

Chapter 5

Effectiveness of South Australian and Northern Territory government policies

5.1 So far during its inquiry the committee has visited regional and remote Indigenous communities in Western Australia, New South Wales, South Australia and the Northern Territory. The committee has also received submissions from South Australian, New South Wales and Western Australian government departments working in the area of Indigenous affairs in those states.¹ The committee has also held public hearings in South Australia and the Northern Territory and has heard evidence from the South Australian and Northern Territory governments.

5.2 The committee has not as yet been able to hold public hearings in New South Wales or Western Australia and is yet to visit or hold public hearings in Queensland, Victoria and Tasmania. As noted in Chapter 1 the committee plans to hold further public hearings in Sydney, the Kimberley region in Western Australia and visit and hold hearings in Queensland before the tabling of the next report on 26 November 2009.

5.3 In consideration of the committee's future planned visit and hearing program, this report will concentrate on the jurisdictions of South Australia and the Northern Territory in relation to the effectiveness of state and territory government policies on the wellbeing of regional and remote Indigenous communities.

South Australian government policies

5.4 Segments of the South Australian government's submission and policy initiatives were discussed in the committee's previous report, as it was received in June 2008. Some of the areas discussed in the committee's previous report included South Australian and Commonwealth government relations, primary health care, child protection and employment.²

5.5 In addition, since the last report the committee has had the opportunity to visit the community of Amata in the Anangu Pitjantjatjara Yunkunyjatjara (APY) Lands

1 See The Hon Jay Weatherill MP, South Australian Minister for Aboriginal Affairs and Reconciliation, *Submission 27*; NSW Department of Education and Training, *Submission 64*; Department of Corrective Services, New South Wales, *Submission 68*; Western Australian Department of the Attorney General, *Submission 71*; Commissioner for Children and Young People Western Australia, *Submission 76*; and Department of Indigenous Affairs, Government of Western Australia, *Submission 90*.

2 Senate Select Committee on Regional and Remote Indigenous Communities, *First report 2008*, September 2008, pp. 27-28; 29-30; 40-41 and 51-52.

and hold a public hearing in Adelaide. There have also been numerous submissions from organisations in South Australia.

Housing and accommodation facilities in South Australia

5.6 The South Australian government in its recent report, *Progress on the Lands: Update on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands*, identified housing as its number one priority, specifically:

To reduce overcrowding, and the social and health problems it causes, by expanding the housing construction program to deliver more and better quality housing to Anangu. Employment opportunities that exist in the building and construction activities on the Lands should also be identified and pursued.³

5.7 The committee notes that in October 2006 there was a \$25 million APY Lands housing construction program announced by the Commonwealth and South Australian governments. Subsequently the Council of Australian Governments (COAG), as noted in Chapter 2, agreed to the National Partnership on Remote Indigenous Housing which has allocated \$291.49 million over 10 years for new housing and major upgrades and repairs in South Australia with the focus on the two priority communities of Amata and Mimili in the APY Lands.⁴ This housing package will be delivered by the South Australian government's Office for Aboriginal Housing in the State Department for Families and Communities (DFC). Both of these announcements for new housing have indicated that local Indigenous people will be employed as part of the construction process.⁵

5.8 The committee was advised by the South Australian government that discussions were continuing between it and the Commonwealth government on whether the original \$25 million housing package would be subsumed into the COAG housing partnership and clarification on this issue is expected within the next few months.⁶

3 South Australian government, *Progress on the Lands: Update on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands*, October 2008, p. 3.

4 The Hon Jenny Macklin MP, Minister for Families, Housing, Community Services and Indigenous Affairs, *Remote Indigenous housing investment*, Press release, 23 March 2009, http://www.jennymacklin.fahcsia.gov.au/internet/jennymacklin.nsf/content/remote_indigenous_housing_23mar2009.htm (accessed 2 June 2009).

5 See The Hon Jenny Macklin MP, Minister for Families, Housing, Community Services and Indigenous Affairs, *Remote Indigenous housing investment*, Press release, 23 March 2009; South Australian government, *Progress on the Lands: Update on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands*, October 2008, p. 3.

