and inconsistent roll-out, including reduced participation in some communities where Work for the Dole has replaced previously successful CDEP programs.

A key issue in this regard is the suitability of large external organisations delivering service contracts in communities. This may bring advantages of scale, but also brings with it a lack of local knowledge essential to productive outcomes in the bush. Additionally, the ability of these organisations to provide staff with commitments to long term relationship building with local communities has not been proven.

The Territory submits that building and supporting local organisational capacity, including adequate resources and support to implement accountability frameworks that can deliver on key program principles such as 'no work, no pay', will provide more effective and flexible short, medium and long term outcomes.

Transition from CDEP to Jobs

Approximately 640 CDEP participants have been transitioned to jobs through the agency of the NTG in local government, health and education, with an additional 85 positions anticipated to follow in the financial year 2008-2009, as follows:

- Department of Health and Families (DHF): 36 with 13 additional positions underway

- DHF (delivered through community organisations): 25

- Department of Education and Training: 26

- Department of Local Government and Housing (DLGH): 408 positions (367 FTE) with Shire Councils at the end of August 2008. This is expected to grow to 470 positions (430 FTE) during the 2008/09 financial year.

- DLGH: 120 in outstation service delivery

A key issue for the Territory is that sustainability of this initiative is not guaranteed - current program horizons contain the threat that paid employment may only be for two or three years**.** On-going funding is required to ensure these positions are sustainable into the future.

3.1.12 NTER sub-measure: Community Employment Brokers

This potentially substantial resource is currently poorly integrated into the employment and business support network.

Significant effort needs to be made to align the roles of CEBs with:

- Jobs Plan 3 (see http://www.deet.nt.gov.au/employment/);
- Northern Territory IED Strategy currently being revised;
- Australian Government IED Strategy (currently under development);
- Australian Government Review of universal employment programs; and
- CDEP reform.

3.1.13 NTER sub-measure: Community Stores

Community stores are often the only business in a community and there has been a patchy history in relation to store management and healthy outcomes throughout the Northern Territory.

The Territory supports the innovations and approaches to management, delivery, training and employment of the Arnhem Land Progress Association and Outback Stores.

The *Northern Territory National Emergency Response (NTER): Stores Post Licensing Monitoring Report - Early Indications of Impact of Income Management in Community Stores - First 20 stores* report suggests early indications of strong positive results from stores licensing and income management, including an increase in turnover and a wider range of goods stocked; more food, including healthy food being purchased; more money spent on the needs of children; less cash moving around the community with less humbug for food or cash; customers saving for the purchase of whitegoods, such as fridges; and reduced travel to major centres for shopping.

These early results need to be continually monitored with improvements made and supported across all communities.

Debit Cards

There have been significant impacts on local stores and small businesses from the roll-out of income management both in communities and regional towns. This includes reduced turnover, additional administrative costs and consequent reductions in local employment and local sponsorship.

It is anticipated that the roll-out of a debit card system will address many of the concerns of local businesses, however, the Territory would caution that vigilant monitoring and evaluation is required to ensure the benefits of income management can be maintained without prejudicing the legitimate commercial interests of local operators whose turnover is essential to local multipliers. This will drive small business development more effectively that larger national chains exporting profits out of the local economy.

3.1 Recommendations – Welfare Reform and Employment

Key recommendations:

- Industry based and place-based strategies to develop local economies and build pathways to jobs.

- Overhaul of training delivery to link training to job outcomes.

- Blanket application of income management to be replaced by behavioural triggers such as school attendance, alcohol and justice orders, child neglect and rent arrears.

- Systems put in place for individuals to opt in to income management and that support and assistance is available to those responsible members of the community who might otherwise be vulnerable to family or community pressure.

- Introduction of a revised CDEP program which will:
  o support mobility for those individuals who chose to move to obtain work;
  o require the transition of people to work where jobs are available;
  o provide a wage and incentives regime where there is currently a substantial jobs gap in the local labour market;
  o ensure that CDEP is not used as a mechanism to avoid income management by strictly applying eligibility criteria for entering the CDEP program based on the behavioural triggers for income management; and by strictly applying employer-employee responsibilities while participating in the CDEP program.

- Commitment to ongoing funding of Commonwealth and Northern Territory programs that have transitioned CDEP positions to paid employment.

- Monitor and evaluate community store outcomes and support improvements across all communities.

- Significant investment in work readiness (including literacy and numeracy, life skills and family support), financial and economic literacy.

- Investment in capacity building for local and regional organisations.

Additional recommendations:

- Localised strategies to be developed to match local and regional opportunities to the interests, aspirations and capabilities of locals.

- Development of business hubs and brokerage agencies to foster and support enterprise development.

- Development of innovative models for work practices such as labour pools.

- Engagement with the private sector to attract investment and expertise and build partnerships with Indigenous people (including tax incentives and/or other mechanisms).

- Resources to assist Shire Councils and other employers prepare and implement Indigenous employment and workforce development plans including employment retention.

- Support strategies for people choosing to move to larger centres for training or work.

- Improved linkages between education and training and jobs.

- Monitor and evaluate the roll-out of the debit card system to ensure the benefits of income management can be maintained without prejudicing the legitimate commercial interests of local operators.

3.2 NTER Measure 2: Law and Order

> ### *Final NTER Taskforce Report June 2008:*
> *The aim of the emergency measures was to protect children and make communities safe. This measure directly supported this through:*
> * *Putting more police in communities to make people safe;*
> * *Banning alcohol and pornography; and*
> * *Night Patrols.*

Law and Order is the foundation for improving the current and future life style and aspirations of Indigenous people in remote communities. Without a safe environment in which to live and work, it is doubtful other measures will succeed. An important emphasis of the initial intervention, and a focus that should continue, is the role of increased policing and law and order initiatives in 'stabilising' communities to allow health, employment and economic measures to be implemented.

3.2.1 Background to Policing in the Northern Territory

There are considerable challenges to maintaining law and order in the Northern Territory including:

* The youngest population in Australia and the accompanying effects that age has on crime.

* High proportion of remote communities compared to mainstream urban centres.

* Town camps in urban centres with similar policing issues to remote communities, but where access to alcohol, illicit drugs and other abused substances is much easier and cheaper.

* Prevalence of alcohol, illicit drugs and substance abuse within remote communities with the resultant breakdown in social norms.

* Extremes of climate.

* Isolation and lack of services available to police and their families in remote stations.

In remote Indigenous communities in the Northern Territory, self- regulation has in many (but not all) communities broken down. The causes of this breakdown are many and complex, but the impact on children, women, the elderly and infirm is to make them vulnerable to the alcohol and drug affected violent actions of members of their own community, tragically often at the hands of their own family members. The only means of providing protection to those at risk are the police that live in the community.

A permanent police presence is highly regarded by most communities. Police, particularly those living and working in a community, are often viewed as the only means of providing protection to those who are vulnerable and at risk.

Police at remote Northern Territory communities have a more significant and higher profile role in the community. They live in, are personally known to and interact with all community members. If they are to be effective the police officers must earn the respect and trust of the community. This is particularly critical if instances of child abuse or child sexual abuse are to be reported or detected.

3.2.2 Background to the Justice System in the Northern Territory

Circuit Courts

Magistrates are based in Darwin, Katherine and Alice Springs. While a large proportion of cases are dealt with in those centres, the NTG has a significant commitment to providing court services in the communities where offences occur.

This approach is extremely important in any jurisdiction in order to build community involvement, understanding and acceptance of the justice system. In the Northern Territory, it is a vital measure to bridge the gap in understanding and acceptance between traditional Indigenous concepts of law and justice and external, 'white' law. It is essential that the justice system be seen to have a real and active presence in regional and remote communities.

To that end, Circuit Courts are currently held in 27 communities around the Northern Territory. The frequency of sitting days varies from as few as 3 or 4 days each year in small centres, up to once per month in others, and to 3 or 4 days each month in larger centres.

Community courts

To further engage communities in the justice system, the NTG is expanding its program of Community Courts which promote involvement of elders, victims and other community members in the court process. Clearly, Community Courts can only operate meaningfully in the affected community. However, the conduct of Community Courts also adds to the time and cost of the court process. By its nature the involvement of numerous participants in the community court process adds considerably to the time spent dealing with individual matters.

While the time spent is considered worthwhile in promoting restorative justice principles and improving the prospect of positive long term outcomes, Community Courts nevertheless require a considerable initial investment of resources.

Custodial and correctional programs

In addition to providing for the safe care and custody of prisoners and detainees, it is a key role of Northern Territory Correctional Services to support strategies that contribute to a reduction in re-offending. As with the delivery of other services in the Northern Territory, both custodial and community corrections services face significant challenges arising from the geographically dispersed population; low levels of literacy and numeracy amongst Indigenous people; high levels of substance abuse and the generally poor health of Indigenous detainees.

The Department of Justice delivers a number of intervention programs to offenders in custody which focus on family violence and associated issues. These programs focus on addressing offending behaviour, gaining an understanding of victim empathy, and motivating offenders to change their behaviour.

3.2.3 NTER Sub measure: Additional Police Presence

Between July 2007 and February 2008 NT Police, responding to the resourcing demands of the NTER, built 18 additional police stations staffed by 51 police officers in the prescribed communities across the Territory. The process of designing, transporting, building and equipping the Task Force Themis Police stations highlighted severe limitations facing NT Police in building remote police stations caused by a lack of effective communication infrastructure throughout much of the Northern Territory, sub-standard road systems that are inaccessible for much of the year and prohibitive transportation and building costs.

These new temporary police stations, built under the auspices of Task Force Themis, added to the existing 38 NT Police stations servicing remote communities across the Northern Territory.

This massive undertaking of increasing police capacity was built on top of a range of effective crime reduction strategies that NT Police had implemented prior to the NTER, including:

- *The Remote Community Drug Strategy* (RCDS) – the RCDS was implemented in 2004 to minimise the incidence of illegal drugs in remote communities. Between June 2004 and June 2008 the Remote Community Drug Desk has seized 10 vehicles; and $303,514 cash restrained. In the same period, 208 persons were arrested, 244 were summonsed, 1166 formal charges were laid, 200 drug infringement notices were issued and 79 remote community operations were conducted. Independent research has demonstrated that the RCDS has been extremely successful in both reducing the availability of illicit drugs in Arnhem Land and inhibiting the further expansion of trafficking and diversification of the drug trade to include harder drugs. The joint NT Police and Australian Government initiative, the Substance Abuse Intelligence Desks (Katherine and Alice Springs) and accompanying Drug Detector Dogs have added much needed capacity for NT Police in targeting drug trafficking to remote communities.

- *The Violent Crime Reduction Strategy* (VCRS) - the basis for the VCRS was an understanding of where, when and why assaults occurred, the repetitive nature of domestic violence assaults and more appropriate Police tactics in responding to and preventing such crimes from occurring. Following implementation of the VCRS the number of aggravated assaults increased by 28per cent in 2005-06 and a further 7 per cent in 2006-07. These increases were anticipated and have been attributed to the increased operational focus, increased audit and quality assurance processes and the increased willingness of victims to report previously unreported incidences of violence;

- *The Peace at Home Project* – a joint NT Police and DHF initiative designed as a new approach to tackling child abuse and family violence by closer coordination, including with non-government service providers. The Project is located in Katherine and it is the intention of both agencies to roll the Project across the Northern Territory.

- *Child Abuse Taskforce* – the Taskforce was established initially in Darwin in 2006, with a subsequent arm established in Alice Springs, to investigate complex cases of child sexual abuse and sexualised behaviour across the Northern Territory. The Taskforce was funded as an ongoing initiative under the 2007 Northern Territory Closing the Gap strategy; and

- Strategies aimed at Social Order Crime Reduction and Alcohol Reform and Management (see below).

The capacity building enabled by NTER has provided NT Police with the ability to expand these crime reduction strategies into more remote communities.

However, there is clear evidence that the NTER operation has exceeded NT Police's current operational capacity. The Taskforce Themis operation has increased NT Police's remote policing capacity by 50 per cent without a commensurate increase in capacity in all the vital human resources, training, administration, management, IT, communications, fleet and logistical support areas.

Effect of an increased police presence under the NTER

An analysis of crime data and qualitative surveys leaves no doubt that the increased police presence under NTER has had a dramatic, positive effect on law and order in remote Northern Territory communities.

There is clear evidence that communities are safer. There is a strong desire by communities to retain the increased police presence and a dread of what will occur if police are removed. There are continuing demands from other communities also seeking a permanent police presence.

Prior to the NTER there was considerable under-reporting of crime. The additional police presence is allowing police to be more operationally effective and has increased the reporting and detection of crime, anti-social behaviour and road safety breaches.

Effect of NTER on the Justice System

The NTER, particularly the increased police presence, has had a flow on effect to the court system and the corrections system. 2007-08 saw an increase of 12 per cent in criminal listings in the Magistrates Court throughout the Territory. There was also a 15 per cent increase in listings in the Alice Springs region. Given that NTER stations were first established in that region, the Alice Springs figures may give a good indication of the overall increase. In addition, the number of Circuit Court days increased by 16 per cent over the previous year.

It is not easy to estimate what proportion of the increase in court activity is attributable to the NTER. Implementation of alcohol and drug diversionary programs has almost certainly contributed to the increase in listings as well.

The establishment of 18 new Police Stations as part of the NTER has inevitably led to numerous new matters coming before the courts. While the most serious offences would have previously been reported and actioned regardless of ongoing police presence in a community, it is likely that the great majority of the offences acted on by police officers at new stations would not have been previously reported or detected.

Given that only two of the communities in which the new stations were established are already Circuit Court venues, there is increasing pressure to expand the circuit court program even further in order to accord with community engagement principles, and provide reasonable access to justice for defendants, victims and witnesses.

It is recognised that prison populations can fluctuate considerably as a result of legislative, judicial and policy changes and especially increased police numbers and police activity. Since the NTER there has been a substantial increase in police numbers throughout the Northern Territory, with the potential for a significant impact on the prisoner population.

An increase in prisoner numbers directly attributable to the NTER has not been found. However, since the NTER was established prisoner number patterns have changed, with prisoner numbers steadily increasing (rather than decreasing in line with normal seasonal variations). With casework increases in the criminal registry of the Magistrates Court already recorded, it is expected that a flow on effect will be seen during 2009 with the finalisation of these cases through the criminal justice system.

The impacts of the NTER on the Justice System can be summarised as:

- increased workload for courts, prosecutions, defence and corrections brought about by additional arrests and summonses arising due to new police presence in communities
- a need to provide or upgrade court and associated facilities in remote and regional areas to deal with new or increased demand for justice services; and
- substantially increased incidental costs of providing justice services for courts, prosecutions, defence and corrections.

3.2.4   NTER Sub-measure: Alcohol Restrictions

As part of the NTER, the Australian Government legislated to:

- ban liquor in prescribed areas of the Northern Territory; and
- restrict the amount of liquor brought into communities through new requirements for take-away sales across the Territory.

The Northern Territory has a 17 per cent higher per capita consumption of alcohol than any other Australian jurisdiction (in some regional towns in the Territory it is twice the national average). The effect of excessive drinking has been an alarming increase in alcohol-related road fatalities and the highest rate of alcohol-related assaults requiring hospitalisation.

In 2004, the NTG adopted an Alcohol Framework as a broad structure for Government, agencies, community interests, licensees and other industry participants to work together to regulate the use of alcohol.

A key element of the Framework is the introduction of Alcohol Management Plans as a means of supporting local and regional action on alcohol. The Plans are based on the principles of harm minimisation and operate around three key areas: supply reduction, harm reduction and demand reduction.

To date, Alcohol Management Plans have been developed in Alice Springs, Katherine, Palmerston, Tennant Creek and the East Arnhem region. Plans are under development in Borroloola, Timber Creek, Jabiru and Darwin. During 2008, additional planning processes will be instigated in Wadeye. In the 18 months, since the introduction of the Alcohol Management Plan and supply restrictions in Alice Springs, an 11 per cent reduction in alcohol consumption has been achieved.

Since 2004, significant work has been undertaken in the Northern Territory to ensure that the system for controlling the supply of alcohol is strong and effective. Some of the measures introduced by the NTG include regulation of the advertising and promotion of alcohol, responsible service of alcohol requirements for licensees, creation of new public restricted areas, general restricted areas and over 110 private restricted premises declared in 2006-07, seizure and disposal of 139 vehicles in 2006-07 following breaches of the Liquor Act, electronic photo identification in takeaway outlets in the Katherine region and Alice Springs to prevent liquor purchases by persons on a prohibition or court order relating to liquor and an electronic permit system for takeaway alcohol in East Arnhem. Alcohol courts have also been established to divert suitable offenders into treatment and rehabilitation prior to sentencing or as part of their sentencing. Research is continuing that will underpin demand reduction initiatives.

The Northern Territory *Closing the Gap* strategy identifies priority areas for action over the next five years to address alcohol use that incorporates supply, harm and demand reduction strategies. A cross agency working group has been established that includes Australian Government representation. This will continue to monitor and progress community safety including a focus on alcohol management.

Impact of NTER Alcohol Legislation

The Australian Government legislation to ban liquor in prescribed areas of the Northern Territory and restrict the amount of liquor brought into communities through new requirements for take-away sales across the Territory overlaid and became part of the Northern Territory Liquor Act, with some negative consequences. The restrictions are not well understood by tourists and community residents and fishermen have expressed frustration about the extension of prescribed areas to frequently used rivers. The exemptions for some classes of tourists and access to some inland waterways by sea is equally ineffective and confusing.

The Australian Government legislation also allowed the Federal Minister the power to impose license conditions on licensed premises within prescribed areas. In consultation with the NTG and the Licensing Commission, conditions were imposed on the existing premises, limiting supply of alcohol to mid or light strength beer only, as well as further limiting days and hours of trade. These new conditions (similar to ones that had already been imposed on the Nguiu Club prior to the NTER by the Licensing Commission) have had a dramatic effect in some communities.

