

## **Australian Government and Northern Territory Government Response to the Report of the NTER Review Board**

The Australian Government is announcing its final response to the Review of the Northern Territory Emergency Response (NTER). The NTER is an important cross-government initiative, and the final response has been agreed with the Northern Territory Government.

The NTER Review was commissioned in June 2008, honouring the Rudd Government's commitment to review the intervention at the 12 month point. The Government appointed a three-person Review Board chaired by Mr Peter Yu, with Ms Marcia Ella Duncan and Mr Bill Gray AM.

The Terms of Reference required the Board to:

1. examine evidence and assess the overall progress of the NTER in improving the safety and wellbeing of children and laying the basis for a sustainable and better future for residents of remote communities in the Northern Territory, and in particular, in improving the education, health, community safety and employment outcomes for citizens, and particularly women and children, resident in remote communities and town camps in the Northern Territory;
2. consider what is and is not working and whether the current suite of NTER measures will deliver the intended results, whether any unintended consequences have emerged and whether other measures should be developed or ways of working applied to better address circumstances facing remote communities in the Northern Territory; and
3. in relation to each NTER measure, make an assessment of its effects to date, and recommend any required changes to improve each measure and monitor performance.

The Australian Government provided its interim response on 23 October 2008, accepting the Review Board's three overarching recommendations that:

- the Australian and Northern Territory Governments recognise as a matter of urgent national significance the continuing need to address the unacceptably high levels of disadvantage and social dislocation experienced by remote communities and town camps in the Northern Territory;
- Governments reset their relationship with Indigenous people based on genuine consultation, engagement and partnership; and
- Government actions respect Australian human rights obligations and conform with the *Racial Discrimination Act 1975* (RDA).

At the same time the Australian Government announced its medium-term strategy to continue and strengthen the NTER. The longer term aim is to achieve sustainable improvement in Territory communities. This will require commitment from both governments.

In the recent Budget, the Australian Government announced a substantial commitment of \$807.4 million funding over three years. The Northern Territory Government will maintain its expenditure in real terms on Indigenous services.

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Attached is a more detailed summary of the actions agreed by governments on each of the seven NTER measures and their component programs, including details of funding provided in the 2009-10 Commonwealth Budget to continue the measures. These funding decisions have been guided by the Review Board's recommendations.

Also attached is a table setting out the final response to each of the Review Board's recommendations.

The NTER will continue to be closely monitored by both governments and there will be a full evaluation in 2011-12.

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## WELFARE REFORM AND EMPLOYMENT

**Welfare Reform:** The Australian Government announced in October 2008 that it will continue compulsory income management for a further 12 months.

The Government will be consulting with Indigenous communities about redesigning income management so that it is more clearly a special measure under the RDA. (Amendment Bills lifting the RDA suspension in the current NTER Acts will be introduced in the Spring 2009 Sittings of Parliament.)

The Australian Government is providing \$89.2 million to enable comprehensive and compulsory income management to continue in all prescribed areas. This funding includes service delivery costs for Centrelink and operation of the BasicsCard until 30 June 2010. \$11.8 million has been allocated for the development of a new point-of-sale delivery mechanism to replace the BasicsCard from 1 July 2010.

The Government introduced legislation into Parliament on 18 March 2009 to ensure people subject to income management have access to the full range of appeal rights, including through the Social Security Appeals Tribunal and the Administrative Appeals Tribunal.

To help people build their money management and budgeting skills, \$4.9 million will be provided in 2009-10 to continue financial management support services started in 2008-09 in Darwin, Alice Springs and Katherine town camps, Hermannsburg, Groote Eylandt, Wadeye, Central Desert Shire, Barkly Shire, Roper Gulf Shire, Laynhapuy Homelands and Maningrida. These services provide outreach to prescribed communities across the Northern Territory.

**Community stores:** The Australian Government is providing \$18.3 million to build on the current licensing framework for community stores. This is designed to improve the financial, retail management and governance of remote community stores and to ensure that a range of good quality food is available for sale. Future arrangements will be redesigned to conform with the RDA.