6 Department of the Premier & Cabinet, South Australian government, answer to question on notice, 4 March 2009 (received 16 March 2009), p. 6.

5.9 The committee also inquired about the progress of the \$25 million housing package over the two and a half years since the announcement. The South Australian government advised that:

At the moment what has happened is that all the leases have been signed for the land that will be used to build the new houses. Agreements have been reached with APY around what houses will be renovated. We have traditional owner approval for the building of new houses.⁷

5.10 UnitingCare Wesley Adelaide noted in its submission that although these commitments had been made there were no identifiable targets or timeframes to measure progress, especially in regards to training and employment opportunities. UnitingCare Wesley Adelaide also noted that when the South Australian government was asked what training and employment opportunities would be provided as part of the program, the response in January 2009 was:

...that it was difficult to estimate the likely numbers of fulltime and part-time jobs that would be generated through the program as a number of employment strategies were still being investigated.

UCW-Adelaide also asked the State Department of Further Education, Employment, Science and Technology (DFEEST) for information on its efforts to deliver training in housing construction and maintenance through APY TAFE. In a reply dated 22 January 2009, the Department noted that in 2008, no APY TAFE students had obtained a housing construction and maintenance-related qualification.⁸

5.11 The committee also asked the South Australian government at the hearing in Adelaide—given that past attempts to provide training and jobs through housing packages have failed—how it is going to ensure that it happens with the existing and new COAG housing packages, to which the government responded:

I think probably having stronger MOUs and stronger management mean it actually will happen. For us in the department, we are very committed to making that happen...that is something the Department of the Premier and Cabinet...will certainly be monitoring really closely.⁹

5.12 The South Australian government noted that it has been undertaking a skills audit across the APY lands to identify people who have qualifications and skills in order to match them against future projects, not just housing projects, so that people are equipped with a variety of skills and have a greater choice of employment.

A major component of the skills audit is to identify the gaps in the projected service provision needs of communities across the lands. The audit is about how needs match with existing skills and what training modules need to be

7 Ms Kim Petersen, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 64.

8 UnitingCare Wesley Adelaide, *Submission 63*, p. 4.

9 Ms Kim Petersen, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 68.

developed to ensure that we have a workforce that suits whatever those future service needs are.¹⁰

5.13 UnitingCare Wesley Adelaide however recommend in their submission that:

...the [South Australian] government's overarching goals for training and employing Anangu in housing construction need to be broken down into real and measurable targets and timelines and that transparent reporting and evaluation processes should be established.¹¹

5.14 The committee is concerned that since the original announcement in 2006, and with further new funding and housing to be delivered through COAG, that there are no specific details available on the number of jobs and types of training to be made available or over what timeframe these commitments are expected to be delivered. Providing local employment opportunities and training to Indigenous people through housing construction and maintenance is a vital aspect of increasing wellbeing in regional and remote Indigenous communities as well as providing the community with essential skills and greater self-reliance.

5.15 The committee also raised the issue of staff housing at the Adelaide hearing. The South Australian government confirmed that a lack of staff housing was recognised as an issue across all government departments. The South Australian government stated that it is currently doing a housing audit to establish the housing needs for government and non-government organisations in order to provide accommodation for program staff, 'because that affects everything you do on the lands'.¹² The committee will report on the findings of the audit once it is made publicly available.

5.16 The committee also notes that there has been some progress made with providing transitional accommodation centres in South Australia with the establishment of centres at Port Augusta and Ceduna. UnitingCare Wesley Adelaide, although it welcomes the establishment of these centres, notes that stated plans to establish:

...similar centres in Coober Pedy and Adelaide...have stalled as the partnership funding from the Commonwealth has not been finalised.¹³

Rehabilitation services

5.17 The South Australian government, with funding assistance from the Commonwealth, constructed a substance misuse facility in the APY Lands community

10 Ms Nerida Saunders, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 68.

11 UnitingCare Wesley Adelaide, *Submission 63*, p. 4.

12 Ms Kim Petersen, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 64.

13 Ms Sue Park, UnitingCare Wesley Adelaide, *Committee Hansard*, 4 March 2009, p. 2.

of Amata. The Commonwealth government contributed \$3.3 million in conjunction with \$965 000 from the South Australian government for the facility's construction with the South Australian government required to provide annual recurrent funding of \$1.4 million. The facility opened in August 2008 with the Commonwealth and South Australian governments stating in a joint press release that:

...Commissioner Ted Mullighan's inquiry into child sexual abuse had made it clear that tackling substance abuse was fundamental to keeping children and families safe.