The signage that accompanied the introduction of legislative restrictions has been criticised as stigmatic. In many cases the signs have been quickly vandalised and indications are that the information they portray is not well comprehended by either community members or visitors.

Impact of NTER alcohol measures and population mobility

There is evidence that the NTER alcohol measures have had an impact on the mobility of residents of prescribed communities:

- *Increased car traffic* - The increased police presence in the prescribed communities deterring the importation of alcohol to dry communities and the extension of alcohol restricted areas has resulted in an increase in car traffic from the communities to major centres. Empirical evidence suggests there has been an increase in drink driving offences in remote regions, in some cases resulting in fatal and serious crashes.

- *Relocation to major centres and urban drift* - Evidence also suggests that some community members, unable to access alcohol or illicit substances due to the increased police presence under the NTER, moved to major centres such as Alice Springs, Tennant Creek, Katherine and Darwin, where access to alcohol is less restricted. NT Police Regional Commanders report significant increases of crime and anti-social behaviour within town camps and an increased number living rough within the towns. There is also anecdotal feedback from service providers that both demand for services and levels of unmet continue to increase.

  This has a major impact on resourcing for housing (particularly temporary housing), health, education, alcohol treatment and policing. So it is essential that governments understand fully whether such a population shift has occurred, as well as the reasons for any such shift and the effect of population mobility on the implementation of government policies and programs.

- *Drinking camps* - There is anecdotal evidence that there has been an increase in the number of semi-permanent drinking camps, or the establishment of such camps on the outskirts of prescribed communities or 'dry towns'.

  It is the view of a number of service providers that these camps are being formed as a result of Commonwealth legislation (which prohibits drinking in town camps and in prescribed areas) and NTG legislation (which prohibits drinking in certain public places under endorsed alcohol management plans).

  There are many safety concerns with these camps because they are often close to roads, there is frequent traffic to them and the level of drinking is often excessive.

  Research is required to determine the patterns and levels of drinking that are occurring. Conversely there is also anecdotal evidence that the Commonwealth declaration of prescribed communities has resulted in these camps shifting further away from community boundaries (as the prescribed areas are larger than the communities themselves), with some communities welcoming the resultant reduction in the noise and antisocial behaviour impacting on the community.

NORTHERN TERRITORY GOVERNMENT

3.2.5   NTER Sub-measure: Pornography Restrictions

As part of NTER, the Commonwealth's *Classification (Publications, Films and Computer Games) Act 1995* was amended so as to make it an offence to possess or sell various types of pornographic materials in the prescribed areas (the same areas as are subject to alcohol restrictions). Elsewhere in the Northern Territory it is lawful to possess and sell pornographic film materials classified as X and various restricted categories of publications. It is lawful to possess such materials everywhere else in Australia.

Despite difficulties in enforcing the Classification Act, as at 14 May 2008, five offences under section 101 have been referred from the NT Police. To date only one matter has gone to court. The defendant pleaded guilty and was fined $500.

In 2007, the Department of Justice received funding to develop and deliver education on the Australian film and literature classification system to remote communities. The project will run until 31 October 2009.

As part of the project, a Senior Indigenous Men's Group has been formed and is providing ongoing support and advice. All communication tools, including the pornography and the classification system flipchart / storyboard, have been developed in consultation with communities and the Senior Indigenous Men's Group. In order to evaluate the project, a partnership has been formed with the Australian Institute of Criminology, with senior staff members of the Institute participating in the initial project design.

3.2.6   NTER Sub-measure: Night patrols

The Australian Government committed considerable funding to expand night patrol services in the prescribed communities. The work of the night patrols is to patrol community 'hot spots', diffuse violent situations, taking people out of harm's way or diverting potential offenders from contact with the justice system. The implementation of night patrols in remote communities under the NTER is the responsibility of the Commonwealth Attorney General's Department. There has not been any direct liaison between the Attorney General's Department and NT Police on the implementation of night patrols.

NT Police's experience with night patrols on communities without dedicated police coordination is:

- Ineffective administration and no accountability.

- Potential for one family to dominate resulting in inequitable patrolling.

- Lack of or insufficient co-ordination and linkages with other agencies, including an inability to work with Police in a co-ordinated manner.

- Lack of safety and security to night patrol members.

- Confusion among patrol members of what their role and functions are.

- Misuse of equipment, in particular utilising vehicles for personal use.

- Lack of screening of appropriate members, leading to employment of undesirables.

3.2 Recommendations – Law and Order

Key recommendations:

- Adequate long term Commonwealth funding is required to sustain the 'surge' approach to policing, including capital and recurrent funding for Themis police stations to become permanent facilities.

- Implement and resource a strategic approach to community safety underpinned by Community Safety Plans incorporating Alcohol Management Plans.

- A collaborative and strategic approach be taken that builds on the NTG Alcohol Management Framework and Closing the Gap strategy to respond to excessive alcohol consumption in a more consistent and coherent way.

- As a matter of priority, urban drift and population mobility studies be undertaken to underpin service delivery planning and responses.

- Night patrols be adequately resourced and integrated with NT Police and other services.

- Additional resources be provided to enable an effective local justice system to operate in communities.

Additional recommendations:

- Develop and implement an NT Police Remote Community Policing Strategy as the blueprint for future expansion of policing services.

- Policing of town camps should be given similar priority to that of the prescribed communities.

- Increased focus and resources for recruiting and training Aboriginal people into mainstream policing.

- Extension of the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) / NT Police MOU to include:

  o Provision for suitably qualified police child abuse investigators to be seconded to the Child Abuse Taskforce for periods of 12 months from other jurisdictions;
  o Search and rescue vessels for the six coastal Task Force Themis stations; and
  o Additional personnel to supplement Summary Prosecution Sections.

- Amendments to the *Commonwealth Classifications (Publications, Films and Computer Games) Act 1995* to improve the likelihood of prosecutions.

- The Australian Government and the NTG work collaboratively to simplify the alcohol related legislation of the NTER and its operation with the Northern Territory Liquor Act and the new proposed Northern Territory Alcohol Bill, including removing the requirement for the $100 register.

- Policing and compliance with the current importation limitations on kava be a priority for the relevant national agencies, including legislative changes as appropriate.

- Additional investment in prison and community based rehabilitation programs.

3.3 NTER Measure 3: Enhancing Education

Final NTER Taskforce Report June 2008:
Education is being enhanced through:
- *More teachers;*
- *Additional classrooms;*
- *the Accelerating Literacy program and Quality Teaching Package; and*
- *breakfast and lunch programs in schools*

3.3.1 Indigenous Student Numbers

The Northern Territory has a relatively young population with a large and growing proportion of Indigenous people. The population is highly dispersed with a quarter living in remote communities spread over a vast area. The high Indigenous birth rate drives the Northern Territory's population growth.

In 2000 the Indigenous / non-Indigenous percentage split of Northern Territory enrolments was 38/62. In 2007 it was 43/57 and it is expected to rise to 50/50 by 2014.

This growth in the ratio of Indigenous to non-Indigenous students causes classroom dynamics to become more complex and the challenges are compounded by low socio-economic status and poor attendance resulting in poor educational outcomes.

It also creates an increased demand for English as a Second Language (ESL) and literacy interventions. In a large number of schools ESL is the norm for the majority of students, which presents a high degree of cross cultural challenge for staff and students.

3.3.2 Government Expenditure

About 48 per cent of government education expenditure is directed towards Indigenous students who make up 40 per cent of the student population. The cost per Indigenous student is $22,378 compared to a cost for a non-Indigenous student of $13,979.

3.3.3 Education Challenges

The profile of Northern Territory Indigenous students presents constant challenges. Students experience many episodes of chronic ill-health. Growth and development are impacted by nutrition and overcrowded housing. These factors have significant impact upon students' readiness to learn. Most students do not speak English as a first language and for many the opportunity to speak English only occurs at school.

Additional programs and resources are required for Indigenous students including ESL specialist support, bilingual programs, accelerated literacy, transition programs and Indigenous culture and language programs.

Student mobility is extremely high and the continuity in learning programs is a major issue.

Irregular attendance also impacts on student outcomes. 80 per cent to 100 per cent attendance is necessary to make satisfactory progress and meet minimum standards in literacy and numeracy benchmarks.

The percentage of Indigenous students with attendance rates of 80 per cent to 100 per cent in Provincial schools is 62 per cent, in Remote schools 39 per cent and in Very Remote schools 27 per cent. The attendance rates of the majority of Indigenous students in Remote and Very Remote schools are so low that they have little chance of achieving national benchmarks. The average attendance rate for Indigenous students in Very Remote schools is 65 per cent.

In 2006, the percentage of students outside greater Darwin achieving benchmark in numeracy was 57 per cent and reading, 55 per cent. In Very Remote schools, these figures were close to 20 per cent in both categories.

3.3.4   Enrolment and Attendance

Since the introduction of the NTER, student enrolment appears to have increased by about 400 students in the schools within prescribed communities, but average attendance rates have remained stable at approximately 65 per cent.

Enrolment patterns across the Northern Territory appeared to change during the early stages of the Intervention. For example, enrolment across Alice Springs schools of students from town camps has increased by 37 students from the same period in 2007.

The central and critical importance of increasing attendance rates is well documented. All relevant community measures should contribute to increasing school attendance. For example, one of the behavioural triggers for income management or becoming ineligible for CDEP should be school attendance.

3.3.5   The Education Workforce

The Department of Education and Training (DET) has a workforce of 3,452.4 full-time equivalent positions in schools. 2,440.5 are teachers and 1,011.9 are support staff. 56 per cent of teachers are from interstate and, of the 44 per cent local teachers, 21 per cent are trained at Batchelor Institute of Indigenous Tertiary Education (BIITE) and Charles Darwin University (CDU).

The Northern Territory experiences a high teacher turnover. This means more teachers are new to the cross cultural situation of the Northern Territory, which in turn means more teachers needing support, professional development and cultural awareness training. The high teacher turnover also creates issues of implementing and sustaining policy and programs. The continuity of management, leadership and external services is difficult to maintain.

Northern Territory schools are currently staffed on enrolment moderated by attendance plus an allowance of 10 per cent. Any increase in the number of teachers needs to be matched by increases in delivery of support services to schools. To place an additional teacher into a Very Remote school has been calculated to include $156,000 for salary, relocation, remote conditions and allowances, $9092 in grants to the school and between $400 000 and $900 000 to provide new housing, dependent upon location.

3.3.6 Community Engagement

The NTG believes that the best gains in education outcomes for Indigenous students will be made in partnership with Indigenous parents and communities.

In 2007 as part of the DET Indigenous Education Strategic Plan, the Department began to negotiate Remote Learning Partnerships. Two agreements have been signed and all agreements are expected to be finalised by December 2008. These partnerships involve discussions between the communities and DET Executive staff to arrive at agreed processes and priorities for the next five years.

Agreements reached thus far have included joint governance arrangements, and have set targets around student attendance, the provision of cultural support, community appropriate education program design and student education outcomes, particularly in literacy and numeracy.

3.3.7 NTER Measures: Additional classrooms and other measures

Under the NTER an additional 15 new classrooms are being provided for remote communities at a cost of about $340 000 each. The construction of the classrooms is expected to be completed by September 2008.

Other measures are the Federal Government funded Accelerating Literacy Program, a classroom and teacher support program. The Accelerating Literacy Program is linked to the Quality Teaching Package, which aims to provide additional professional development to teachers in prescribed communities.

School Nutrition programs are being implemented by the federal Department of Education, Employment and Workplace Relations, with assistance provided by DET, to provide children with breakfast and lunch at school. The programs have been established in 49 communities and seven town camps. It is not clear whether the nutrition programs have contributed to the increase in enrolments in some schools.

A measure to increase volunteer teachers in schools has proved unworkable, due to a lack of accommodation and the difficulties of moving volunteers into very remote locations.

3.3.8 Ways Forward

Delivery Model

Outcomes in education are the result of many factors, including the community environment in which the children are living, such as adequate housing, good health and nutritional practices in the home and the active involvement of the family.

Attendance is however a fundamental determinant of education outcomes and all relevant community measures should contribute to improved enrolment at school and to increased and consistent attendance at school for all children.

The way forward requires the 'customisation' of solutions to meet the circumstances of individual communities. It also requires improved links across agencies and the streamlining of governance processes. For long term sustainability and improvement of outcomes, a whole-of-government approach, community by community is needed, tackling a range of factors impacting on the wellbeing and engagement of students.

The service delivery model currently being explored by DET is a hub service delivery model which will service a number of smaller communities from a central or hub location. An assessment is needed to determine the best model for education delivery in each location. It is proposed that a pilot program on the hub service delivery model be set up in Maningrida.

Student Information and Tracking

Improved data and information tracking processes is needed to improve the well-being and educational outcomes for individual students, and identify those most at risk. It is often difficult to know where children have gone, and this problem could be eased by the sharing of information with agencies such as Centrelink and Health agencies.

Attempts to agree a cross government data sharing framework to allow the establishment of an Agreed Student Number (the total possible number of school aged children) for each community have not been successful to date.

Other Ways of Working (Community Engagement)

Strategies to manage attendance and mobility are complex and solutions do not lie with the school alone but must be shared across agencies and communities.

The success of a school ultimately depends on the quality of teaching, school leadership and partnerships with parents.

In April 2008 Minister for Education Marion Scrymgour announced the *Transforming Indigenous Education* Package, setting a new direction for Indigenous education. This includes establishing two Community Partnership Education Boards, in the Warlpiri Triangle and the Yolngu-Matha speaking communities in the Miwatj region. These Boards will provide strong and genuine community ownership and management of education training services. They will build on the work already progressed through the Remote Learning Partnership Agreements. Learnings from successes with the community based Health Boards have provided the motivation for the Minister for Education to move in this direction.

Staff Development

Providing quality teachers is further challenged by the worldwide shortage in the profession. One of the longer term ways forward is 'Growing Our Own' – that is, professional development and skills development of community members in the education process by taking on the role of teacher's assistant, training to become a teacher, or undertaking other school-based roles.

However, that training needs to be provided in flexible ways that allow Indigenous trainees to learn within their own community – eg. online.

3.3 Recommendations – Enhancing Education

Key recommendations:

- Design a whole-of-government approach, community by community, focused on improving educational outcomes through long term planning, with attention to policy on the level of service to be provided.

- Implement a well designed process in a large community, Maningrida, to fully develop a sustainable model with criteria for levels of service delivery, rigorous evaluation and planning in place for implementation at varying levels of scale.

- Establish protocols and processes for collection of critical data across Northern Territory and Australian governments to improve tracking of attendance, educational programs and other relevant indicators of child wellbeing.

- Build Indigenous community capacity in governance and employment within the education sector ('Growing Our Own').

- All relevant community measures, eg. income management, should contribute to increasing school attendance.

- Build school infrastructure that supports teaching and learning programs appropriate to the level of service delivery, incorporating integrated approaches, greater flexibility of use, and incorporating appropriate levels of technology.

Additional recommendation:

- Construct housing in communities for professional staff and non-professional staff that contributes to appropriate standards and behaviour in the community and the workplace.

3.4 NTER Measure 4: Supporting Families

Final NTER Taskforce Report June 2008:
The Supporting Families element includes:
- *repair and construction of children's services and family support such as Mobile*
- *Child Protection Teams, crèches and playgroups;*
- *Child at Risk Workers for Northern Territory Child Protection Services;*
- *Safe places for families escaping family violence; and*
- *Youth diversionary activities.*

3.4.1 Context

The NTG, through DHF, is undertaking significant reforms to the child protection service system. These reforms began under the NTG's Caring for our Children child protection reform agenda launched in 2004.

Some of the key achievements under the Caring for our Children child protection reform agenda included:

- New legislation for the protection of children. The Care and Protection Children Act 2007 was passed in November 2007. It will commence in stages throughout 2008.

- The immediate response to suspected child abuse was improved through the development of a central child protection intake service for the Northern Territory.

- A new Territory-wide Joint FACS/Police Child Abuse Task Force was formed, representing a new level of collaboration in investigating the most serious cases of child sexual assault and physical abuse. Collaboration between FACS and NT Police was further enhanced through training staff from both agencies in child forensic interviewing techniques.

In August 2006 the NTG inquiry into child sex abuse (*Little Children Are Sacred*) accepted that 'sexual abuse of Aboriginal children is common, widespread, and grossly under reported'. The Board also took the view that 'the violence and sexual abuse occurring in Northern Territory Aboriginal communities is a reflection of historical, present and continuing social dysfunction'.

In response to the inquiry, the NTG developed a generational plan of action to combat Indigenous disadvantage known as Closing the Gap this was released in August 2007. Closing the Gap commits the NTG to investment of $286.43 million over 5 years for initiatives across the areas of: child protection, family violence; policing; justice; alcohol and drugs; health; housing; education; jobs and culture.

In response to the *Little Children are Sacred Report* the Australian Government launched the NTER. The aim of the NTER was to protect children and make communities safe as well as creating a better future for Aboriginal communities in the Northern Territory.

The then Department for Health and Community Services was identified as a key stakeholder in ensuring NTER objectives were met and has established strong partnership with the Australian government to achieve the following:

- Secured resources to recruit additional child protection workers to establish a mobile child protection team.

- Establish and build eight safe places in seven communities.

- Secured resources to develop programs aimed at alcohol and drug abuse and anti-social behaviour among young people in remote communities.

3.4.2   Child health checks

The Northern Territory's pre-existing screening programs provided high service standards and coverage. Investments in these areas would benefit from a coordinated approach to enhancing existing services. This is particularly so because it has become apparent that child health checks are not the right process to 'detect' child abuse - low numbers of child abuse reports and sometimes inappropriate referrals bear this out.