The Government has funded Outback Stores to take on the management of some community stores, including less viable stores in the Northern Territory. Outback Stores is a government-backed company with a brief to improve retailing in remote Indigenous communities. The company provides sound retail management, vertical integration of supply, bulk purchasing power, centralised back-office processing and standardisation of management practices, helping to minimise prices for community people.

**Employment:** In December 2008 the Australian Government announced significant reforms to the Community Development Employment Projects (CDEP) program and associated Indigenous Employment Program (IEP), aimed at improving employment outcomes for Indigenous Australians.

Reformed CDEP will commence on 1 July 2009, including in many communities in the Northern Territory. A strong focus on job readiness and community development will be underpinned by reforms aimed at creating sustainable jobs and providing greater access to training and other opportunities.

The Australian Government is providing \$201.9 million over three years to continue more than 1600 jobs in areas of government funded service delivery already created

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in the Northern Territory. These jobs provide proper wages and conditions for community members and remove the need for CDEP to subsidise delivery of Australian Government services.

In the Northern Territory, CDEP participants and other community residents will also benefit from the Australian Government's new Indigenous remote workforce strategy.

The Government is also providing \$190.6 million over five years for the reformed and expanded IEP across Australia, to make it more responsive to the specific needs of Indigenous job seekers, Indigenous businesses and employers. Funding of \$21.6 million over four years will also be provided for places under the Workplace English Language Literacy Program to support the IEP reforms.

Remote community residents will also benefit from increased access to training and employment services through the reformed mainstream employment service, Job Services Australia, which commences on 1 July 2009. Each person will have an individualised employment plan. With improved employment services, the Australian Government is ceasing the Community Employment Broker positions in the Northern Territory on 30 June 2009.

\$3.0 million over three years will continue the Language, Literacy and Numeracy Program using community-based delivery. This program helps Indigenous job-seekers to build basic skills for employment.

### **LAW AND ORDER**

There remain unacceptably high levels of violence in many communities in the Northern Territory. Where a police presence has been established as part of the Emergency Response there has been an increase in the number of domestic violence incidents reported. This indicates that there has previously been a level of under reporting.

**Alcohol and drugs:** Alcohol is often a factor in domestic violence. The Review Board recommended that restrictions on alcohol in prescribed areas be maintained and improved. Both governments recognise that alcohol consumption in the Northern Territory needs to be reduced, and the Northern Territory Government has agreed to take further practical steps to reduce alcohol supply in such areas as Alice Springs and Katherine.

Alcohol restrictions developed jointly by the Northern Territory Department of Justice and representatives of local communities operate in the East Arnhem area, including the township of Nhulunbuy, and other areas of the Territory. Since March 2008 the East Arnhem alcohol management plans have targeted alcohol related health and social issues, alcohol related offending and anti-social behaviour.

To support the alcohol restrictions in prescribed areas, the Australian Government is funding alcohol and other drug treatment and rehabilitation services for a further three years. The aim is to reduce the demand on services (e.g. building the capacity of services and more health promotion and community education) and to provide for harm reduction (e.g. through increased capacity of sobering up shelters).

Funding for training, infrastructure and referral pathways will enable service providers to better deal with associated mental health issues.

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The two governments are also working together to address community concerns about the current signage used to indicate where alcohol is banned.

**Police:** The Australian and Northern Territory Governments are working together to develop and implement an appropriate standard for remote police services. A joint review will help to establish a reasonable and sustainable police resourcing level for remote Indigenous communities. The review will make recommendations on: policing levels and deployment in remote communities; redirection of existing resources where appropriate; and implementation timeframes. The completion date for the joint review is December 2009.

To continue its commitment to the protection of vulnerable people, the Australian Government is funding the Northern Territory Government (\$156.6 million over three years) to maintain the increased police numbers in prescribed areas.

The Australian Government's existing commitment to provide up to 66 Australian Federal Police (AFP) officers to supplement Northern Territory Police resources will continue in 2009-10. From 2009-10 there will be funding for the Northern Territory Government to expand its police force to transition from use of AFP in the remote stations to full Northern Territory Police staffing.