"Helping people overcome the scourge of substance abuse is crucial to protecting children from neglect and abuse," Ms Macklin said...

...Mr Weatherill said the facility was another step in the State Government's strategy to rebuild APY Lands communities, which began with its intervention on the Lands in 2004.

"We are rebuilding communities by reducing substance abuse and delivering better health and welfare services," Mr Weatherill said.¹⁴

5.18 The South Australian government outlined the purpose of the facility at the Adelaide hearing, stating that:

That facility has two functions. The facility provides a residential component for up to 10 clients at any given time. The facility actually has an outreach program. The outreach program will visit every one of those communities over a period of time and will see clients in every one of those communities. Once it is established that the client actually needs a longer period of time for rehabilitation, it works with that client and then the client can actually attend a residential program.¹⁵

5.19 The committee had the opportunity to visit the new substance misuse facility in Amata on the APY lands in March and was impressed with the facility. The committee was advised that the design of the facility as well as its location was decided in consultation with the local community. The committee commends the Commonwealth and South Australian governments for committing these funds to provide access to alcohol and substance abuse rehabilitation facilities in remote areas. However some concerns were raised during the inquiry over the delays with construction and the ongoing staffing and running of the facility.

5.20 The Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NPY) Women's Council noted at the committee's hearing in Alice Springs that:

14 The Hon Jenny Macklin MP, Minister for Families, Housing, Community Services and Indigenous Affairs and the Hon Jay Weatherill MP, South Australian Minister for Aboriginal Affairs and Reconciliation, APY Lands Substance Misuse Facility officially opened, Press release, 12 August 2008, http://www.jennymacklin.fahcsia.gov.au/internet/jennymacklin.nsf/content/apy_lands_12aug08.htm (accessed 24 June 2009).

15 Ms Kim Petersen, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 39.

...we do not think it is being used to its fullest capacity and it is, unfortunately, only for South Australian residents...

...it has been hard for them to get staff there, which we predicted. This is this issue of going around and asking people what they want and where they want something to be without necessarily considering the objective factors like whether you will be able to get staff, whether you will be able to get anyone to work there and whether you should look at somewhere out of Alice Springs or in Alice Springs. I think it was probably a little bit ill thought out.¹⁶

5.21 The Aboriginal Drug and Alcohol Council South Australia also noted issues with staffing of the Amata facility as well as other remote rehabilitation facilities, stating that:

When the government decided to go down the track of having something in the north, albeit that it took quite a few years, we were quite excited about that. Our issue is that the Aboriginal workers that I am talking about that would be placed in these sorts of areas need to have some formal training...

...it is about having the skilled workers out there. Again, it is a community person—who may be called a diversionary worker or the drug and alcohol worker—and they might also run the youth service because they have not got a youth worker out in the community at the time. So that person is overworked. It could be a husband and wife who want to help but who end up doing everything, such as driving the buses to all the carnivals or the football on the weekend and things like that. So with the diversions, they are there but they have not happened correctly—in the right manner or time. Certainly, that is what I have seen in some of the communities out there...¹⁷

5.22 The committee also notes that a recent newspaper article based on information obtained by a South Australian parliamentarian under Freedom of Information legislation revealed that since August 2008:

...only four patients have been admitted for an average of five days. Another 39 people officially described as being "not in need of substance abuse assistance" also have used the facility.¹⁸

5.23 The committee notes that the South Australian government is in the process of developing rehabilitation day centres in Port Augusta, Ceduna and Coober Pedy.¹⁹ The South Australian government also notes in its submission that additional support from the Commonwealth government:

16 Ms Vicki Gillick, NPY Women's Council, *Committee Hansard*, 1 May 2009, p. 78.

17 Mr Christopher Perry, Aboriginal Drug and Alcohol Council South Australia, *Committee Hansard*, 4 March 2009, p. 23.

18 Joanna Vaughan, 'Only four patients since it opened', *Adelaide Advertiser*, 22 April 2009, p. 13.

19 The Hon Jay Weatherill MP, South Australian Minister for Aboriginal Affairs and Reconciliation, *Submission 27*, p. 3.