3.4.3 Safe Places

In establishing and maintaining safe communities a strong degree of cooperation between the NT Police, the Australian Federal Police and the Australian Crime Commission has been established. However, the roll-out of safe places for women and men in remote communities proved more difficult than expected.

The Family Support Package required that the safe houses be constructed with Royal Wolf containers, as the Australian Government determined that this would be the quickest method of construction in the timeframe.

The design for the Safe Place and for the operations was developed with Aboriginal stakeholders:

- Women's safe houses were developed with office space, family accommodation space, space for group work and education programs, ablutions block and 'time out space' for women entering shelter who were a danger to themselves and others, but who may also be in legitimate fear of their lives.

- Men's 'cooling off places' were similar in design, but were not regarded as a sobering-up shelter. Rather they were intended as a place for interaction with other men who could help them find healthier ways to deal with frustration and anger – not a place to go and 'sleep it off' and then resume the cycle.

- Urban transitional houses in Darwin and Alice Springs provided accommodation for victims from remote communities who needed to come into town.

Safe houses were sited only after community consultation and with the option of refusing to have them.

Women's safe places have been constructed in Nguiu, Ti Tree, Yarralin, Hermannsburg, Peppimenarti, Ramingining, Ngukurr. Works commencing shortly in Lajamanu, Groote Island and/or Kalkarindji.

Men's safe places have been constructed in Finke, Yuendumu, Pmara Jutunta, Beswick, Ramingining, Nguiu, Angurugu, Ngukurr.

The Safe Places created under the NTER do provide an important focus for the violence prevention and safety services in communities; however, there may be a need to construct more permanent 'places of safety' in many communities if they are to have maximum benefit into the future.

Breaking the cycle of violence and reducing the incidence of family violence in Indigenous communities will not occur simply through the provision of a safe place for victims. It is clear that the way forward must include recurrent funding for the operations of the Safe Places and the programs that need to integrate with them.

Family violence programs in communities must be linked with night patrols, police, legal and justice programs, and with family support and health programs so that the issues that are contributing to violence are addressed in ways that support the family to change behaviours and avoid violence in the future.

The Northern Territory Department of Justice proposal for community safety plans is strongly supported, as is the plan to separately resource the coordination of community safety services in the region or shire. For example, services could share information, use a common referral protocol and develop case management strategies with vulnerable families so that all of the services involved with a family are linked and not duplicating or working against one another.

3.4.4 Child protection services

In partnership with NT Police, NTFC established the Child Abuse Taskforce in 2006. This service is now permanently funded under the NTG's Closing the Gap plan and the Child Abuse Taskforce is now based in Darwin and Alice Springs.

NTFC have established an Aboriginal Community Resource team to work alongside the investigative workers in the Child Abuse Taskforce. This team becomes involved when an investigation occurs in a community, and assist the community and community based service providers develop an action plan to address the issues raised through investigations.

The Northern Territory Child Protection model is based on the premise that local people can and should be trained to work as family workers within their own community, which are supported by specialist police and NTFC child protection investigators responsive to community concerns in all regional centres.

3.4.5 Integrated early childhood and parent services

Ensuring children have access to early childhood programs in the first 3-5 years of life has been proven to have long term health and educational benefits. Combining those programs with parent and family support programs has also been shown to have positive outcomes for family wellbeing.

Under the recent COAG process, Indigenous Child and Parent Centres have been approved as initiatives in five communities in the Northern Territory. This is a welcome investment, but needs to be expanded in future years to enable more communities to establish these new integrated models. Many communities have small child care or crèche services, and Northern Territory experience is that if these services are supported, they can grow and develop into more comprehensive early childhood services. The new Child and Parent Centres are being established in communities where this has been the service development history.

3.4.6 Youth development services

Funding under the NTER has largely been for infrastructure projects such as youth centre upgrades, equipment purchases, basketball facilities upgrades etc.

The Youth Diversion Program currently funds Youth Development Units in Tiwi Islands, Borroloola, Papunya, Gunbalanya, Groote Eylandt, Alice Springs and Tennant Creek.

The Youth Diversion Scheme was evaluated in 2006, finding that some of them perform very well. The additional police stations under the NTER have also had a positive effect on youth programs in some communities.

The Northern Territory proposes that youth programs are a key feature of the community service system in any Indigenous community and that existing programs need to be strengthened in some places, while in others, new programs need to be established over the next five years.

3.4 Recommendations – Supporting Families

Key recommendations:

- That the Australian and Northern Territory governments enter into a four to five year agreement for the resourcing and delivery of integrated family violence services in the Northern Territory.

- That the Australian Government commit to a continuation of the new COAG Early Childhood service reform to enable expansion to a further 37 communities in the next five years

- That the Australian and Northern Territory governments agree to fund youth development programs in remote and regional communities in the Northern Territory.

Additional recommendations:

- Resources be provided to facilitate the coordination and ongoing management of Community Safety Plans in each region or Shire.

- That recurrent funding for the ongoing staffing and operations of the NTER Safe Houses and the other safe houses be supported and sustained.

- That a training and development partner to provide professional supervision for community based family violence workers be supported.

- That the Australian Government continues to part fund the Mobile Child Protection Team for 2008/09 and 2009/10.

- That the Australian and Northern Territory governments jointly fund remote Aboriginal Family and Community Workers to service 25 communities over the next five years, and fund the infrastructure and training needed for them.

- That the Australian Government commit to a continuation of the new COAG Early Childhood service reform to enable expansion to a further 37 communities in the next five years, with a concurrent workforce training and capacity building strategy to support these new services, and a housing program for Centre Coordinators.

3.5 NTER Measure 5: Improving Child and Family Health

Final NTER Taskforce Report June 2008:
The key activities that support achievement of this measure include:
- *Providing health checks and follow up treatment and care for Indigenous children; and*
- *Expanding drug and alcohol treatment and rehabilitation services across the Northern Territory to support individuals and communities affected by the new alcohol legislation.*

3.5.1   Background

Before the NTER, the Northern Territory was already providing well-developed child health services in remote communities. This comprehensive child health service has continued to be provided in parallel with the NTER child health checks and follow-up treatment and care.

The NTER initially focused only on the provision of child health checks (Phase 1) and follow up treatment and care of those children who had been diagnosed with a problem (Phase 2). In September 2007, the Australian Government agreed to provide an additional $100 million over 2 years to expand prime Health Care services in remote Northern Territory.

This significant expansion was known as Phase 3 and has now been renamed Expanding Health Services Delivery Initiative (EHDSDI). It is a health service delivery partnership between the NTG, Australian Government and the Aboriginal Medical Service Alliance Northern Territory (AMSANT).

Recurrent Australian Government funding for the expanded remote primary health care services after the two year period (to 2010-11) will depend on an evaluation of EHDSDI. Without a commitment of ongoing recurrent funding, there is a strong risk that the outcomes achieved by this initial investment of funds will be compromised.

3.5.2   Phase 1 Health Checks

The Phase 1 child health checks took place between July 2007 and June 2008 and were provided by Australian Government employed health professionals. During this period 102 teams were deployed across 49 remote communities and 15 town camps - a campaign that involved 260 health professionals and volunteers.

According to the NTER final report to the Australian Government, a total of 11 000 checks were completed, although this figure allows for double counting of checks conducted under the Medical Benefits Scheme. This represents a total coverage rate of 64 per cent of children eligible for the checks.

3.5.3   Phase 2

Under the NTER Phase 2 Agreements, DHF staff have carried out follow-up care and treatment on children after paediatric conditions were identified in Phase 1 – the general health checks.

Many of these follow up services were provided by existing primary health care service providers as quickly as possible after the child health check. For example, immediate treatment was provided for minor complaints such as skin sores and acute infections, and vaccinations that were due at the time of the check.

Under Phase 2, agreements were reached to provide oral health follow-up checks to children in the prescribed communities and in town camps. Similar agreements were reached with regard to the provision of hearing follow-up checks, with the checks extended to other remote communities in Central Australia.

To enable these checks to be carried out, to date more than 60 primary health care staff, 17 dental and 38 hearing personnel from around Australia have been inducted, deployed and supported to provide the services to communities.

In a rolling planning process commencing in central Australia and extending to the Top End, the project has required extensive effort to manage the complex logistics involved. While in many cases teams have been deployed to remote communities, some children have been brought in to major hospitals for extensive health care or for hearing and dental procedures.

Resource issues for the roll out of Phase 2

The cost of the DHF's Phase 2 work across the Territory was funded at $15 million, with $9.9 million carried over into 2008/09.

Funding uncertainties beyond 30 September 2008 have contributed significantly to logistical issues of rolling out Phase 2 services. This uncertainty continues to impact on Phase 2 planning and delivery, including scheduling surgery blocks, attracting health professionals and preparing communities for services.

The original Agreement struck around the NTER funding model in 2007 was predicated on a fully-funded service model for primary care, hearing and dental checks and follow-up services.

For hearing, the model includes three visits to each community, provision of under 4 year olds' testing close to the community (requires sound booth) and surgical intervention (where indicated).

For dental, the service model was a visit to each prescribed community with treatment provided as required, assessing and treating as required 100 per cent of eligible children.

The primary health care model included completing residual child health checks, providing further primary health care and support for the dental and hearing teams.

By May 2008 it was clear that Australian Government resources to fund services to the level originally proposed were not available. Agreements around funding for follow-up in Central Australia were varied to allow funds to be spent in Top End prescribed communities with some primary care and dental work able to occur in June 2008. No additional resourcing has been secured for the Top End service.

As a result of these resource issues, a revised service delivery model for 2008-2009 has been developed. This will involve scaling down audiology visits, increasing outreach ear nose and throat specialist services and reducing surgery blocks.

The delivery of hearing checks will continue to focus on placing hearing booths across remote Northern Territory to maximise the capacity to assess Indigenous children in or near their communities.

Dental outputs, severely limited until now by lack of facilities in Central Australia, will be able to be completed at a significant level of activity consistent with the original model of a team of two staff.

Beyond September 2008, primary health care staffing will be boosted by the additional $100 million Phase 3 investment. Temporary recruitments to Phases 1 and 2 will cease in favour of long-term appointments.

Findings from Phase 2

- *Hearing* - From the work done to date in Central Australia some 62 per cent of children assessed have some form of Otitis Media (middle-ear infection), the prevalence of which even in a mild and moderate form can have significant developmental implications across learning and social development.

  It should be noted that these results exclude assessment of the under 3's, pending the installation of hearing booths across a range of communities in Central Australia.

- *Dental* - Of the children receiving treatment under Phase 2, 53 per cent had untreated caries, 27 per cent had restorations done (some caries in deciduous teeth is best untreated) and approximately 25 per cent had problems with dental hygiene (plaque / calcification). Of the children seen, 56 per cent have received Oral Hygiene education and 60 per cent have received preventative care e.g. fluoride treatment.

  For those children who had a General Anaesthetic, 100 per cent had untreated caries, 73 per cent had plaque/calcification problems, 98 per cent had extractions and 90 per cent had restorations.

  To illustrate treatment levels, of the children receiving dental surgery recently in a Katherine Hospital block, three out of four had an abscess.

Legacies of Phase 2

The NTER has allowed for a catch-up in hearing testing in Central Australia (not previously possible with the levels of funding) and provision of larger numbers of dental treatment and surgical procedures. A start has been made on the development of a Community Hearing Worker workforce, and infrastructure such as hearing booths and dental facilities is now in the planning stages.

3.5.4   Phase 3: EHSDI

An MOU between the Chief Executive of DHF and the secretary of the Department of Health and Ageing (DoHA) formally committed the Australian Government to an additional $100m over two years to "improve the quality, accessibility and efficiency of primary health care and related health services for remote communities."

Agreement has been reached with DoHA and AMSANT on the principles underpinning EHSDI investment planning, namely equity, effectiveness, core services, sustainability and community engagement.

3.5.5 Directions for Change: Pathways to Community Control

The Northern Territory Aboriginal Health Forum (comprising representatives of AMSANT, DHF and DoHA) has developed a framework to support Aboriginal communities in the planning, development and management of primary health care and community care services.

The framework, known as 'Pathways to Community Control', is based on the principle that Aboriginal communities have the right to participate in decision-making that affects their health and wellbeing. However, the framework also accepts that not all communities will have the same aspiration or capability to manage the planning, development and delivery of primary health and community services at the same point in time.

DHF is also committed to the regionalisation of services to ensure more efficient and sustainable delivery of core health services. In accordance with Pathways to Community Control, each region would ideally be under community control. However, movement towards community control of the regionalised health services will depend on community aspirations and capacity.

Remote health centres will also be supported by a range of visiting services from 'hubs.' Initially existing 'hubs' in Darwin and Alice Springs will be expanded. The expansion of hubs in other regions will be subject to the availability of infrastructure.

A substantial amount of the new funding will raise staffing levels across the health system in remote communities to be able to provide a greater level of core services that include acute care and proactive programmatic primary health care services. The workforce expansion presents a unique opportunity to significantly increase health care services across the Territory.

3.5.6 Indigenous employment

The overall rate of Indigenous participation in the health workforce in the Northern Territory remains a significant concern.

In planning for the future, the need to increase Indigenous employment in the primary health care sector was considered critical. Increased Aboriginal employment in remote communities is an important individual and community capacity building strategy, while ensuring that the health centre becomes more effectively linked to its community.

In particular, DHF has identified the need for a major additional category of Aboriginal employees to be known as Aboriginal Community Workers (ACWs). The new ACW workforce will:

- focus broadly on public health, health promotion, prevention and family/community services;
- undertake basic (not complex) activities in all program areas;

- not be required to have a qualification- although new nationally accredited training can be provided at Certificate 2, 3 and 4 levels; and

- assist registered Aboriginal Health Workers and other health professionals in their clinical roles.

DHF has drafted an ACW career pathway, and is developing a professional development, training and support strategy to maximise skill development and retention of the new workers. Subject to consultation and local circumstances, these positions may be based in communities or may service communities from hubs or urban centres.

DHF will also employ Aboriginal Employment and Career Development Officers in hubs to assist in identifying Aboriginal people with an interest in working in the health sector, and in coordinating support and training for Aboriginal employees.

3.5.7   Sport and recreational activities

An active lifestyle, such as that involving participation in sport and recreational activities, is critical to improving individual and community health and to providing youth with meaningful lifestyles. Physical activity is directly related to factors that impact positively on learning and counteract the development of antisocial behaviours. Under pre-NTER arrangements negotiations commenced for the establishment of a Youth Schedule that would include the Indigenous Sports Program.

3.5 Recommendations – Improving Child and Family Health

Key recommendations:

- The 'Pathways to Community Control' strategy be supported as a positive and systematic framework for working towards a remote primary health care system under Aboriginal community control.

- Expansion of the regionalisation process to deliver core primary health care services to a sustainable service population.

- Expansion of hub services in major regional centres to ensure that Aboriginal communities and community-based health professionals have access to a range of visiting support services on a more regular basis.

- The proposed service / workforce expansion presents a unique opportunity to significantly increase access to core primary health care services across the Northern Territory.

- Increase access to core primary health care services across the Northern Territory by expanding workforce and service provision.

- Provide appropriate training and support to increase Aboriginal employment in the remote primary health care sector.

- Implement fundamental reform to all remote primary health care service providers flowing from the agreed principles underpinning the service expansion and reform process through the EHSDI.

- Establish a major additional category of Aboriginal Community Workers to focus broadly on public health, health promotion, prevention and family/community services. Subject to consultation and local circumstances, these positions may be based in communities or may service communities from hubs or urban centres.

- Re-commence discussions to address the needs of Indigenous youth, including specific reference to the future of the Indigenous Sports Program.

Additional recommendations:

- The delivery of agreed Core Health and Well-being primary health care services presents a positive way forward to:
  o ensure all remote areas receive the agreed core primary health care services, irrespective of governance model or location;
  o systematically channel and consolidate relevant funding opportunities from other Australian Government Departments – in particular FaHCSIA - to ensure more sustainable and effective primary health care services in remote areas of the Northern Territory;
  o systematically plan for NTG health and community services infrastructure and services investment; and
  o maximise integration between health services and community services as recommended in the *Little Children are Sacred* report.

3.6 NTER Measure 6: Housing and Land Reform

Final NTER Taskforce Report June 2008:
Activities that contributed to achieving this measure include:
- *Acquiring five year leases; and*
- *Community clean ups.*

3.6.1 Housing and Infrastructure

Access to adequate housing, infrastructure and essential services provide the basis for healthy families, a healthy lifestyle, strong communities and economic growth. By providing better access to housing, infrastructure and essential services we can improve health, safety, education and employment outcomes.

Demographic trends in the Northern Territory Indigenous population suggest that there will be substantial and increasing pressure on both remote and urban housing and infrastructure as remote populations grow in tandem with a continuing upward trend towards urban drift.

Tackling housing shortages and overcrowding in Indigenous communities is a priority of the Northern Territory and Australian governments.

Under Closing the Gap, housing deficits are being addressed by a whole-of-housing approach that includes addressing the backlog in remote Indigenous housing, housing management, repairs and maintenance and tenant life skills.

Strategic Indigenous Housing Infrastructure Program

The key element of the housing strategy is the Strategic Indigenous Housing Infrastructure Program (SIHIP). SIHIP is a five-year $647 million program to improve the standard of housing for Indigenous Territorians, jointly funded and managed by the Northern Territory and Australian Governments.

SIHIP will be delivered through Alliance partnerships between government departments, construction firms and remote communities. The Alliance partnerships will deliver construction industry training and jobs for local Indigenous employees.

Remote Public Housing Management Framework

The increased investment in remote housing will be underpinned by a Remote Public Housing Management Framework that will implement a public housing model for the management and maintenance of housing in Indigenous communities. As part of the roll out, local committees will be established in each community to assist with housing management.