The Northern Territory Government has committed to expand opportunities for Indigenous people to enter the police force and to increase the presence of police women and sworn Indigenous police officers in remote communities. This will reduce the current over-reliance on Aboriginal Community Police.

The Australian Government is funding the construction of five permanent police stations to replace existing temporary structures while continuing to support the remaining temporary stations. The five new permanent police stations to be constructed will include multipurpose justice facilities, such as court facilities, and staff housing for police officers.

The Australian Government has agreed to fund the Australian Crime Commission's National Indigenous Violence and Child Abuse Task Force for an additional year.

**Night Patrols:** The Australian Government will continue to support night patrol services in the 73 NTER communities and in an additional eight communities outside prescribed areas.

**Legal assistance:** Both governments recognise that the extra law-enforcement resources have impacted on the justice system. To help meet additional needs, the Australian Government is providing \$7.6 million over three years for Indigenous legal assistance services and \$1.7 million over three years for the Aboriginal Interpreter Service.

The Australian Government is also providing \$3.0 million over three years to continue the Welfare Rights Outreach Project providing Indigenous people with better access to expert legal advice around income-management issues.

The Commonwealth Ombudsman's work on the NTER will continue. The Government has committed additional funding of \$3.3 million over four years from 2008-09 to support the Ombudsman's continued involvement in the NTER. This takes the Government's total commitment to this activity over the four years from 2008-09 to \$3.5 million. The Ombudsman's office handles complaints about

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Australian Government agencies, and helps to identify and resolve systemic issues concerning the delivery of programs to Indigenous communities.

**Interpreters:** Professional interpreter services facilitate the interaction between government and Indigenous people. The Australian Government is providing \$8.0 million to the Northern Territory Government to enable increased usage of trained Aboriginal interpreters in the Northern Territory.

The Northern Territory Aboriginal Interpreter Service (AIS) is already working with Australian Government agencies and communities. The AIS will engage recruitment liaison officers to assist in the recruitment and training of interpreters and provide ongoing mentoring and support.

### **ENHANCING EDUCATION**

Education outcomes for Indigenous children in the Northern Territory are totally unacceptable and urgent action is required. Both governments are working in partnership to close the gap on Indigenous disadvantage in education.

#### **Smarter Schools National Partnerships: Low Socio Economic Status (SES) School Communities, Literacy and Numeracy and Improving Teacher Quality:**

The National Partnerships between the Australian Government and State/Territory Governments are strongly focused on improving outcomes for students who are currently falling behind—in particular Indigenous students—and on targeting resources to the schools that need them most. There is a particular emphasis on achieving sustainable improvements in the fundamental skills of literacy and numeracy.

The Australian and Northern Territory Governments are working together to develop implementation plans to guide the Northern Territory's delivery of improved outcomes in each of the National Partnerships.

**NTER Enhancing Education Measure:** The Australian Government is continuing its commitment to addressing the poor education outcomes of Indigenous students in remote communities in the Northern Territory. This measure will provide an additional \$23.0 million for the Quality Teaching Package and \$22.7 million for the Accelerating Literacy Initiative.

This measure supports the Australian Government's commitment to close the gap on Indigenous educational disadvantage.

Under the Building the Education Revolution program the Australian Government is funding infrastructure projects at all of Australia's primary and secondary schools, including for libraries, multi-purpose halls and covered outdoor learning areas, new classrooms or the replacement of demountables, and the refurbishment of existing facilities. The Northern Territory will receive \$196.6 million over three years, of which at least \$7.0 million will specifically be used for new classrooms in NTER communities.

To help attract and retain teachers, the Australian Government is providing a further \$11.2 million in 2009-10 for the construction of up to 22 additional houses for teachers in the remote NTER communities. This is in addition to the ten teacher houses that will be built in Wadeye, announced by the Australian Government in October 2008.

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\$37.5 million over three years for the School Nutrition Program will enable schools in NTER communities to continue breakfast and lunch programs.