...would allow the South Australian government to provide alcohol rehabilitation services and facilities in regional parts of the State, and establish links with existing services such as the Aboriginal Substance Misuse Connection Program operated by Drug and Alcohol Services SA (DASSA) and funded by the Department for Families and Communities (DFC) and the Mobile Assistance Patrol jointly funded by DFC and SA Health.²⁰

5.24 The committee believes that the establishment of the rehabilitation facility in Amata so far serves as an example of the complexities involved in providing rehabilitation services in remote Indigenous communities and illustrates that the acceptance of the facility and its ultimate success can not be expected immediately. The experience in Amata should be used to inform future decisions on the location and construction of new rehabilitation facilities as well as the expectations of how these facilities will operate and be staffed. The committee urges all governments to continue to invest in appropriate rehabilitation services as a large gap in access to these services and facilities in regional and remote Indigenous communities remains, as the Aboriginal Drug and Alcohol Council South Australia noted:

There really are not enough services, besides that one on the Pit land. There are not a lot of drug and alcohol or rehabilitative type services outside of Adelaide. Even when you come to Adelaide for Indigenous-specific rehabilitation around, for example, illicit drugs, there is none. It is difficult.²¹

Homemakers centres

5.25 While in Amata, the committee also had the opportunity to visit the Homemakers Centre. The committee was very impressed with the outcomes the Centre has achieved in the community with very few resources or paid staff. The centre's two main programs focus on nutrition to tackle the 'failure to thrive' for infants and babies and providing meals and assistance for elderly members of the community. The committee heard that carers and other family members were attending regularly and that on average 16 babies a day were being seen at the Centre. The committee was advised that before the Centre was established, around six children a week were flown out of the community for malnutrition, which is no longer the case.

5.26 At the committee's hearing in Adelaide the South Australian government noted the importance of the role that the Homemakers Centres have:

There has been a lot of research done both here and overseas around food security and we know that, between the time that babies get weened and the time that they start walking, there is a gap where they cannot reach for food

20 The Hon Jay Weatherill MP, South Australian Minister for Aboriginal Affairs and Reconciliation, *Submission 27*, p. 3.

21 Mr Scott Wilson, Aboriginal Drug and Alcohol Council South Australia, *Committee Hansard*, 4 March 2009, pp. 22-23.

themselves. The homemaker program provides a way that we can teach young mums and dads about the necessity of providing high-quality food and also increases the availability of food for that section of the community. There has been a fair bit of research done overseas around food security and we are starting to do some research in Yalata with the University of Adelaide. There seems to be a link between young babies and really young people who had an absence of food in their early years and type 2 diabetes.²²

5.27 The committee also notes that the Mullighan Inquiry into child sexual abuse on the APY Lands concluded that the Homemakers Centres:

...appear to the Inquiry to be doing very good and important work. Many witnesses and, indeed, Families SA, also praised their effectiveness. The ultimate goal should be for individual communities and families to be sufficiently empowered to take control of the issue of child sexual abuse.²³

5.28 The South Australian government also advised the committee that each of the Homemakers Centres, as from April 2009, will employ two trainees funded jointly by the Commonwealth and South Australian governments.²⁴

5.29 However, given the success and importance of these Centres there are concerns with the ongoing funding of these services. Overall there are seven Homemakers Centres on the APY Lands of which the committee understands only four are 'operating at various levels of functionality'.²⁵ UnitingCare Wesley Adelaide raised concerns in their submission that the Homemakers Centre program was to have a \$300 000 funding shortfall due to the cessation of Commonwealth funding in 2008.²⁶ The committee inquired about this shortfall at the Adelaide hearing and was advised that the South Australian government would provide a \$200 000 'top-up' for the program.²⁷ The committee is concerned that there is still not enough funding for these essential centres which provide people with important life skills. As UnitingCare Wesley Adelaide noted:

22 Ms Kim Petersen, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 54.

23 Hon EP Mullighan QC, *Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Commission of Inquiry – A report into sexual abuse*, April 2008, p. 129

24 Department of the Premier & Cabinet, South Australian government, answer to question on notice, 4 March 2009 (received 16 March 2009), p. 6.