Community Engagement

A key element of a new remote public housing model is the establishment of Housing Reference Groups. Housing Reference Groups will provide community and cultural advice to Territory Housing to assist in housing management decisions, including allocation of housing and housing applications. The Reference Groups will provide advice to Territory Housing on these issues, while ultimate decisions are made according to public housing policy by Territory Housing.

In addition, SIHIP is planning to engage communities through the Reference Groups at the community level to seek input on housing construction issues.

Meeting the backlog

Despite this significant investment, concerns about the continuity and ongoing investment in remote housing in the Northern Territory remain. There is not only a very real risk that inequities in housing service delivery standards will emerge between prescribed and non-prescribed communities, but also that despite substantial commitments of additional housing investment by both the Northern Territory and Australian Governments, more funds are needed.

Closing the gap in Indigenous housing outcomes requires a significant effort to address overcrowding and the historical shortfall in remote housing infrastructure. Further investment in supporting infrastructure such as roads, Indigenous essential services and information technology are also critical for sustained improvements in health, education and well being for Indigenous Territorians.

Limited scope of improved property and tenancy management

The SIHIP investment, and additional funding secured for improved property and tenancy management services is only targeted at 73 prescribed communities. There has been criticism from the broader Northern Territory community that this investment and improved services have not reached communities outside this scope.

3.6.2   NTER Sub-measure: Five-year lease program

Both the Australian and NT governments accept the need to secure substantial investments in housing and other infrastructure with suitable land tenure arrangements.

Under the five year lease provisions of the NTER the Australian Government has assumed underlying responsibility for 4,000 dwellings on 64 prescribed communities.

While administrative and financial benefits have resulted from the acquisition of title by the Australian Government, compulsory land acquisition under the NTER five year lease program has been criticised by Land Councils and traditional owners.

In addition there is confusion across communities regarding the status of short-term tenure arrangements and the permit system. Uncertainty exists as to the occupation and responsibility of the Australian Government, NTG, local government and non-government organisations in relation to fixed assets in some five-year lease areas.

The NTG supports certainty and clarity through the transition within the five year lease period to a negotiated land tenure arrangement whereby land is leased under the section 19 and section 19a provisions of the *Aboriginal Land Rights Act (Northern Territory) 1976*.

Such a transitional arrangement would also permit the reinstatement of the *Racial Discrimination Act 1975*, the suspension of which is not accepted by the Territory as consistent with the principles of good public policy.

3.6.3   NTER Sub-measure: Urgent Repairs to Infrastructure

Strategic infrastructure planning linked to town planning is vital to the future development of remote communities.

In some key communities, infrastructure levels are inadequate to meet current demand, let alone future demand. Long term Australian Government funding of infrastructure planning/construction is required to ensure that Indigenous townships have adequate levels of built infrastructure (including utilities) to provide for future growth in population, housing, government services and economic activity.

Approximately $25 million has been provided to the Northern Territory by the Australian Government for urgent repairs to infrastructure as 'Tasks of Opportunity' resulting from the Army survey of infrastructure in NTER communities. Of this funding, approximately $13 million has been committed to utilities infrastructure works and $12 million to transport infrastructure works.

Power and Water

The NTER has had an impact on the capacity of electricity and water infrastructure, particularly in the smaller communities. It is estimated that additional Australian Government funding of $24 million is required for known electricity and water supply works at non-SIHIP communities largely as a result of the NTER, particularly where the NTER has brought forward increased demand on marginal water supplies and sources.

3.6.4   NTER Sub-measure: Community Clean Up

The Community Clean Up has largely duplicated existing NTG programs. The lack of coordination in bringing the Australian Government and NTG's efforts together has compromised the potential for community benefit of the Community Clean Up.

The DLGH has received predominantly negative feedback on the success of the Community Clean Up program. It is likely that this lack of perceived success or support can be explained by:

- limited community involvement/engagement;
- dependence on external contractors with varying levels of technical and cultural competence;
- lack of local employee workforce development; and
- community perception that Community Clean Up focused on aesthetic issues rather than environmental health issues.

3.6.5   Sacred Sites Issues

Ad hoc and un-coordinated engagement in sacred site protection measures has resulted in confusion, damage to sacred sites and delays in implementing adequate measures to protect sacred sites.

A coordinated and resourced approach to sacred site protection that engages the processes of the *Sacred Sites Act* will minimise the likelihood of damage to sites and any negative consequences arising from damage to sacred sites.

3.6 Recommendations – Housing and Land Reform

Key recommendations:

- Planning processes to be based on agreed service delivery levels for prescribed and non-prescribed communities.

- Use increased investment in housing to develop local employment opportunities and promote economic and local enterprise development.

- Strategic significant investment in roads and telecommunications is required.

- Transition within the term of the five year leases to long term negotiated leases under the *Aboriginal Land Rights (Northern Territory) Act 1976* to facilitate the reinstatement of the *Racial Discrimination Act 1975.*

- Clarify the future of the Community Clean Up Program - if the program is to continue, then coordinate and integrate it into similar NTG and Australian Government programs (eg. Fixing Housing for Better Health).

- Adopt a coordinated approach to the protection of sacred sites.

Additional recommendations:

- Apply lessons learnt from the Alliance contracting methodology for future housing programs.

- Develop long term town planning to provide the framework for future population growth, housing, government services and economic activity.

- Develop and implement a communication strategy to provide clear information regarding short-term tenure and permit arrangements in prescribed communities, including the occupation and responsibilities of all government and non-government agencies in relation to fixed assets.

- Additional staff housing is required in communities to accommodate the additional government employees necessary for the delivery of increased levels of service.

3.7 NTER Measure 7: Coordination

> ### *Final NTER Taskforce Report June 2008:*
> *The deployment of Government Business Managers was a key activity supporting achievement of this measure.*

3.7.1 NTER Taskforce

The NTER Taskforce (the Taskforce) was appointed by the former Australian Government to provide advice and oversee the roll-out of the emergency measures.

The Taskforce, on which the Northern Territory was represented, was chaired by Dr Sue Gordon with Major General Dave Chalmers as its operational commander. The Taskforce was able to bring high level focus to the delivery of initiatives on the ground and brought Australian Government agencies together under one Northern Territory command.

It is important to note in this context that bilateral steering committees pursuant to the Overarching Bilateral Agreement on Indigenous Affairs were working very effectively prior to the NTER, and committees such as the Joint Steering Committee for the SIHIP project established subsequent to the NTER have also demonstrated that both governments are willing and capable of working effectively and cooperatively together where suitable structures and mechanisms are established.

The final report of the Taskforce was provided in June 2008.

The Territory concurs with the strong recommendations made by the Taskforce "to maintain funding with the aim of protecting children and creating a better future for Aboriginal people in the Northern Territory" and "to consider additional investment to alleviate overcrowding in remote communities in the Northern Territory".

The Territory also concurs with the intent of the Taskforce's strong recommendation to plan future investment based on assessments of communities, but does not accept that the use of the term 'viable communities' is helpful in the context of service delivery to remote communities. Viability is a value-laden concept open to wide interpretation and political posturing.

The Territory prefers the development of an agreed service delivery framework which defines appropriate levels of service delivery and/or access to service delivery according to agreed criteria. These criteria include population size, catchment populations and a range of other strategic factors such as infrastructure and access. This proposed framework is discussed below.

In this regard, the minimum service requirements for what the Taskforce describes as 'viable communities' - adequate housing, a police station, health clinic, an early childhood education centre, primary school, store, independent employment opportunities and access to a secondary school - are likely to coincide with the minimum requirements for a hub (or sub-hub) community in a hub service delivery model (also referred to as a hub and spoke model).

3.7.2 Government Business Managers (GBMs)

The role of GBMs is to provide the key liaison and consultation point in communities; manage and coordinate day to day activities of staff from different Australian Government agencies; provide feedback on local issues and guide coordinated government action and decision making tailored to the needs of a community.

There are approximately 53 GBMs in place with a target number of 65 and a flexible funding pool of which $13.82 million was committed and expended in 2007-08.

The Northern Territory experience with GBMs has been mixed. Where GBMs have adopted a collaborative and consultative approach, outcomes have been very constructive. Where GBMs have not adopted a collaborative and consultative approach, outcomes have not been constructive.

Additionally it is apparent that communication and coordination within and between Australian Government agencies has also been mixed.

The Territory is of the view that coordination and collaboration through a senior government community representative with extensive local knowledge is particularly valuable. This is especially important given the need for inter-agency collaboration and the amount of business transacted on communities (approximately 700-1200 visitors per week across the Northern Territory on Australian Government business alone).

However, the Territory has the primary jurisdictional responsibility for service delivery in Northern Territory communities. Consequently the Territory submits that the role of the GBMs would be better served by being accountable to the proposed new governance framework described below, and managed by the NTG.

3.7.3   Community Agents

The Australian Government commitment of $3.8 million in 2008-09 to employ up to 20 Indigenous community members as community agents, including providing them with specialised training and resources, is a welcome initiative.

This initiative should be monitored to ensure agents have a sufficient degree of autonomy to enable then to fulfil their coordination and communication role between community and government.

Appropriate support structures should be in place to ensure sustainability of employment and future pathways to management and leadership roles, including 'shadowing' GBMs with a view to progressing to taking on this role if the agent is so inclined and develops suitable competencies.

This initiative has the potential to be replicated in a range of service delivery fields and should be integrated within a wider local recruitment strategy that provides a range of opportunities for local people to progress into senior and influential roles within community and non-government organisations and the three tiers of government.

3.7.4   Accommodation

One of the greatest long term challenges is staff recruitment and retention. While temporary accommodation is needed, long term investments are required to ensure external and local recruits will be appropriately housed and have suitable working environments. There needs to be recognition that housing and office facilities for service workers is part of the accumulated investment backlog in Northern Territory communities.

An immediate intensive effort for local training and recruitment is required. This should include funding for the recruitment of 'shadow' positions where external staff are employed.

3.7 Recommendations - Coordination

Key recommendations:

- Suitable governance mechanisms should be put in place to ensure effective decision making responds to evidence based monitoring and evaluation mechanisms within the agreed service delivery framework.

- The role of GBMs is better served by being accountable to the proposed new governance framework, and managed by the NTG.

- The role of Community Agents should be considered within a wider local recruitment strategy that provides opportunities for local people to progress to senior roles.

- Recruitment strategies require long term investments to ensure external and local recruits will be appropriately housed and have suitable working environments.

4. CLOSING THE GAP

Closing the Gap of Indigenous Disadvantage - a Generational Plan of Action
incorporates the NTG's response to the report *Little Children Are Sacred,* handed down
by the Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse.
Closing the Gap was launched on the 20 August 2007 including the response to the 97
recommendations outlined in the inquiry.

Closing the Gap goes beyond the recommendations of the Inquiry and addresses the
underlying social and environmental factors contributing to child sexual abuse. The NTG
has committed more than $286 million to the implementation of Closing the Gap in the
first five years. Closing the Gap sets out the NTG's vision, objectives and targets that are
ambitious but achievable at five, 10 and 20 years to overcome Indigenous disadvantage.
Fifty-six priority actions based on the best available evidence are being implemented in
the first five years across 7 Action Areas:

- Safety
- Health
- Education
- Housing
- Jobs
- Culture
- A Better Way of Doing Business

4.1 Progress under Closing the Gap

Significant progress has been made in across all Action Areas. Some highlights include:

Safety
- o Care and Protection of Children Act – in force at 7 May 2008
- o Appointment of Children's Commissioner – Dr Howard Bath on 23 June 2008
- o Additional child protection workers – 11 positions created with 7 filled
- o Expansion of Child Abuse Task Force – Southern team established
- o Remote Policing Strategy – 18 officer in charge positions established for Themis police stations

Health
- o Antenatal and Maternal Care - expansion of remote area midwifery services
- o Shire Sport and Recreation Programs – 12 additional community sport and recreation officer positions funded
- o MOU signed with Australian Government for $135 million over 3 years for primary health care

Education
- o 6 additional mobile pre-schools – 3 new mobile preschools in Central Australia

- 15 additional classrooms – completed
- 26 additional teachers – 8 teachers recruited to date
- Value of Schooling Education Campaign – launched June 2002
- MOU signed with Australian Government for $22 million for provision of schooling in remote communities

Housing
- Housing for Government Employees - 32 new houses funded 2007-08 with 19 houses completed to date
- MOU signed with Australian Government for $793 million over four years for Indigenous housing and related services

Jobs
- Transition CDEP jobs to NTPS positions – DET - 26 full and part time assistant teacher positions created in remote schools
- Transition CDEP jobs to NTPS positions – DHF - 61 former CDEP participants converted to real positions either within the agency or under services contracts
- Support for Indigenous Economic Development – increased funding for Indigenous Business Development – 25 new jobs across 20 businesses (12 new businesses)
- MOU signed with Australian Government for additional funding to replace CDEP with real jobs

Culture
- Indigenous languages and culture program in schools - expand the Wesley Lanhupuy Remote Teacher Cadetship from 10 to 15 places
- Indigenous languages and culture program in NTPS - cross cultural training programs – two programs in place ready for December 2008

A Better Way of Doing Business
- Indigenous Affairs Advisory Council – called for expression of interest for membership in April – pending announcement
- Local Government community boards – local boards being established as part of local government reforms

4.2 Integration, Coordination and Alignment of Closing the Gap Initiatives with Future NTER Measures

In most instances, the progress made in implementing Closing the Gap initiatives either directly supports or complements related NTER measures. The Northern Territory has both jurisdictional delivery responsibility and delivery mechanisms in place to address most NTER measures across the Northern Territory, but has lacked the necessary resources to implement the level of intervention necessary to have a significant impact.

A comparison of government resource capacity shows the Northern Territory has made available $286 million to implement Closing the Gap initiatives over five years compared to the Australian Governments ability to commit over $580 million in 2007-08 and $323.8 million in 2008-09.

The integration, coordination and alignment of Closing the Gap initiatives with future NTER measures will produce the best outcomes for all stakeholders and most importantly for Indigenous residents of the Northern Territory.

Key outcomes of an integrated and coordinated approach would be the facilitation of joined up service delivery across three tiers of government, including regional and place-based approaches and critical linkages with the range of reform agendas, policy platforms and initiatives currently being developed in Indigenous affairs at national and Territory levels.

5. COUNCIL OF AUSTRALIAN GOVERNMENTS

5.1 Background

The role of the Council of Australian Governments (COAG) is to initiate, develop and monitor the implementation of policy reforms that are of national significance and which require cooperative action by Australian governments. COAG leaders have agreed to sustained engagement and effort by all governments over the next decade and beyond to achieve the Closing the Gap targets for Indigenous people. In particular to:

- close the life-expectancy gap between Aboriginal and Torres Strait Islander people and other Australians within a generation;

- halve the mortality gap between Aboriginal and Torres Strait Islander children and other children under age 5 within a decade;

- halve the gap in literacy and numeracy achievement between Aboriginal and Torres Strait Islander students and other students within a decade;

- halve the gap in employment outcomes for Aboriginal and Torres Strait Islander people within a decade;

- at least halve the gap in attainment at Year 12 schooling (or equivalent level) by 2020; and

- provide all Aboriginal and Torres Strait Islander 4 year olds in remote communities with access to a quality preschool program within five years.

COAG acknowledges that identified drivers of disadvantage must be addressed in an integrated way as strategies aimed at achieving improvements in just one area will not work in isolation — the building blocks must fit together through the integration of policy ideas and their implementation. COAG has identified a number of strategic platforms or 'building blocks' that need to be in place in order to comprehensively address the current state of Indigenous disadvantage.

The seven building blocks adopted by COAG are:

- *Healthy homes* - A healthy home is a fundamental precondition of a healthy population. Important contributors to the current unsatisfactory living conditions include inadequate water and sewerage systems, waste collection, electricity and poor housing infrastructure (design, stock and maintenance). Children need to live in accommodation with adequate infrastructure conducive to good hygiene and study and free of overcrowding.

- *Safe communities* - Indigenous people (men, women and children) need to be safe from violence, abuse and neglect. Fulfilling this need involves improving family and community safety through law and justice responses (including accessible and effective policing and an accessible justice system), victim support (including safe houses and counselling), child protection and also preventative approaches.

Addressing related factors such as alcohol and substance abuse will be critical to improving community safety, along with the improved health benefits to be obtained.

- *Health* - Achieving improved outcomes for children requires access to, and delivery of, effective primary and preventative health care. Community primary health services play an important role and also need to be responsive to and accountable for achieving government and community health priorities. Parental health is critical to supporting children and the heavy onset of chronic diseases in the 34-45 age range requires concerted effort in prevention, management and treatment. Parents also need the skills to promote healthy, structured lifestyles.

- *Early childhood* - For an equal start in life Indigenous children need early learning, development and socialisation opportunities. Access to quality early childhood education and care services, including pre-school, child care and family support services such as parenting programs and supports, is critical. Appropriate facilities and physical infrastructure, a sustainable early childhood education and health workforce, learning frameworks and opportunities for parental engagement are also important and require attention. Action in the areas of maternal, antenatal and early childhood health is relevant to addressing the child mortality gap and to early childhood development.

- *Schooling* - Human capital development through education is the key to future opportunity. Responsive schooling requires attention to infrastructure, workforce, including teacher and school leader supply and quality, curriculum, student literacy and numeracy achievement and opportunities for parental engagement and school/community partnerships. Transition pathways into schooling and into work, post school education and training are also important. Life-long learning is important and attention is also needed regarding adult literacy and numeracy skills.