**Election Commitments:** The Australian Government is contributing \$28.9 million to the construction and operation of three new boarding facilities in the Northern Territory for Indigenous secondary students. Under this measure a total of 152 beds will accommodate students from years 8-12, enabling Indigenous youth from remote communities to access a quality secondary school education within or close to their home communities.

The Australian Government has also committed \$98.8 million over five years to provide an additional 200 teachers to work in remote community schools in the Northern Territory. To date around 50 teachers have been recruited and deployed in Northern Territory Government and Catholic schools.

### **SUPPORTING FAMILIES**

The Australian Government will continue to support a range of early childhood and family support activities for a further three years.

The Australian Government is providing \$9.1 million over three years to continue the operation of the nine crèches established under the NTER and will provide capital funding to finish construction of one crèche in Timber Creek and to provide upgrades to two existing crèches. Crèches enable Indigenous families to access early learning programs and facilitate linkages across other early childhood services such as maternal health, child health, and school and parenting services.

A further \$2.8 million over three years will extend Indigenous families' access to playgroups, enabling five facilitated playgroups to continue and funding three new facilitated playgroups. These playgroups will assist an estimated 1120 Indigenous families and their children.

\$1.5 million over three years will support a range of early childhood services to improve the skills of families and train young people about pregnancy, birth and parenting. The services will also help to address drug and alcohol issues. It is estimated that 360 vulnerable Indigenous families and children in the Northern Territory will benefit from this funding.

Under the Indigenous Early Childhood National Partnership, the Australian Government has committed to establishing five Child and Family Centres in the Northern Territory over the next five years. The first two will be in Maningrida and Yuendumu.

**Family Support Package:** The Australian Government is providing a further \$32.9 million over three years to support 22 'safe places' in 15 remote communities and in Darwin and Alice Springs. This includes 13 women's safe houses and nine men's cooling-off places.

To help finalise the operating model, the Northern Territory Government will address issues relating to staff employment, duty of care, training and ongoing support. In managing safe places, the Northern Territory Government will consult with communities through a Cultural Reference Group to be established in each community.

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The funding also enables continuation of the Mobile Child Protection Team and the existing Remote Aboriginal Family and Community Workers positions in 13 communities. In relation to this, the Northern Territory Government has agreed to substantially strengthen the capacity of child protection services.

**Youth Services:** The NTER Review recommended that a comprehensive strategy be developed and implemented for youth-development services, addressing both capital infrastructure and recurrent funding.

The Australian and Northern Territory Governments agree that better engagement with young people is fundamental to optimising education, training and employment opportunities.

The Australian Government is providing \$28.4 million over three years to continue a youth program providing social and recreational activities to help prevent anti-social behaviour. The program also aims to build youth-services infrastructure and provide employment and training opportunities for Indigenous people.

The new funding will increase the focus on improving the level and quality of services provided to young people and their families. This work will target young people 10-20 years of age who engage in, or are at risk of, substance abuse. Projects will be developed in collaboration with the Northern Territory Government and, where possible, with shires, non-government providers, and regional and community bodies. The Northern Territory Government has agreed to undertake a stronger coordination role in relation to the delivery of youth services and programs in remote areas.

### **IMPROVING CHILD AND FAMILY HEALTH**

The Australian Government is providing a further \$131.1 million over three years to continue the reform of primary health care for Indigenous people in the Northern Territory, maintain alcohol and other drug prevention activities, continue dental services, augment special services for children and complete ear, nose and throat specialist services.

The existing tripartite approach to planning and implementation for primary health care will continue through the Aboriginal Health Forum involving the Australian Government, Northern Territory Department of Health and Families and the Aboriginal Medical Services Alliance of the Northern Territory.

This builds on \$55.8 million available for health and related services, including the Remote Area Health Corps, in 2009-10.



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## HOUSING AND LAND REFORM

**Five-Year leases:** The Australian Government committed to making fair payments to the Aboriginal land owners of land subject to a five-year lease and to consider a reduction of five-year lease boundaries.

The Northern Territory Valuer-General has been requested to determine a reasonable amount of rent in accordance with section 62 of the NTNER Act 2007. Once this determination is made, the Government will pay that amount to land owners.