25 *Committee Hansard*, 4 March 2009, p. 54.

26 UnitingCare Wesley Adelaide, *Submission 63*, p. 9.

27 Ms Kim Petersen, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 53.

...it seems ludicrous to be spending \$25 million on new houses and losing \$300,000 for a homemaker program to give you the skills to live in those houses.²⁸

5.30 The issue of some of the employees in the Homemakers Centres being on Community Development Employment Projects (CDEP) payments was also raised with the committee. The South Australian government advised that there were ongoing discussions between it and the Commonwealth government in relation to:

...the CDEP program and how many of those CDEP participants would be picked up in full-time employment under both Commonwealth and state government responsibility. Those negotiations are happening, and particularly—in our instance—in terms of what would be the state’s responsibility regarding the number of people who would be converted into full-time employment. Those conversations are also occurring in relation to those employees being public servants.²⁹

Recommendation 7

5.31 That the Commonwealth and South Australian governments provide additional funding and appropriate support to the Homemakers Centres in the APY Lands so that all seven centres are operating at an effective level and that the Commonwealth government consider supporting similar Homemakers Centres in other remote Indigenous communities as a matter of priority.

Rural Transaction Centres

5.32 In 2003 seven Rural Transaction Centres were planned for the APY Lands as part of the COAG Indigenous Trial initiative in the APY Lands. The committee had the chance to visit the PY Ku centre in Amata. The Pitjantjatjara Yankunytjatjara (PY) Media Aboriginal Corporation, in its submission, outlines the process by which the PY Ku Network was established:

In early 2003 the Department of Health and Ageing funded the APY Land Council to engage a consultant to develop a business case and funding submission for the establishment of a Rural Transaction Centre (RTC)...
...At a General Meeting of Anangu Pitjantjatjara in August 2003, the decision was made to name the proposed network the PY Ku Network (Pitjantjatjara Yankunytjatjaraku – “for the people”).

The PY Ku Network was endorsed by the APY Lands COAG Steering Committee as a formal COAG Indigenous Trial initiative in September 2003.³⁰

28 Mr Jonathan Nicholls, UnitingCare Wesley Adelaide, *Committee Hansard*, 4 March 2009, p. 10.

29 Ms Nerida Saunders, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, p. 57.

30 Pitjantjatjara Yankunytjatjara (PY) Media Aboriginal Corporation, *Submission 66*, Attachment 1, pp. 1-2.

5.33 The proposed locations were at Iwantja, Mimili, Kaltjiti (Fregon), Pukatja (Ernabella), Amata, Watarru, and either Pipalyatjara or Kalka. The aim of the PY Ku Network was to provide:

- a range of government and non-government services to communities;
- training and employment for local Anangu;
- public access internet facilities; and
- office, meeting, conference, video-link, internet and administrative support facilities for government staff and visiting professionals.³¹

5.34 It was also intended that the PY Ku Network would improve access to state government services, including motor vehicle registration and licensing, fine payments, and accessing birth, marriage and death certificates.³²

5.35 PY Media, who manage the PY Ku network, noted in their submission that the Commonwealth government has already spent over \$4.5 million on the establishment of the PY Ku Network, but that without a commitment to adequate recurrent funding the PY Ku Network can not be sustained beyond June 2009.

Endorsement of PY Ku as a COAG initiative required the commitment of a range of government departments across both levels to provide an integrated approach to both establishing and operating the Network. There was an expectation of a whole-of- government approach to providing recurrent “foundation” funding during the operational development phase; a situation that never eventuated. The Network’s infrastructure has been established and Anangu staff are now employed.

Without the necessary recurrent funding PY Ku will fail and Aboriginal staff will be retrenched.