- *Economic participation* - Individuals and communities should have the opportunity to benefit from the mainstream economy — real jobs, business opportunities, economic independence and wealth creation. Economic participation needs to extend to disadvantaged job seekers and those outside of the labour market. Access to land and native title assets, rights and interests can be leveraged to secure real and practical benefits for Indigenous people. Other financial assets, capacity building, employment and training programs, incentive structures and social and physical infrastructure, including communications and transport, are needed to foster economic participation and community engagement. Through this participation, parents and other adults can become effective role models for their families and community. The design and delivery of welfare (both transfer payments and services) needs to promote active engagement, enhanced capability and positive social norms. Ensuring that communities have support to address factors that are a barrier to engagement such as problem gambling is critical.

- *Governance and leadership* - Strong leadership is needed to champion and demonstrate ownership of reform. Effective governance arrangements in communities and organisations as well as strong engagement by governments at all levels are essential to long term sustainable outcomes. Indigenous people need to be engaged in the development of reforms that will impact on them. Improved access to capacity building in governance and leadership is needed in order for Indigenous people to play a greater role in exercising their rights and responsibilities as citizens.

5.2 COAG Reforms

COAG's reform agenda is expected to commence in 2009, providing a unique opportunity for an holistic approach to Indigenous affairs and service delivery based on the seven common themes of Closing the Gap, COAG and the NTER. This opportunity will provide the conceptual framework for a new approach to engagement with the Indigenous community, additional resourcing and facilitation of an integrated and coordinated approach to joined up service delivery across three tiers of government.

COAG has established a number of working groups to progress National Reforms and have agreed that the Working Group on Indigenous Reform (WGIR) should continue to develop reform proposals for improving community safety, remote service delivery and Indigenous economic development and active welfare for consideration in October 2008.

In addition COAG has requested the WGIR, in conjunction with other working groups (Business Regulation and Competition, Health and Ageing, Productivity Agenda, Housing, Infrastructure, Climate Change and Water) to report to COAG in December 2008 on how COAG's broader reform agenda will deliver an integrated strategy on closing the gap for all Indigenous people.

The WGIR is currently concentrating on the development of three major reform proposals:

- Indigenous Family and Community Safety - to decrease violence in the home and broader community by addressing current deficiencies in services and the impacts of alcohol.

- Remote Indigenous Service Delivery - to introduce a robust place-based system for joint planning and service delivery across the three levels of government, in conjunction with Indigenous community organisations and with local business.

- Indigenous Economic Participation and Welfare Reform - to narrow the gap in employment outcomes between Indigenous and non-Indigenous Australians by building the capacity of Indigenous people to participate in the economy as well as generating opportunities for their participation.

5.3 Alignment

The COAG building blocks and reform initiatives to achieve the COAG targets align with the seven NTER Measures and Closing the Gap.

COAG's reform agenda is expected to commence in 2009, providing a unique opportunity for an holistic approach to Indigenous affairs and service delivery which builds on the seven building blocks common to COAG and Closing the Gap and provides the conceptual framework for the new approach to partnership recommended in this paper.

5.4 Backlog of resources and the COAG process

While the NTG is actively engaged in the COAG reform process, it is important to note that the Territory is not expecting to receive significant funding to address the backlog issues through this process. Additional resources to address the backlog will need to be provided separately either as a tied grant or Commonwealth-own expenditure.

6. THE WAY FORWARD: 'Better Ways of Working'

Final NTER Taskforce Report June 2008:
One year into the emergency response, it is apparent that the initial suspicion and distrust in communities is lifting as Indigenous people in remote communities are recognising that their lives and those of their children are improving through the implementation of the NTER; and as their hopes are raised that their children may have a brighter future

The Territory submits that a new approach to service delivery is required. This new approach must be based on a negotiated partnership arrangement between all key stakeholders and will be underpinned by best practice community engagement, an agreed service delivery framework and a substantial and long term commitment to appropriate levels of resourcing.

6.1 Engagement - Communications

Effective communication consultation and engagement are fundamental and critical steps for any new framework of delivery and can be summarized in terms of accepting and acknowledging the importance of mutual respect

It is widely accepted that the active participation of local people on all levels – individuals, families, clans, businesses, community and regional organizations – is required to facilitate lasting and effective change, particularly as the major challenge in many communities is moving from a welfare, disadvantage and dysfunction paradigm to one of an active, engaged and sustainable community.

Significant lessons have been learned from past experience and recent research into the effectiveness of communications in remote communities.

Key lessons include:

- Face-to-face communication is the most ideal way to provide government information, particularly involving someone trusted by the community, and generally via small family group discussions rather than large forums.

- Messages should be developed on a community-by-community basis taking into account the unique social, cultural and historical context of each community.

- The communication process should be two-way and involve relevant local / regional organizations and individuals in the development and delivery of messages and material.

- To maximize the amount of information 'filtered down' to communities, communication strategies should use a range of organizations, mediums and approaches.

- Written material should not be relied upon as the primary means of communication and where it is used, messages should be simple and focus on one message.

- Local media, in particular language broadcasts, can be effective as a secondary means of communication where communities have a strong local radio presence. There is also potential for greater use of audio visual material, particularly in targeting younger audiences.

- As communities don't necessarily distinguish between government agencies, a single coordinated approach is more effective.

6.2 Engagement – Local Employment

One of the most effective ways to engage with local people and ensure the likelihood of continuity on the ground is to make a concerted effort to employ locals.

While local people are likely to lack some of the skills necessary to perform the high level coordinating role of a GBM, for example, the bar should nonetheless be set at the highest possible level. Innovative and flexible strategies must be adopted to ensure the earliest transition of locals to all levels of delivery and seniority within the agreed service delivery framework.

The Territory has successfully demonstrated with the employment of local Essential Services Officers, for example, that responsibility on-the-ground can work with external management, provided there is a concerted effort on both sides to respect each others roles and build on each others relative skills and capacities.

The positives of such an approach far outweigh any risks: it will be seen as a symbolic demonstration of good will and trust in the capacity of local people to facilitate opportunities for individuals to aspire and achieve roles as key players in managing their own affairs. It will do so without setting people up to fail; and it will provide real jobs with a personal development pathway to management and leadership responsibilities.

The positives also include a leadership role for government in demonstrating to others what is possible – this is particularly important because the future of employment in Aboriginal communities will be a mix of government, non-government and private sector jobs.

The importance of locals playing a key part in a coordination role can not be underestimated: it is what local people have been asking for, for many years, and it is what all levels of Government now accept is required for step-changes to occur. The symbolic and practical importance of this role for local people, and providing all the necessary supports so this can happen, will lay a foundation for the way governments and communities engage in the future.

In an extension of the principle of community engagement, the NTG is giving priority to the participation of Indigenous people in local governance. Supporting this policy will create a consequent demand for high quality, locally delivered governance and leadership training.

6.2.1   The Aboriginal Interpreter Service

The Aboriginal Interpreter Service was formally established in 2000 in response to a long-identified, significant need for services to address the language barriers faced by many Aboriginal people in their dealings with service deliverers.

The AIS employs 14 full time staff and 288 active interpreters who are able to service most communities in the Northern Territory.

Statistics for interpreter use indicate an increase in activity, although not at the level that would have been expected given the scope and intensity of the NTER initiatives.

Possible reasons for this pattern of apparent need against relatively low usage include:

- an assumption on the part of both parties that they understand what the other is saying;

- a view by Aboriginal communities that they generally understand English well enough to deal with the information that is to be provided;

- an assumption by visiting officers that by communicating with people they normally deal with—council staff, Centrelink local staff, health workers, council members, housing officers—they will be able to ensure that an accurate message is passed to other people in the community;

- an assumption by community members that their leaders—or the people put forward as communicators due to their good knowledge of English—are capable of understanding and transmitting all that is being said;

- a lack of faith in the capacity of available interpreters to properly communicate what is being said, on the part of either government officers, Aboriginal people, or both;

- lack of availability of interpreters who have the capacity to properly articulate what is being said;

- lack of understanding by available interpreters of the concepts or the language being used in the communication; and

- refusal by interpreters to be involved in interpretation of the information being communicated.

Increased funding for interpreting would strengthen the Aboriginal Interpreter Service and enable it to more effectively meet the needs for bilingual interpretation arising from the roll-out of measures under the banner of the NTER. The use of professional interpreters would add value to the NTER in achieving an adequate level of understanding across the language and cultural barriers.

Provision of increased resources for interpreters would:

- Enable development of more effective communications strategies.

- Provide a guarantee of ethical and accurate interpretation of language.

- Enable recruitment and training of additional interpreters to interpret the English language and concepts that are specific to particular NTER policy and/or initiatives.

- Provide 'real jobs' and employment activities for Indigenous people.

6.1 and 6.2 Recommendations – Engagement

Key recommendations:

• Substantial investment is required to effectively engage with local people.

• Adoption of best practice communications techniques.

• A concerted effort is required to employ locals at all levels and roles, including pathways to senior management roles.

• Increase funding for the Aboriginal Interpreter Service.

• Provide high quality, locally delivered governance and leadership training.

6.3 Resources

The Australian Government's stated investment in the NTER of $1.3 billion (incorporating housing funding of over $600 million) is equivalent to a third of the NTG's annual budget. The sheer size of the commitment demonstrates the extent of the task to Close the Gap in Indigenous outcomes in the Northern Territory. This situation has existed in the Northern Territory since self-government where funding arrangements have been adequate to maintain services and provide some incremental improvements but not sufficient to deliver quantum improvements, particularly in terms of additional or improved infrastructure. The arrangements have been further complicated by the transfer of responsibility to the Territory for outstations pursuant to the September 2007 Memorandum of Understanding between the Australian and Northern Territory governments on Indigenous Housing, Accommodation and Related Services.

The NTER has responded to the service deficit in remote communities, and has also provided initial investment to address the backlog of infrastructure in remote areas. The Territory's view is that the NTER investment needs be maintained with resources to be deployed in a sustainable, ongoing way and supplemented where appropriate by targeted initiatives that will make a significant contribution to Closing the Gap.

Indigenous people comprise over 30 per cent of the Territory's population, and service delivery to Indigenous Territorians is core government business. Indigenous services in the Territory are mainstream services as evidenced by the fact that around 52 per cent of the NTG's annual budget expenditure is Indigenous-related, compared with 44 per cent of revenue received (*2006-07 Indigenous Expenditure Review*, 2008). In 2006-07 Indigenous-related expenditure equated to about $1.6 billion.

In addition to this ongoing commitment, in 2007-08, the NTG committed $286 million over five years as part of its highly targeted 2007 Closing the Gap investment. Further commitments have been made during 2008.

Sustained investment, building on past and current initiatives and using the considerable knowledge and experience that exists throughout the Territory are critical to meeting the challenges of Closing the Gap. Demographic changes make this increasingly important.

Notwithstanding substantial commitments from the NTG's budget, the quantum of funds required is well beyond the financial capacity of the Territory.

The Review Board has requested that the NTG provide some indication of what it would cost to close the gap in Indigenous disadvantage. This is a difficult question to answer definitively as there are many influences that need to be considered as well as policy questions in relation to the standard and extent of services to be provided. Notwithstanding the Territory has attempted to provide a realistic estimate of the additional investment in infrastructure and in services necessary to Close the Gap in the Northern Territory. This estimate has been tempered by what can be realistically achieved given resourcing constraints in the Territory and Australia both in terms of service delivery and infrastructure capacity.

The Territory has established a number of principles to guide its view of the future resource requirements. In particular, it is the Territory's strong view that both governments need to maintain their existing commitment to current levels of Indigenous services:

- For the NTG, this requires maintenance of current levels of mainstream services provided to Indigenous Territorians and announced commitments to Closing the Gap initiatives.

- For the Commonwealth Government continuation of NTER funding at least at current levels.

- For both governments, commitment is required for additional infrastructure necessary to establish permanent infrastructure to support NTER initiatives including facilities, government employee housing and associated essential services with the Commonwealth providing the capital funding and the Northern Territory responsible for infrastructure delivery and implementation.

- In addition, both governments should commit support to targeted, new or expanded initiatives in justice, education and health services with strategic investment in transport and communications infrastructure necessary to support additional investment in services.

- Enabling infrastructure such as roads and telecommunications is critical to remote service delivery.

These principles need to be considered in association with an understanding of the current intergovernmental funding arrangements, current patterns of NTG expenditures on Indigenous services and the Territory's view about the governance arrangements that would accompany any additional funding arrangements.

6.3.1 Current Intergovernmental Financial Arrangements

The intergovernmental financial arrangements through GST and SPP funding provide the Territory with funding for targeted programs as well as an above equal per capita share of untied funds for additional costs of service delivery in the Territory. These arrangements relate to the Territory's Indigenous population as well as other factors apparent in the Northern Territory such as isolation and diseconomies of scale.

The Territory's Indigenous Expenditure Review has demonstrated that the Territory spends more on Indigenous services than it receives through these arrangements. As a consequence, there is limited additional revenue that can be directed to Indigenous service provision from Territory sources. However, maintenance of current funding for Indigenous services is essential and is a stated commitment of the NTG.

The principle of horizontal fiscal equalisation which is the basis of the distribution of the GST funding stream provides capacity for maintenance of services but does not deal with infrastructure or service backlogs. This has been confirmed by the Chairman of the Commission, Mr Alan Morris, who, in a speech at the 2003 Charles Darwin University Symposium, stated:

> *Equalisation is not designed to provide a level of funding that would enable States to overcome these disabilities and does not do so…Giving it (the Territory) the same fiscal capacity as other States to deliver services to its citizens means maintaining any pre-existing differentials. If this capacity has to be applied to communities facing very different circumstances, particularly with respect to access to services – and this is what we see in the Territory – outcomes will not narrow over time.* **The Territory's financial support does not provide it with catch up capacity.** *(emphasis added)*

Thus the additional funding provided by the Commonwealth through the NTER and similar funding streams is the appropriate mechanism by which identified backlog in services can be overcome, and is a key element to achieve Closing the Gap in Indigenous outcomes.

The NTER funding represents net additional funding to assist in improving outcomes for Indigenous Territorians. However, to ensure that its contribution is not diminished through the intergovernmental funding arrangements, the NTER payments to the Northern Territory have been excluded from the calculation of relativities in the terms of reference for the Commonwealth Grants Commission (the Commission) 2008 Update. That is, any NTER expenditure will not impact the Commission's calculations of the Territory's GST relativity and will ensure that the Northern Territory's capacity to continue to provide the same level of funding commitment to Indigenous services.

6.3.2   *Northern Territory Indigenous Expenditure Review 2006-07*

Because the Northern Territory receives additional funding through a higher than per capita GST share, in part because of the Territory's Indigenous population, the NTG has committed to a higher level of accountability than is required under these arrangements and has been adopted in other jurisdictions.

The Territory has committed to transparent reporting of its Indigenous-related expenditure and has recently finalised its second Indigenous Expenditure Review (IER). This review has been audited by the Northern Territory's Auditor General and the Territory will continue to produce this data on a regular basis. The reporting in the Territory's IER goes further than what is expected to be available in future years from all jurisdictions as a result of the COAG commitments to improve reporting of Indigenous expenditure.

The key findings of the 2006-07 IER are:

- 52.4 per cent of the Territory's expenditure in 2006-07 was Indigenous-related;

- 44.4 per cent of the Territory's revenue in 2006-07 was Indigenous-related;

- Indigenous-related expenditure exceeds that of revenue by 8.0 percentage points or approximately $248 million; and

- On a per capita basis, spending on Indigenous Territorians is 2.5 times that of non-Indigenous Territorians.

These results show that within the current funding envelope the Territory is spending more than it receives in Indigenous funding.

This IER is based on the 2006-07 financial year before the Territory's Closing the Gap and the NTER initiatives commenced. As a consequence, this report provides a baseline against which these additional funding initiatives can be measured.

6.3.3   Possible Governance Arrangements

If ongoing additional funding streams arise as a result of the NTER Board's review and recommendations, the Northern Territory expects that there would be a separate overarching agreement (or agreements for functional areas) outlining the obligations of both the Commonwealth and the Northern Territory and the expected milestones as agreed by both governments. The Territory would also expect that specific, agreed accountability arrangements would be negotiated as part of these arrangements, including regular reports on funds spent, outputs produced and over time, outcomes achieved.

The key difference that the Territory would seek as part as part of any new agreement compared with the initial NTER arrangements would be an acknowledgement of the expertise, knowledge and experience of Territory communities and Territory based service providers, and a commitment to their involvement in planning and implementation of new and expanded services.

This could be achieved through the new governance framework and the associated comprehensive service delivery framework recommended in this submission.

6.3.4   Investment Areas Required to Close the Gap   Resourcing Beyond 2008-09

Much of the NTER funding does not extend beyond 2008-09 and is subject to the NTER Review Board's recommendations. The funding estimates that have been developed for services from 2009-10 are in line with the principles outlined above for maintenance of current NTG and NTER effort, infrastructure to support ongoing NTER funding and new targeted initiatives.

Accordingly, the estimates are provided by funding source and include details of current NTG spending and commitments, the Commonwealth's NTER funding as understood by the Territory (there may be some areas where the full extent of Commonwealth funding is not known). An estimate of the infrastructure required to provide NTER services with permanent rather than temporary facilities has also been provided and includes essential services and government employee housing. In addition, targeted programs considered to be an important additional contributor to Closing the Gap have been proposed.

The estimates have been categorised according to the 'building block' areas of Indigenous service delivery and reform common to the NTER, Closing the Gap and the COAG reform process: community safety; education, health, housing and infrastructure, employment and economic participation and governance and coordination. In line with the treatment in the 2008-09 financial year, continuation of NTER funding and any additional investment needs to be treated by exclusion from the horizontal equalisation processes administered by the Commonwealth Grants Commission so that the additional NTER funding is not offset by a reduction in existing funding sources.