On 1 April 2009, the five-year lease boundaries were substantially reduced (an overall reduction of approximately 50 per cent) by excluding areas not essential for service delivery.

**Permit system:** The Australian Government undertook to reinstate the permit system for common areas of townships on Aboriginal land as part of its election commitments. Legislation to this effect was introduced in February 2008. The Opposition failed to support this legislation when it came to the vote in the Senate in November 2008, ignoring the overwhelming desire of Aboriginal people to have the permit system reinstated. Members of the public are still required to obtain a permit to enter the vast majority of Aboriginal land in the Northern Territory.

## COORDINATION

At its November 2008 meeting, COAG agreed on the need for very significant change in the way governments invest and operate in remote Indigenous communities. Governments agreed that poor coordination, *ad hoc* decision-making and inflexibility have contributed substantially to current problems. Failure to engage effectively and consistently with local people, NGOs and other stakeholders has further undermined the effectiveness of governments' investments.

The COAG's National Partnership Agreement on Remote Service Delivery provides a policy and organisational structure to guide investment decisions and activity in the agreed priority locations. This includes 15 locations in the Northern Territory: Galiwinku, Gapuwiyak, Gunbalanya, Hermannsburg, Lajamanu, Maningrida, Milingimbi, Nguiu, Ngukurr, Numbulwar, Wadeye, Yirrkala, Yuendumu, Angurugu and Umbakumba.

The National Partnership Agreement builds on the evidence of what has worked well in the Northern Territory and includes a single government interface at the community and regional levels.

In the Northern Territory, the Australian Government is continuing funding for Government Business Managers (GBMs). GBMs have played an important leadership role in coordinating Australian Government work at the community level and in enabling stronger local engagement in implementing government reforms. Funding of \$10.0 million in 2009-10 will continue the Local Priorities Fund, enabling GBMs to quickly access flexible funds for priority community needs -- e.g. essential maintenance and repairs, upgrading fencing around childcare centres or fixing playgrounds.

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As part of the National Partnership Agreement, local Indigenous Engagement Officers (IEOs) will work in the 15 priority locations in the Northern Territory as a conduit for the exchange of information between government and Indigenous communities. Funding is provided in the Budget context for 15 IEOs in other locations in the Northern Territory.

A range of leadership and capacity-building workshops will help Indigenous communities engage effectively with government, giving them the capacity and leadership ability to build a better future for their families and communities.

The Australian Government will also appoint a Coordinator-General who will have a special responsibility for the first set of priority locations under the Remote Service Delivery National Partnership. This position will strengthen government accountability ensuring effective and timely investment and service delivery.

Establishment of local boards in shires is a high priority for the Northern Territory Government. Local boards give local Indigenous people a forum to contribute their views on local issues and concerns and will be important in supporting the on-ground delivery of the National Partnership Agreement on Remote Service Delivery.

***Resetting the Relationship:*** Resetting the relationship with Indigenous people is a high priority for both the Australian and Northern Territory Governments. Sustainable change cannot be achieved unless Indigenous people are involved in deciding local solutions and driving change.

The Australian Government will contribute to a range of initiatives to facilitate a stronger engagement with Indigenous people in the Northern Territory.

The 2009-10 Commonwealth Budget committed funding for the employment of 15 Indigenous Engagement Officers (in non-COAG priority locations in the Northern Territory) to work in their local communities and provide a conduit for the exchange of information between government and Indigenous communities. Another 15 Indigenous Engagement Officers will work in the 15 priority Remote Service Delivery locations.

Community engagement workshops, leadership development workshops, and community transition programs will help Indigenous communities engage effectively with government, giving them the capacity and leadership ability to build a better future for their families and communities.

A range of Indigenous specific communications and media initiatives will promote better engagement between Indigenous peoples and the Government.

The use of IEOs, engagement workshops and targeted communication initiatives will assist in engaging with Indigenous people around the redesign of key NTER measures so they are either more clearly special measures under the RDA or non-discriminatory.