For many years warnings have been issued to government regarding the inability to develop fee-for-service business without the necessary recurrent “foundation” funding. These warnings have been ignored and the PY Ku Network has been expected to survive on occasional one-off fund injections. Government agencies are reluctant to deliver services through an organisation that cannot prove long term financial viability.³³

5.36 The Women’s Legal Service South Australia Inc provided an example to the committee of the importance of the services that the PY Ku Network provides in the remote APY Lands communities:

31 Urbis Keys Young, *Review of the COAG Trial in the APY Lands*, March 2006, p. 10, http://www.fahcsia.gov.au/sa/indigenous/pubs/evaluation/coag_trial_site_reports/sa_apylands/Pages/default.aspx (accessed 17 June 2009).

32 UnitingCare Wesley Adelaide, *Submission 63*, p. 10; Urbis Keys Young, *Review of the COAG Trial in the APY Lands*, March 2006, p. 10, http://www.fahcsia.gov.au/sa/indigenous/pubs/evaluation/coag_trial_site_reports/sa_apylands/Pages/default.aspx (accessed 17 June 2009).

33 Pitjantjatjara Yankunytjatjara Media Aboriginal Corporation, *Submission 66*, p. 4.

In the communities people cannot just access legal advice easily. We have a free call number for anyone to ring us from the community but they may not have access to a phone if the PY KU is closed down. Likewise, they cannot call the police.³⁴

5.37 At the committee's hearing in Adelaide the committee inquired about what work the South Australian government was doing with the PY Ku Network:

The rural transaction centres to date have basically been managed by the Commonwealth and not necessarily the state. The Commonwealth are currently working with PY Media and PY KU to look at how they can actually develop those centres further. From your visit on the lands you would understand that some are not fully functioning right now. There are probably two centres that are currently open for an extended period of time. I think you are absolutely right, Senator: there is a great deal of opportunity to use those centres for a whole range of purposes, whether that is in developing Anangu employment or getting a whole range of government services happening from those centres. We are currently working with the Commonwealth and PY KU to see how those centres can be better utilised.³⁵

5.38 The South Australian government's 2008 report on the progress on the APY Lands also noted that:

Service SA is working with PY Media to provide access to a range of state government services including applications for birth certificates, driver's licences, car registration etc. through the PY Ku network.³⁶

5.39 When asked about the PY Ku Network the South Australian Aboriginal Affairs and Reconciliation Minister Jay Weatherill—as reported in a recent newspaper article—noted that:

...service delivery in remote Aboriginal communities was difficult. "That is why we are proposing a new regional authority to improve the operation of services in the APY Lands."³⁷

5.40 UnitingCare Wesley Adelaide outlined its concerns regarding the delays to the establishment of the Centres and the transfer of government services.

The PY Ku Network was originally scheduled to be up and running by June 2006. After many delays and setbacks the first PY Ku centre opened at Amata in late 2007. The sixth and final centre opened at Watarru in September 2008...

34 Women's Legal Service South Australia Inc, *Committee Hansard*, 4 March 2009, p. 77.

35 Ms Kim Petersen, Department of Premier and Cabinet, South Australia, *Committee Hansard*, 4 March 2009, pp. 50-1.

36 Department of Premier and Cabinet, Government of South Australia, *Progress on the Lands: Update on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands*, October 2008, p. 14.

37 Joanna Vaughan, 'Facilities wasted in Lands', *Adelaide Advertiser*, 30 May 2009, p. 45.

...On 21 July 2008, PY Media confirmed that no State government services had been transferred to any of the PY Ku centres and that Centrelink services remained the only Federal government services accessible from the centres...

...as of 13 February 2009, it was still not possible for Anangu to access any State Government services from any of the PY Ku Centres.

UCW-Adelaide has strong concerns that delays in transferring services to the PY Ku centres are undermining the long-term viability of a flagship project that was originally supposed to provide ongoing employment for up to 30 Anangu.³⁸

5.41 PY Media noted in its submission that it has now frozen all PY Ku recruitments resulting in many positions, including supervisory positions, not being filled. In addition, the Mimili PY Ku Centre will remain closed. PY Media also noted the Network's importance in providing employment in the communities, stating that:

Over the last six months twenty-one Anangu staff have been employed at various stages and have worked a total of 6,243 hours.