Table 1: Summary of backlog in Indigenous infrastructure and services in the Territory

	Permanent NTER ($M)		New and Expanded ($M)	
Ongoing Funding	Recurrent	Capital	Recurrent	Capital
Employment and Economic Participation	106		54	
Community Safety (including law and order)	36	169	34	83
Education	55	135	118	290
Health	60	93	38	30
Housing	55	2059		
Roads and IT Infrastructure				622
Governance and Coordination	73		18	
Total Estimated Shortfall	**385**/pa	**2 456**	**262**/pa	**1 025**

Note: these costs do not include requirements for outstations as consultation on the service delivery model is currently underway.

6.3.5 Employment and Economic Participation

NTG Mainstream Services

In 2006-07, NTG agencies providing economic-type services spent 43.2 per cent of their budget, or around $234 million, on Indigenous related services (*2006-07 Northern Territory Indigenous Expenditure Review*, 2008).

Agencies providing economic-type services seek to benefit the overall population or the population of a particular region more generally through promotion of economic growth. Increased production, better quality product and price reductions reflect the benefits accrued from government investment.

NORTHERN TERRITORY GOVERNMENT

NTG Additional Effort to Close the Gap

The Northern Territory's Closing the Gap provided $13 million over five years for additional effort targeted at improving Indigenous employment and economic outcomes, including to transition CDEP participants into jobs ($10 million) and programs aimed at Indigenous business development ($3 million).

From 2007-08 the Northern Territory provided a further $1.3 million per annum for Indigenous employment and training and ranger programs.

NTER

The NTER provided funding in 2008-09 for employment and welfare provision across the Territory, including:

- $6 million for Centrelink services to remote regions;

- $69 million for income management; and

- $93 million over three years for transitioning CDEP participants to real jobs.

COAG

In relation to COAG reforms, the Territory is not expected to receive significant funding beyond current levels, although there is potential for some funding associated with the introduction of integrated employment programs in targeted locations that have existing large scale employment markets. However, this will not meet the needs of people living in regions with developing, thin or non-existent economic markets where greater emphasis is required on alternate employment, business and industry development.

Resources to make NTER Permanent

The Commonwealth has been providing direct funding in this area under the NTER programs. The Northern Territory contends that the current funding commitment outlined above should continue at least the same level.

Targeted new and expanded initiatives to Close the Gap

The NTG estimates that approximately $54 million is required for additional resources to improve Indigenous employment and economic participation. This includes approximately:

- $23 million for continuation of CDEP reform for local government and education related positions started through NTER;

- $23 million for employment pathways and support including VET pathways, pre-employment programs such as literacy and numeracy support for working age adults, and workforce strategies; and

- $8 million for Indigenous focused industry and business development programs.

Funding Summary

NTG Indigenous-related Mainstream Services[a]	
($M per annum: 2006-07)	
Economic-type services	234
Total	**234**

Existing Funding Commitment	NTG CTG + Other ($M over 5 yrs)	C'wlth NTER ($M total)
Business Development	3	
Employment and Welfare Reform	6.5	75/pa
CDEP transitions	10	93/3yr
Total	**19.5**	**168**

Ongoing Funding	NTER Permanent ($M)		New and Expanded ($M)	
	Recurrent	Capital	Recurrent	Capital
Business Development			8	
Employment and Welfare Reform	75		23	
CDEP transitions	31		23	
Total	**106/pa**		**54/pa**	

6.3.6 Community Safety – Including Law and Order

NTG Mainstream Services

In 2006-07, Indigenous related expenditure accounted for 58.7 per cent of the NT Police, Fire and Emergency Services' budget, or around $113 million (*2006-07 Northern Territory Indigenous Expenditure Review, 2008*). In the Department of Justice, 64 per cent of its budget, or approximately $93 million, is Indigenous-related expenditure. This expenditure incorporates the provision of policing, justice services, alcohol and other substance management, and programs addressing crime and family violence.

NTG Additional Effort to Close the Gap

The Northern Territory's Closing the Gap provided around $125 million over 5 years for additional effort targeted at community safety outcomes through strengthening the child protection system, effective alcohol and drug management, increased policing and developing local solutions to crime and family violence including:

- further expansion of the NTG child protection reforms and initiatives started in 2004, including establishment of a Children's Commissioner, additional child protection workers and expansion of the Child Abuse Taskforce ($76 million);

- additional police resources in remote localities, community justice and other safety measures ($19 million);

- alcohol and drug management initiatives ($10 million); and

- offender rehabilitation and community based intervention programs ($20 million).

NTER

In 2007-08, the Territory received funding for NTER measures in relation to community safety, including:

- $18.5 million (per annum for two years) for additional police resources, including $12 million for temporary police stations;

- $13 million to establish Safe Houses and Child Protection Services (with a further commitment of $10 million in 2008-09);

- $4 million for alcohol, drugs and pornography management; and

- $1 million for Indigenous community youth programs.

Other Commonwealth funded programs include:

- police support activities ($12 million);

- expansion of night patrol services ($18 million);

- extension of the National Indigenous Violence and Child Abuse Intelligence Taskforce ($4 million); and

- youth alcohol diversion projects ($9.5 million).

COAG

In relation to COAG reforms there is some potential for the Territory to receive some additional funding for specific initiatives around community safety. At this stage, law and order resources similar to those provided under the NTER are not being contemplated.

Resources to make NTER Permanent

Closing the gap in community safety and rehabilitation outcomes requires ongoing investment in policing and related infrastructure, as well as additional effort to address family violence and general community crime.

The NTG estimates that approximately $36 million per annum is required to continue NTER initiatives, with $169 million to transition temporary NTER infrastructure into permanent facilities. These include:

- Continuation of the NTER Themis initiative of 66 police and operational support at a cost of $17 million ongoing;

- $112 million to make Themis stations permanent and undertake further upgrades for the Remote Policing Strategy;

- $39 million to address additional police housing requirements arising from Themis (48 houses);

- Ongoing funding of $9.5 million for staffing and operations for the NTER Safe Houses initiative;

- $1.7 million per annum to continue the Mobile Child Protection Team;

- $7 million per annum for substance management, alcohol reforms and research and national awareness campaigns; and

- Although not currently part of NTER, there is a flow on effect from the additional police stations, with an increased requirement for judicial services. This has been estimated at $18 million to address a backlog of courts infrastructure and $1 million ongoing to operate these services in prescribed communities.

Targeted New and Expanded Initiatives to Close the Gap

In addition to continuing with and making permanent the NTER, additional effort is required by both governments to close the gap in community safety. The following estimated costs are considered essential for these initiatives:

- $42 million for Aboriginal Community Police Officer housing upgrades;

- $5 million per annum for the expansion of integrated police and Northern Territory family and community investigative and intervention services in major centres;

- $5 million per annum to maintain funding for the new Aboriginal family and community workers in the agreed 2007-08 communities and expand the initiative to a further 25 communities;

- $5 million in capital funding and $6 million per annum for offender community based programs. This includes supported accommodation for offenders on release, extension of the Indigenous Family Violence Offender Program, substance abuse programs, mobile work camps and employment, education and training;

- $2 million per annum for training and capacity building for preventative Remote Family Violence programs and services;

- $5 million per annum for two remote based alcohol and substance rehabilitation services;

- $10 million to replace or construct new Safe Places, and other Safe Houses (approximately 30 facilities); and

- $25 million for youth worker housing and community infrastructure, and $12 million ongoing to expand current youth development programs across 30 communities, including training and capacity building.

Funding Summary

NTG Mainstream Services ($M per annum: 2006-07)	
Department of Justice	113
NT Police, Fire and Emergency Services	93
Total	**206**

Existing Funding Commitment	NTG CTG + Other ($M over 5 yrs)	C'wlth NTER ($M Total)
Police	11	62
Justice Services	8	
Intervention Programs, Child Protection and Family Violence Management	96	46
Alcohol and Drug Management	10	13
Total	**125**	**121**

Ongoing Funding	NTER Permanent ($M)		New and Expanded ($M)	
	Recurrent	Capital	Recurrent	Capital
Police	17	151	5	42
Justice Services	1	18		
Intervention Programs and Family Violence Management	11.2		12	16
Alcohol and Drug Management	7		5	
Youth Services			12	25
Total	**36.2**/pa	**169**	**34**/pa	**83**

6.3.7 Education

NTG Mainstream Services

In 2006-07, the Department of Education and Training spent 46.2 per cent of its budget, or approximately $276million on Indigenous Territorians (*2006-07 Northern Territory Indigenous Expenditure Review, 2008*), including the provision of general schooling and training.

Significant budget highlights in 2008-09 targeted at improved education outcomes include:
- provision of support staff over formula to address bilingual literacy support and attendance ($13.2 million per annum);
- literacy and numeracy support ($17.9 million per annum);
- staff retention strategies ($7 million per annum); and
- community engagement and consultation strategies ($2.6 million per annum).

NTG Additional Effort to Close the Gap

The Northern Territory's Closing the Gap provided $80 million over 5 years for additional effort targeted at improving Indigenous student outcomes, including:
- school and classroom upgrades ($36 million) and additional teachers ($12.8 million);
- mobile preschools to service remote communities ($9.5 million);
- early childhood development ($3.6 million);
- school counsellors for remote communities ($5.2 million); and
- stakeholder partnership programs and attendance strategies to support greater community ownership and support for schooling ($9 million); and
- improving schools' access to information technology resources ($2.7 million).

In 2008, the NTG also announced 'Transforming Indigenous Education' which is a strategy comprising five measures targeting improved education outcomes for Indigenous students. One of these measures is the Community Partnership Education Boards in the Miwatj and Warlpiri regions.

NTER

The NTER and additional Commonwealth programs have provided funding for education provision across the Territory, including:
- 200 additional teachers ($98.8 million over five years) and classrooms ($8.36 million over two years);
- quality teaching and enhanced literacy programs ($20.35 million over two years);
- early childhood development services ($3.4 million);
- school nutrition program ($7.4 million); and
- development of three regional hostels ($43.9 million).

COAG

In relation to COAG reforms, some Northern Territory schools may receive additional direct funding if they qualify for low socio economic status (a number of remote areas in the Northern Territory do not meet the socio economic status requirements because the effect on the data of income levels of mine workers). This would provide additional support for these existing schools but does not address infrastructure and teaching provision shortfalls including specialised teachers for some smaller remote homeland centres.

Resources to make NTER permanent

Closing the gap in Indigenous education outcomes requires additional education infrastructure and teaching resources that support the effort required to accelerate student learning.

The NTG estimates that approximately $55 million ongoing is required for additional teaching and education services, along with $135 million for associated infrastructure requirements.

This includes approximately:

- $30 million per annum for continuation of the NTER initiative of 200 additional teachers;

- $90 million for teacher housing for additional teachers;

- $10 million per annum to continue quality teaching and enhanced literacy programs;

- $7.4 million per annum for continuation of the school nutrition program;

- while the NTER provided funding for 3 Regional Hostels, a further 3 are still considered necessary at a cost of $45 million to construct and $8 million ongoing to operate;

Targeted new and expanded initiatives to Close the Gap

In addition to both governments continuing existing programs, the Northern Territory has identified further expansions of existing program that will be required to close the gap. These expansions include:

- $56 million for one-off establishment costs and $22 million per annum ongoing for 95 additional teachers and 52 support staff, including housing and classroom requirements (this is in addition to continuation of NTER commitment enabling an ESL-like student : teacher ratio in remote areas); this may increase over time in line with demographic change and population mobility;

- $84 million for the establishment and $46 million ongoing for 12 remote and 5 urban Child and Family Centres (above the 4 remote and 1 urban centre the Northern Territory will potentially receive through the COAG initiative); and

- at least $150 million for additional education facilities in remote areas and $50 million ongoing, based on a hub and spoke model of delivery. Further investment will be required to support distance education and homeland schools in line with the Transforming Indigenous Education agenda.

Further work is being undertaken on the most effective schooling model to improve educational outcomes in remote areas. Future costs will be dependant on the development and implementation of that model following a pilot hub service delivery model at Maningrida.

Funding Summary

NTG Mainstream Services ($M per annum: 2006-07)	
Department of Education and Training	276
Total	**276**

Existing Funding Commitment	NTG CTG + Other ($M over 5 yrs)	C'wlth NTER ($M total)
Teaching	52	127
Early Childhood Development	13	3
Student and Community Engagement and Support	14	7
Regional Hostels	1	44
Total	**80**	**181**

Ongoing Funding	NTER Permanent ($M)		New and Expanded ($M)	
	Recurrent	Capital	Recurrent	Capital
Teaching	40	90	22	56
Early Childhood Development			46	84
Student and Community Engagement and Support	7.4			
Regional Hostels	8	45		
Additional Remote Facilities			50	150
Total	**55.4**/pa	**135**	**118**/pa	**290**

6.3.8 Health

NTG Mainstream Services

In 2006-07, the Department of Health and Community Services spent 59.9 per cent of its budget, or approximately $445 million, on Indigenous Territorians (2006-07 Northern Territory Indigenous Expenditure Review, 2008), including the provision of health services to remote communities and child protection services.

NTG Additional Effort to Close the Gap

The Northern Territory's Closing the Gap provided $15 million over five years for additional effort targeted at improving Indigenous health, including:

- antenatal and maternal care programs ($6 million); and

- expansion of chronic disease programs ($9 million).

Additionally, from 2007-08 the Northern Territory provided further funding for a range of other initiatives targeted at improved Indigenous health, including:

- managing renal growth ($24 million over 4 years);

- preventative health measures ($5 million over 5 years);

- disability services ($16 million over 5 years); and

- health centres and clinics ($7.6 million).

NTER

The Commonwealth has committed to provide funding for NTER measures in health and family services, including:

- child health checks ($41 million)

- specialist health ($10 million);

- primary health care (Central Australia, Barkly and Top End) ($4 million);

- additional primary health care, including follow-up specialist treatment arising from child health checks ($100 million over two years in 2008-09 and 2009-10);

- additional staff for planning, paediatric liaison unit and clinical director ($1 million); and

- sport and recreation facilities ($1 million).

COAG

In relation to COAG reforms, the Territory is not expected to receive significant funding beyond current levels. However, while some COAG proposals may lead to increased funding targeted at Indigenous Territorians, the proposed multipliers do not adequately address the full cost of remote activity. For example, any national allocation will either be on a national population basis or Indigenous population proportion and will not take into consideration the greater health needs of Indigenous Territorians, nor the level of existing service delivery, which is particularly relevant for Indigenous Territorians living in remote and very remote communities.

Resources to Make NTER Permanent

The NTG estimates that approximately $60 million ongoing is required to continue health services, with $93 million for infrastructure. This includes:

- $60 million per annum for the continuation of NTER measures to provide additional health care providers and services, including additional GPs, Nurses, Allied Health Professionals, Mental Health professionals, Aboriginal Health Workers and Aboriginal Community Workers;

- $70 million for new and upgraded health clinics; and

- $23 million for housing for remote primary health care staff providing professional outreach services.

Targeted New and Expanded Initiatives to Close the Gap

In addition to the above, the following initiatives have been identified:

- $10 million per annum for the expansion of specialist health services for oral health and for the treatment and prevention or early detection of chronic disease;

- $8 million per annum for ongoing disability services;

- $9 million per annum for the delivery of mental health services in remote locations, including specialist treatment and community based support; and

- $30 million for the establishment of community sports infrastructure and $11 million ongoing for sport and recreation programs and facility management.

Funding Summary

NTG Mainstream Services ($M per annum: 2006-07) Department of Health and Families	445
Total	**445**

Existing Funding Commitment	NTG CTG + Other ($M over 5 yrs)	C'wlth NTER ($M total)
Primary Health	14	146
Specialist Health (inc. chronic diseases)	39	10
Disability Services	16	
Preventative health measures (sport and recreation)	5	1
Total	**74**	**157**

Ongoing Funding	NTER Permanent ($M)		New and Expanded ($M)	
	Recurrent	Capital	Recurrent	Capital
Primary Health	60	93		
Specialist Health (inc. chronic diseases)			10	
Disability Services			8	
Mental Health			9	
Preventative health measures (sport and recreation)			11	30
Total	**60**	**93**	**38**	**30**

6.3.9   Housing and Infrastructure

NTG Mainstream Services

In 2006-07, Indigenous-related expenditure in the Department of Local Government and Housing was 66 per cent (approximately $162 million), and in the Department of Planning and Infrastructure it accounted for about 49 per cent of the budget (approximately $149 million), incorporating access to adequate housing, infrastructure and essential services and additional effort to support Indigenous housing and infrastructure needs (2006-07 Northern Territory Indigenous Expenditure Review, 2008).

NTG Additional Effort to Close the Gap

Housing
The Northern Territory's Closing the Gap provided $42.3 million over 5 years for Government Employee housing in remote areas (including health care workers and teaching staff).

Additionally, in 2007-08, the NTG committed $100 million over 5 years for Indigenous Remote Housing as part of the funding for SIHIP.

Information Technology
The NTG has provided $5 million for remote telecommunications infrastructure to leverage significant additional investment. Further contributions are likely.

NTER

Negotiations had commenced in early 2007 for significant and sustained additional funding for Indigenous housing in remote areas and town camps. These were incorporated as part of the NTER in September 2007.

Housing
- $793 million over four years for the Indigenous Remote Housing Program (separately negotiated under an MOU) to deliver Indigenous housing, accommodation and related services to remote communities across the Territory. The SIHIP objective is to deliver 750 new houses, 230 replacement houses and upgrade 2500 existing houses.

- $5.3 million through the Commonwealth's Connecting Neighbours Program for Tangentyere housing upgrades, separately negotiated in addition to the $50 million allocated to Tangentyere from SIHIP.

- $12.1 million in 2007-08 provided by the Commonwealth through Tasks of Opportunity for Indigenous Essential Services.

Roads and Transport
- $3.1 million in 2007-08 provided through FAHCSIA for roads

- $8.3 million in 2007-08 provided through FAHCSIA for the upgrade of aerodromes in remote communities.

COAG

In relation to COAG reforms, while the Territory is expected to receive some funding if the reforms go ahead, the available funding is not expected to address the significant backlog, nor keep pace with demand growth. The current COAG working group discussions are focussed on the distribution of funds on the basis of Indigenous population, with limited acknowledgement of additional costs in remote areas or existing service backlogs.

Resources to Make NTER Permanent

Closing the gap in Indigenous housing outcomes requires a significant effort to address overcrowding and the historical shortfall in remote housing infrastructure. Further investment in supporting infrastructure such as roads, Indigenous essential services and information technology are also critical for sustained improvements in health, education and well being for Indigenous Territorians.

The NTG estimates that approximately $2 059 million is required for housing infrastructure, including land servicing and essential services, with at least $55 million ongoing required to support the additional infrastructure. This includes:
- $1.4 billion for additional (new) Remote Indigenous Housing, based on current prices and backlog for Indigenous housing which is estimated at 4000 new houses;

- $284 million for Indigenous Essential Services infrastructure and $25 million ongoing for delivery of these services;

- $375 million for land servicing to complement additional housing backlog;

- $30 million ongoing for remote Indigenous housing tenancy management services; and

- the difference between the rental framework for remote Indigenous housing and the cost of maintaining the housing. To be quantified once the rental framework is finalised.

Targeted New and Expanded Initiatives to Close the Gap

Roads
The Northern Territory road network is about 36 000 km in length of which about 22 000 km are managed by the NTG with the balance managed by local government. Of the road network that is the responsibility of the NTG, about 15 600 km (70 per cent) is unsealed. About 6 900 km (45 per cent) of these unsealed roads are in the Top End and may be subject to closures and/or weight restrictions during the wet season. On average, the cost of sealing 1km of road is $1 million.

Road access to remote communities is vital for the economic and social development of people living in remote areas. These roads are the main supply routes for goods and services and play an important role in connecting communities, providing the necessary linkages to essential services (including health, policing, education and maintenance of water supply, sewerage and power), employment opportunities, and recreational facilities. Alternate methods of regular scheduled transportation such as air, boat and rail are generally not available to remote communities.

The success of the emerging hub service delivery model (also referred to as the hub and spoke model) is dependent on a higher grade of access to link satellite communities with the hub centre. The cost is significant and the two examples below are only a small proportion of the overall unmet need:

- $300 million to upgrade Central Arnhem Link to all weather standard;

- $100 million to upgrade the Wadeye Road to sealed standard including bridging of the Daly and Moyle floodplain.

Although current NTG road infrastructure funding to remote communities is significant, more needs to be done. To address the significant backlog in remote road infrastructure, an additional $500 million over 10 years would be required, at a minimum.

Information Technology
Information technology infrastructure is vital for improved service delivery particularly the delivery of specialist services in education and health. Major infrastructure is required, including:

- $12 million for the East Arnhem Link Fibre (550km);

- $12 million for the Utopia Loop Fibre (420km);

- $18 million for the West McDonalds Link (725km);

- $80 million to provide fibre or high capacity radio to approximately 20 communities that are currently poorly served by telecommunications.

Funding Summary

NTG Mainstream Services ($M per annum: 2006-07)	
Local Government and Housing	162
Planning and Infrastructure	149
Total	**311**

Existing Funding Commitment	NTG CTG + Other ($M over 5 yrs)	C'wlth NTER ($M total)
Remote Indigenous Housing	100	748
Government Employee Housing	42	
Land Servicing (incl IES)		12
Roads and Transport		11
Information Technology	5	
Total	**147**	**771**

Ongoing Funding	NTER Permanent ($M)		New and Expanded ($M)	
	Recurrent	Capital	Recurrent	Capital
Remote Indigenous Housing	30(a)	1 400		
Land Servicing (incl IES)	25	659		
Roads and Transport				500
Information Technology				122
Total	**55**/pa	**2 059**		**622**

(a) does not include difference between rent received and maintenance costs for tenancy management

6.3.10 Governance and Coordination

NTG Mainstream Services

In 2006-07, NTG Indigenous expenditure for governance, coordination and cultural respect was incurred across various agencies (*2006-07 Northern Territory Indigenous Expenditure Review, 2008*).

NTG Additional Effort to Close the Gap

The Northern Territory's Closing the Gap provided $2 million over 5 years, including $1 million for the expansion of the Indigenous interpreters program (subsequently an additional $0.35 million per annum for interpreters was provided in the 2008 Budget) and $1 million for the establishment of the Indigenous Affairs Advisory Council.

Additionally, from 2007-08 the Northern Territory established eight new Local Government Shires at total cost of $27 million, including:
- $19 million in establishment and management costs;

- $5 million for community infrastructure grants (under Closing the Gap); and

- $3 million to establish local government boards to allow community representation in the Local Government Shires (under Closing the Gap).

The Local Government Shires are the Territory's preferred structure to improve coordination of the delivery of services to towns and communities across the Territory. The new Shires were designed to complement other reform initiatives and facilitate community engagement and governance in remote Indigenous communities.

NTER

The Commonwealth has committed to provide funding for NTER measures in relation to governance and coordination, including:

- $2 million for additional funding to the Aboriginal Interpreter Service.

- $3 million for Indigenous legal aid and interpreter services;

- $31 million for Government Business Managers;

- $4 million for community engagement; and

- $33 million for NTER leadership and coordination activities.

COAG

In relation to COAG reforms, the Territory may potentially receive some funding for the implementation of a new coordinated approach to regional service delivery, although this is not expected to cover all areas of the Northern Territory.

Resources to make NTER Permanent

The Commonwealth has been providing direct funding in this area under the NTER programs. The Northern Territory contends that the current funding commitment outlined above should continue at least at the same level.

Targeted new and expanded initiatives to Close the Gap

The NTG has identified the following measures to assist with governance and coordination. These include:

- $8 million per annum for Indigenous Governance capacity building including ongoing training for local board members and cultural mapping;

- $5 million per annum for general governance and leadership development and training; and

- $5 million per annum for continuation and expansion of NTER funding for Indigenous legal aid and interpreter services.

Funding Summary

NTG Mainstream Services – expenditure in this area is incurred across various NTG agencies

Existing Funding Commitment	NTG CTG + Other ($M over 5 yrs)	C'wlth NTER ($M total)
Governance	28	35
Coordination		33
Indigenous legal aid and interpreter services	3	5
Total	**31**	**73**

Ongoing Funding	NTER Permanent ($M)		New and Expanded ($M)	
	Recurrent	Capital	Recurrent	Capital
Governance	35		13	
Coordination	33			
Indigenous legal aid and interpreter services	5		5	
Total	**73**/pa		**18**/pa	

6.4 The Service Delivery Framework

The current reform agenda in Indigenous affairs provides a unique opportunity to align and coordinate a range of inter-related strategic initiatives. These initiatives clearly build on the seven building blocks identified across the COAG and Closing the Gap agendas and can not work independent of each other without prejudicing outcomes.

An overarching strategic framework – a new governance framework - is essential to providing the sign-posts and road map to which all stakeholders can commit with clarity and certainty.

Nothing short of agreed service delivery levels for all Northern Territory communities, whether less than 20 or more than 2 000 residents, is required.

The agreed service delivery levels must be based on transparent criteria developed and agreed through the community engagement process.

The Review Board has confirmed from their community visits the observations of NTG officers regarding service delivery expectations at outstations. Aboriginal people in the Northern Territory are acutely aware that resources are ultimately finite and hard decisions need to be made about the levels and responsibilities for service delivery in communities across the Northern Territory (to be addressed in the Outstations Service Delivery Discussion Paper to be released by the NTG in September 2008).

The NTER Taskforce has already recommended its minimum service delivery requirements for what it refers to as 'viable communities'.

The NTG is also significantly advanced in developing a clear and comprehensive picture of current service delivery throughout the Northern Territory. It will use this work-in-progress to underpin the necessary consultation process and economic modelling, which will be required to inform discussions and decisions concerning the proposed agreed framework of service delivery.

The approach the NTG will take to defining service delivery levels will start from the fundamental principle that all children must receive a quality early childhood services and education, and then go on to consider appropriate criteria for the level and provision of all service delivery requirements (or access to service delivery in a hub and spoke model). This comprehensive service delivery matrix can be mapped to the building blocks identified through the Closing the Gap and COAG agendas and the reporting requirements of the Overcoming Indigenous Disadvantage framework.

This matrix of service delivery will then be mapped and correlated to essential primary infrastructure, including roads, airstrips, barge landings, telecommunications, power and sewerage to ensure that investments are made in a strategic manner to deliver the best outcomes on-the-ground.

In this way, investment in one service delivery area can be supported by strategic investments in enabling infrastructure. For example, identifying that a secondary school is required in a major hub community will trigger complementary investments such as up-graded power and sewerage facilities, improved housing for government employees and improved roads to facilitate access by those outstations who will be best serviced by transporting kids to that hub school.

6.4.1   Roads

A substantial investment in roads is required to facilitate the roll-out out of housing and other infrastructure programs and to enable the hub and spoke access to services model to operate effectively**.**

6.4.2   Electronic service delivery

The further development of electronic service delivery and support to remote staff will be essential if the Closing the Gap targets of both the Australian and Northern Territory governments are to be met in remote areas.

In particular, the provision of high speed broadband infrastructure will allow deployment of information and decision support systems (health, police and tenancy management), introduction of virtual classrooms and courts, interactive professional training and support at a distance, greater use of mixed mode training for VET and tertiary courses, and will assist in staff recruitment and training. Internet access is also becoming increasingly important for the viability of small remote business ventures (tourism, arts) and hence the growth of remote employment opportunities.

Lack of access to high speed broadband in many parts of the Northern Territory poses a major barrier to the further development and roll-out of electronic services.

6.4.3   Key principles

Key principles underpinning the development of an agreed service delivery framework include:

1. ***Community engagement*** – Community acceptance and buy-in to the basis and rationale for the agreed service delivery framework is essential to a strategic and systematic approach to overcoming the investment backlog and sustaining new investments. The communications and local employment approach espoused above will apply.

2. ***Continuity*** - Continuity creates certainty – an essential ingredient for long term sustainable change. It is also critical to acknowledge that the circumstance of Northern Territory remote communities is unique to the Northern Territory, and unique between each other. In other words – there is no one size fits all. It is only by building long term relationships and understanding over time that we can build the kind of community engagement and locally tailored programs that we know from experience are required to make the step change of difference desired by all stakeholders.

3. ***Government Responsibility and accountability*** - It is critical to a new partnership framework that Government takes responsibility for service delivery within the agreed framework. This means being held accountable for either delivering the agreed services and or guaranteeing the delivery of those services where delivery is devolved to appropriate alternative mechanisms such as Shires, regional boards or local organisations and business entities.

4. ***Equitable status between governments*** – Pursuant to a new partnership framework, both governments need to commit as partners of equal status, but with specific and defined roles. Policy and decision making between governments must be through governance structures and mechanisms that give value and meaning to jurisdictional responsibilities and avoids counter-productive funder-provider or funder-client relationships and the 'silo' approaches to the roles and responsibilities of individual agencies.

5. ***Transparency and Accountability*** - The Framework must include a detailed monitoring and evaluation framework which holds agencies responsible and accountable for delivering (or guaranteeing the delivery) of agreed service levels.

6.4 Recommendations – Service Delivery Framework

Key recommendations:

*   A comprehensive service delivery framework be developed and agreed according to criteria negotiated with all stakeholders.

*   The framework will define agreed service levels, delivery, responsibilities and timelines linked to an agreed investment strategy.

- Robust monitoring and evaluation procedures must be in place as part of the framework to ensure responsible agencies are held accountable for the delivery of services within the agreed framework.

- Investments in broadband capacity as critical enabling infrastructure for electronic service delivery.

- Investment in roads to facilitate access and servicing of the roll-out out of housing and other infrastructure programs and to enable the hub and spoke access to services model to operate effectively.

6.5 Reporting

6.5.1 Data challenges

Significantly, no base-line data or date collection methodology was agreed or implemented at the commencement of the NTER. This now makes it impossible to provide a comprehensive and accurate evidence based analysis of progress achieved since the NTER was announced.

There are significant challenges associated with the collection, analysis and reporting of data to provide the evidence base for Closing the Gap and the data sets requested by the NTER Review Board.

NTG agencies have never previously reported community level data for external monitoring and evaluation. Much of the unseen data has not previously been analysed in a whole of Government outputs and outcomes context.

Reporting for external obligations, such as Overcoming Indigenous Disadvantage, Reports on Government Services (Indigenous Compendium) and ABS publications are at the Northern Territory level. The exception is the ABS Regional Statistics publication, which is at the regional level. Regions reported here are generally consistent with administrative management areas for NTG agencies.

Consequently, the amount of information required for the Review in a short space of time presented a significant challenge for data providers, in most cases requiring both conceptual and technical interpretation. For example, the relationship between child protection and police/courts information is not well understood.

In summary, agencies noted that the following issues would prevent complete and accurate supply of data for the ongoing monitoring process:

- a significant gap in existing data holdings,
- confidentiality issues with release of sensitive and identifying data,
- a need to discuss and advise on the specificity of data items,
- the need to give technical interpretation to general requirements, and
- issues with reporting burden and capacity to deliver quality information within the timeframe.

As a consequence of the above difficulties, a series of discussions between NTG and FAHCSIA resulted in amendment to a number of the requested indicators, and the inclusion of additional information.

Data was provided on a 'best can do' basis with the shortfalls highlighting where work to improve the availability of data is needed. There is much work to do, from the start to finish of data collection design to extraction in order to yield improvements on the data provided.

6.5.2   Information provided for the Review

NTG agencies provided the following information for the Review:

- Police incidents for police posts (Department of Police, Fire and Emergency Services). Additional context data was also provided.

- Courts activity for domestic violence, assaults, sexual assaults and NTER breaches (Department of Justice).

- Additional information such as enrolment and attendance data by single year of age (Department of Education).

- Alcohol management plans and alcohol wholesale sales to retailers (Department of Justice).

- Detailed hospital separations data for a range of conditions for each prescribed area; and sexually transmitted infections in children, and child protection complaints and substantiations (Department of Health and Families).

- School engagement and performance data, provided as requested (Department of Education and Training).

- Public housing information where available and land (Department of Housing and Local Government).

In addition to data for 2007-08, data was provided for baseline year comparisons (2006-07). Data was collated by month or the requested quarterly time period totals.

The original NTER monitoring report framework requested data at a community level. However, given the very strict access and release protocols for health data, data for health was collated to the level of the 73 prescribed communities, as one total figure. Schools data was provided at the school level. Police data was provided by community level.

The available data collected for the NTER Monitoring Report supplied by NTG can be summarised in the following way:

- Activity-related data. Much of this data requires further, development/standardisation or refinement to be useful.

- Data that is not relevant to understanding the issue.

- Data that is not comprehensive (ie. superficial data extraction), inability to isolate NTER effects.

- Data that requires more context or further analysis to be useful (for example, interstate comparison to understand context).

- Useful data.

It is important to note that the use of Census data at community level is not reliable due to issues of poor enumeration in the Territory.
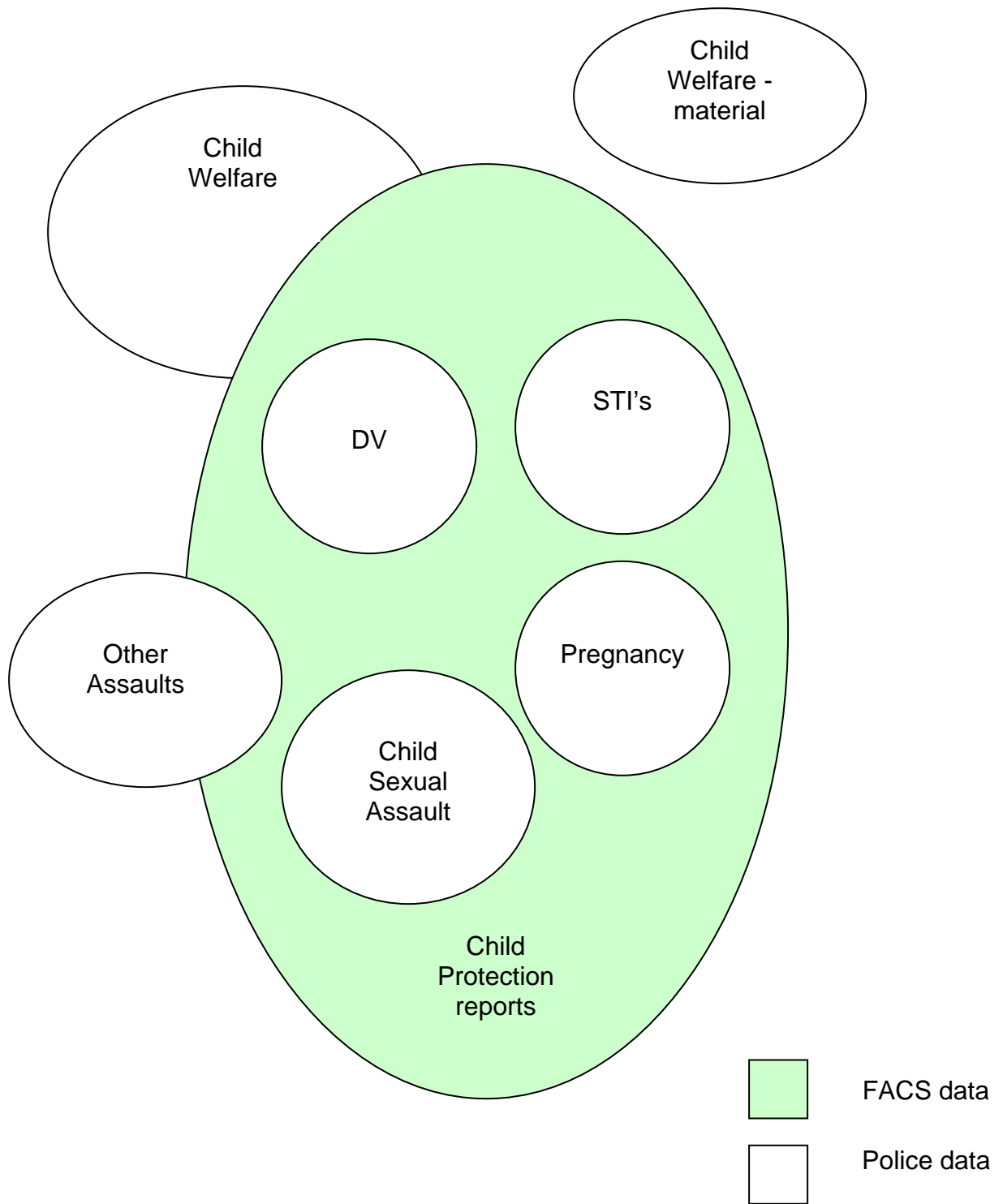
6.5.3   Data baselines

No base-line data or date collection methodology was agreed or implemented at the commencement of the NTER. It is understood that the nature of an 'emergency' policy intervention means that data baselines and well-considered indicators cannot reasonably exist at the outset. However, this now makes it impossible to provide a comprehensive and accurate evidence based analysis of progress achieved since the NTER was announced.

6.5.4   Data issue illustration: child protection data and criminal offences

An important indication where further work is required is to develop an understanding of the data relationships between child protection data and criminal offences. The following diagram illustrates the relationship (diagram 1). Further conceptual analysis, including the coverage and use of similar terms (such as domestic violence) is required before meaningful aggregation, and analysis of data can be undertaken at an across agency level.

Diagram 1 Reports of concerns, suspected abuse or neglect of children by Police and FACS

Child Welfare

Child Welfare - material

DV

STI's

Other Assaults

Pregnancy

Child Sexual Assault

Child Protection reports

FACS data

Police data

6.5.5 Collaborative approach to data provision

Working closely together to deliver monitoring and evaluation oriented information is a key achievement. The Territory has contributed agency expertise from on-the-ground knowledge, parallel policies, programs and interpretation of available data. The Commonwealth has delivered a concentrated effort through access to additional resources to analyse previously unseen data. Continuity in harmonising bureaucratic effort should deliver long term benefits for the improvement of community-level administrative data, and consequently benefit understanding of combined impacts of policy interventions.

Therefore, the available data reflects the maturity of the NTER. More time and commitment is needed to develop an appropriate evidentiary base.

6.5.6 Future approaches

Development and targeted research for short term monitoring and evaluation will help address short-falls in administrative data quality and allow time for agencies to catch up.

Examples for the short term include the income management study (Charles Darwin University) and an increasing focus on place-specific approaches. For example, the Department of Education and Training is undertaking a significant number of case studies in public schools. Further, FAHCSIA continue to develop baseline community profiles in conjunction with the NTG and through regional partnerships. A baseline community profile has been developed for Galiwin'ku and profiles for Groote Eylandt/Bickerton Island and Nguiu are in development.

However, in the longer term, improvements to administrative data are required to supplement and validate the findings from qualitative and small quantitative projects. Direction and space for bureaucracy to respond includes the need to address capacity issues.

There is more work to be done on arriving at mutual agreement on the key principles for future data collection and future ways of working together across governments.

6.5.7 Alignment of reporting obligations

Alignment of content for the many Indigenous reporting obligations would streamline and minimise separate reporting arrangements for:

- Overcoming Indigenous Disadvantage
- COAG Indigenous Reform,
- the Northern Territory's Closing the Gap
- Indigenous compendium for the Report on Government Services, and
- NTER reporting.

Such agreement would deliver much needed assurance for Northern Territory communities and the custodians of source data. Minimising duplication and reporting burden by ensuring that evidence is shared and held appropriately is an area of concern, but not insurmountable with continued collaboration.

FAHCSIA has invested a significant level of effort to develop an information database, the National Indigenous Information System. The sharing of information such as this is an example of where all levels of government can obtain significant benefit.

6.5 Recommendations – Reporting

Key recommendations:

- Develop and implement a robust data collection framework to provide an evidence base for informed decision making under proposed new governance arrangements - among other things, this will include a comprehensive community by community data profile to measure progress.

- Build on collaboration and cooperation between the Australian and Northern Territory governments.

- Reach mutual agreement on key principles for future data collection and future ways of working together across governments.

- Align content for the many Indigenous reporting obligations.

- Improve population level data sources, particularly the census of population and housing to deliver reliable community level data.

7. RECOMMENDATIONS

7.1 Introduction

The Territory submits that there are three key points which need to be emphasised in developing recommendations for a new approach to service delivery in Indigenous affairs:

1. Community Engagement

The Territory submits that it is axiomatic that program delivery is more effective when it is informed by, developed with, and implemented in partnership with, the community. This position is supported by all national and international literature on best practice social and community development programs and is born out by the experiences of Indigenous affairs in the Northern Territory both prior to and during the NTER.

2. Resources

The Territory submits that the quantum of resources required to Close the Gap must begin with the resources required to eliminate the backlog in infrastructure and service delivery. Addressing this backlog is separate from, but a necessary condition for, the successful application of resources towards programs and initiatives currently being developed through the COAG and other reform agendas.

A new financial framework is required, representing ongoing NTER funding, separated from GST or COAG funding processes, with the funding being delivered through a continuation of tied grants or Commonwealth own-purpose expenditure.

3. A New Governance Framework

The Territory submits that a new partnership arrangement is required that establishes better coordination and working arrangements across the three tiers of Government, the non-government and community sectors. This new partnership will require a transparent and accountable implementation, monitoring and evaluation framework. This framework should define the roles and responsibilities for service delivery of each tier of government and service providers. It should be designed as a key governance mechanism to manage and align the range of initiatives, strategies and evidence-based reporting requirements to be applied to the Closing the Gap programs of both governments. This framework should be coordinated and managed by the NTG.

7.2 NTER Measures

3.1 Recommendations – Welfare Reform and Employment

Key recommendations:

- Industry based and place-based strategies to develop local economies and build pathways to jobs.

- Overhaul of training delivery to link training to job outcomes.

- Blanket application of income management to be replaced by behavioural triggers such as school attendance, alcohol and justice orders, child neglect and rent arrears.

- Systems put in place for individuals to opt in to income management and that support and assistance is available to those responsible members of the community who might otherwise be vulnerable to family or community pressure.

- Introduction of a revised CDEP program which will:

   o support mobility for those individuals who chose to move to obtain work;
   o require the transition of people to work where jobs are available;
   o provide a wage and incentives regime where there is currently a substantial jobs gap in the local labour market;
   o ensure that CDEP is not used as a mechanism to avoid income management by strictly applying eligibility criteria for entering the CDEP program based on the behavioural triggers for income management; and by strictly applying employer-employee responsibilities while participating in the CDEP program.

- Commitment to ongoing funding of Commonwealth and Northern Territory programs that have transitioned CDEP positions to paid employment.

- Monitor and evaluate community store outcomes and support improvements across all communities.

- Significant investment in work readiness (including literacy and numeracy, life skills and family support), financial and economic literacy.

- Investment in capacity building for local and regional organisations.

Additional recommendations:

- Localised strategies to be developed to match local and regional opportunities to the interests, aspirations and capabilities of locals.

- Development of business hubs and brokerage agencies to foster and support enterprise development.

- Development of innovative models for work practices such as labour pools.

- Engagement with the private sector to attract investment and expertise and build partnerships with Indigenous people (including tax incentives and/or other mechanisms).

- Resources to assist Shire Councils and other employers prepare and implement Indigenous employment and workforce development plans including employment retention.

- Support strategies for people choosing to move to larger centres for training or work.

- Improved linkages between education and training and jobs.

- Monitor and evaluate the roll-out of the debit card system to ensure the benefits of income management can be maintained without prejudicing the legitimate commercial interests of local operators.

3.2 Recommendations – Law and Order

Key recommendations:

- Adequate long term Commonwealth funding is required to sustain the 'surge' approach to policing, including capital and recurrent funding for Themis police stations to become permanent facilities.

- Implement and resource a strategic approach to community safety underpinned by Community Safety Plans incorporating Alcohol Management Plans.

- A collaborative and strategic approach be taken that builds on the NTG Alcohol Management Framework and Closing the Gap strategy to respond to excessive alcohol consumption in a more consistent and coherent way.

- As a matter of priority, urban drift and population mobility studies be undertaken to underpin service delivery planning and responses.

- Night patrols be adequately resourced and integrated with NT Police and other services.

- Additional resources be provided to enable an effective local justice system to operate in communities.

Additional recommendations:

- Develop and implement an NT Police Remote Community Policing Strategy as the blueprint for *future expansion of policing services.*

- Policing of town camps should be given similar priority to that of the prescribed communities.

- Increased focus and resources for recruiting and training Aboriginal people into mainstream policing.

- Extension of the FaHCSIA / NT Police MOU to include:

  o Provision for suitably qualified police child abuse investigators be seconded to the Child Abuse Taskforce for periods of 12 months from other jurisdictions;
  o Search and rescue vessels for the six coastal Task Force Themis stations; and
  o Additional personnel to supplement Summary Prosecution Sections.

- Amendments to the *Commonwealth Classifications (Publications, Films and Computer Games) Act 1995* to improve the likelihood of prosecutions.

- The Australian Government and the NTG work collaboratively to simplify the alcohol related legislation of the NTER and its operation with the Northern Territory Liquor Act and the new proposed Northern Territory Alcohol Bill, including removing the requirement for the $100 register.

- Policing and compliance with the current importation limitations on kava be a priority for the relevant national agencies, including legislative changes as appropriate.

- Additional investment in prison and community based rehabilitation programs.

- Additional resources be provided to enable an effective local justice system to operate in communities.

3.3 Recommendations – Enhancing Education

Key recommendations:

- Design a whole-of-government approach, community by community, focused on improving educational outcomes through long term planning, with attention to policy on the level of service to be provided.

- Implement a well designed process in a large community, Maningrida, to fully develop a sustainable model with criteria for levels of service delivery, rigorous evaluation and planning in place for implementation at varying levels of scale.

- Establish protocols and processes for collection of critical data across Northern Territory and Australian governments to improve tracking of attendance, educational programs and other relevant indicators of child wellbeing.

- Build Indigenous community capacity in governance and employment within the education sector ('Growing Our Own').

- All relevant community measures, eg. income management, should contribute to increasing school attendance.

- Build school infrastructure that supports teaching and learning programs appropriate to the level of service delivery, incorporating integrated approaches, greater flexibility of use, and incorporating appropriate levels of technology.

Additional recommendation:

- Construct housing in communities for professional staff and non-professional staff that contributes to appropriate standards and behaviour in the community and the workplace.

3.4 Recommendations – Supporting Families

Key recommendations:

- That the Australian and Northern Territory Governments enter into a four to five year agreement for the resourcing and delivery of integrated family violence services in the Northern Territory.

- That the Australian Government commit to a continuation of the new COAG Early Childhood service reform to enable expansion to a further 37 communities in the next five years.

- That the Australian and Northern Territory Governments agree to fund youth development programs in remote and regional communities in the Northern Territory.

Additional recommendations:

- Resources be provided to facilitate the coordination and ongoing management of Community Safety Plans in each region or Shire.

- That recurrent funding for the ongoing staffing and operations of the NTER Safe Houses and the other safe houses be supported and sustained.

- That a training and development partner to provide professional supervision for community based family violence workers be supported.

- That the Australian Government continues to part fund the Mobile Child Protection Team for 2008/09 and 2009/10.

- That the Northern Territory and Australian Government jointly fund remote Aboriginal family and Community Workers to service 25 communities over the next five years, and fund the infrastructure and training needed for them.

- That the Australian Government commit to a continuation of the new COAG Early Childhood service reform to enable expansion to a further 37 communities in the next five years, with a concurrent workforce training and capacity building strategy to support these new services, and a housing program for Centre Coordinators.

3.5 Recommendations – Improving Child and Family Health

Key recommendations:

- The 'Pathways to Community Control' strategy be supported as a positive and systematic framework for working towards a remote primary health care system under Aboriginal community control.

- Expansion of the regionalisation process to deliver core primary health care services to a sustainable service population.

- Expansion of hub services in major regional centres to ensure that Aboriginal communities and community-based health professionals have access to a range of visiting support services on a more regular basis.

- The proposed service / workforce expansion presents a unique opportunity to significantly increase access to core primary health care services across the Northern Territory.

- Increase access to core primary health care services across the Northern Territory by expanding workforce and service provision.

- Provide appropriate training and support to increase Aboriginal employment in the remote primary health care sector.

- Implement fundamental reform to all remote primary health care service providers flowing from the agreed principles underpinning the service expansion and reform process through the EHSDI.

- Establish a major additional category of Aboriginal Community Workers to focus broadly on public health, health promotion, prevention and family/community services. Subject to consultation and local circumstances, these positions may be based in communities or may service communities from hubs or urban centres.

- Re-commence discussions to address the needs of Indigenous youth, including specific reference to the future of the Indigenous Sports Program.

Additional recommendations:

- The delivery of agreed Core Health and Well-being primary health care services presents a positive way forward to:
  - o ensure all remote areas receive the agreed core primary health care services, irrespective of governance model or location;
  - o systematically channel and consolidate relevant funding opportunities from other Australian Government Departments – in particular the Department of Families, Housing, Community Services and Indigenous Affairs- to ensure more sustainable and effective primary health care services in remote areas of the Northern Territory;
  - o systematically plan for NTG health and community services infrastructure and services investment;
  - o maximise the integration between health services and community services as recommended in the *Little Children are Sacred* Report.

3.6 Recommendations – Housing and Land Reform

Key recommendations:

- Planning processes to be based on agreed service delivery levels for prescribed and non-prescribed communities.

- Use increased investment in housing to develop local employment opportunities and promote economic and local enterprise development.

- Strategic significant investment in roads and telecommunications is required.

- Transition within the term of the five year leases to long term negotiated leases under the *Aboriginal Land Rights (Northern Territory) Act 1976* to facilitate the reinstatement of the *Racial Discrimination Act 1975*.

- Clarify the future of the Community Clean Up Program - if the program is to continue, then coordinate and integrate it into similar NTG and Australian Government programs (eg. Fixing Housing for Better Health).

- Adopt a coordinated approach to the protection of sacred sites.

Additional recommendations:

- Apply lessons learnt from the Alliance contracting methodology for future housing programs.

- Develop long term town planning to provide the framework for future population growth, housing, government services and economic activity.

- Develop and implement a communication strategy to provide clear information regarding short-term tenure and permit arrangements in prescribed communities, including the occupation and responsibilities of all government and non-government agencies in relation to fixed assets.

- Additional staff housing is required in communities to accommodate the additional government employees necessary for the delivery of increased levels of service.

3.7 Recommendations - Coordination

Key recommendations:

- Suitable governance mechanisms should be put in place to ensure effective decision making responds to evidence based monitoring and evaluation mechanisms within the agreed service delivery framework.

- The role of GBMs is better served by being accountable to the proposed new governance framework, and managed by the NTG.

- The role of Community Agents should be considered within a wider local recruitment strategy that provides opportunities for local people to progress to senior roles.

- Recruitment strategies require long term investments to ensure external and local recruits will be appropriately housed and have suitable working environments.

7.3 Way forward

6.1 and 6.2 Recommendations - Engagement

Key recommendations:

- Substantial investment is required to effectively engage with local people.

- Adoption of best practice communications techniques.

- A concerted effort is required to employ locals at all levels and roles, including pathways to senior management roles.

- Increase funding for the Aboriginal Interpreter Service.

- Provide high quality, locally delivered governance and leadership training.

6.4 Recommendations – Service Delivery Framework

Key recommendations:

- A comprehensive service delivery framework be developed and agreed according to criteria negotiated with all stakeholders.

- The framework will define agreed service levels, delivery, responsibilities and timelines linked to an agreed investment strategy.

- Robust monitoring and evaluation procedures must be in place as part of the framework to ensure responsible agencies are held accountable for the delivery of services within the agreed framework.

- Investments in broadband capacity as critical enabling infrastructure for electronic service delivery.

- Investment in roads to facilitate access and servicing of the roll-out out of housing and other infrastructure programs and to enable the hub and spoke access to services model to operate effectively.

6.5 Recommendations – Reporting

Key recommendations:

- Develop and implement a robust data collection framework to provide an evidence base for informed decision making under proposed new governance arrangements - among other things, this will include a comprehensive community by community data profile to measure progress.

- Build on collaboration and cooperation between the Australian and Northern Territory governments.

- Reach mutual agreement on key principles for future data collection and future ways of working together across governments.

- Align content for the many Indigenous reporting obligations.

- Improve population level data sources, particularly the census of population and housing to deliver reliable community level data.

Addendum

(2 October 2008)

This submission states that "the suspension of [the *Racial Discrimination Act*] is not accepted by the Territory as consistent with the principles of good public policy."

In making this statement, and in making recommendations on income management and five year leases that "would facilitate the reinstatement of the *Racial Discrimination Act 1975*", the NTG intended that this position should also apply to the *Anti Discrimination Act (NT).*

The NTG consequently makes the following additional key recommendations to those previously released in September 2008:
• That Northern Territory laws concerning discrimination must apply to all areas and acts occurring in the Territory.
• That the Commonwealth's NTER legislation be amended to remove the "exclusion of a law of the Northern Territory that deals with discrimination so far as it would otherwise apply", thereby reinstating the application of the *Anti Discrimination Act (NT).*