These Aboriginal staff will lose their positions.

Given that many of these staff are completing Level 2 and 3 Business Administration traineeships, losing them will be a shame.³⁹

5.42 PY Media recommend that one of the solutions is for funding to be sourced from the COAG National Partnership on Remote Service Delivery.⁴⁰

5.43 The committee is concerned that employment and training opportunities may be lost on the APY Lands if the PY Ku Network, or an equivalent Network, is not provided with adequate funds and support to run Rural Transaction Centres. The committee urges both the Commonwealth and South Australian governments to look at funding possibilities for these Centres, as well as clarifying and supporting strong governance structures.

Services for women and victims of crime

5.44 The Women's Legal Service South Australia made a submission to the inquiry and appeared before the committee at its Adelaide hearing. Women's Legal Service South Australia raised concerns about the large number of women who are victims of crime on the APY Lands and the lack of safe houses, police, an understanding of the court system and interpreters is negatively impacting on their wellbeing.

I think probably the main challenge and the highest area of need is for women who have been assaulted...There is a complete lack of services for women and victims of crime on the Lands in terms of culturally appropriate

38 UnitingCare Wesley Adelaide, *Submission 63*, p. 11.

39 Pitjantjatjara Yankunytjatjara Media Aboriginal Corporation, *Submission 66*, p. 5.

40 Pitjantjatjara Yankunytjatjara Media Aboriginal Corporation, *Submission 66*, p. 5.

services and services that have the resources to provide interpreters to ensure that women can get the appropriate advice at the end of the day.

NPY Women's Council has employed an interpreter but that is not necessarily on a full-time basis, and each time we attend on the Lands we cannot be sure that there will be an interpreter there. People attending before the Magistrates Court may not have an interpreter so they are faced with legal issues without understanding. English may be the third or fourth language for people in the Lands, so the issues are extreme.⁴¹

5.45 The committee notes that although the South Australian government has significantly expanded the police presence on the APY Lands, with some funding provided by the Commonwealth government, the Women's Legal Service notes that police number are still too low to cover the large distances and a lack of safe houses and shelters in communities puts some women in a position where:

...they must flee communities because of fear of violence or retaliation from family or other community members. Women have fled to the south from communities for protection or north to Alice Springs and other communities in the NT. Safe houses and protection of Police can not be taken for granted in communities.⁴²

5.46 The Women's Legal Service also raised the issue of a concerning spike in homicide figures on the APY Lands of women who have been killed or severely injured by intimate partners. The submission stated that:

- In the 12 years to 2006, 10 NPY women were homicide victims.
- In the 17 months since May 2007, a further six NPY women were homicide victims.
- In five of these six homicides, head injuries were the cause of death and intimate partners are facing criminal proceedings in relation to the death.
- Women from the NPY region are 67 times more likely to be a domestic violence related homicide victim.
- Fists, feet, iron bars, star pickets, sharp sticks, rocks, tyre rims and tyre levers were used in 68 per cent of cases. The offender delayed getting help for the victim in all cases.⁴³

5.47 The committee inquired into why there has been a recent spike in the number of intimate partner homicides. The Women's Legal Service responded that they were unaware of specific reasons which is why they wrote to the South Australian state and Commonwealth governments calling for:

41 Women's Legal Service South Australia, *Committee Hansard*, 4 March 2009, p. 71.

42 Women's Legal Service South Australia, *Submission 62*, p. 71.

43 Women's Legal Service South Australia, *Submission 62*, pp. 4 and 6.

- A Review of the Magistrates Court Circuit on the APY Lands; with particular emphasis on processes to identify if these services meet the needs of the victims of violence and if not, what changes may be required and how may they be implemented;
- An Inquiry into Violence against Women on the NPY Lands (giving consideration also to the impact of violence upon children); and
- A Death Review Panel to review deaths caused by Family Violence, with priority directed to deaths of Aboriginal women, particularly those living remotely.⁴⁴

5.48 Further discussion of the situation in the Northern Territory regions of the Ngaanyatjarra Pitjantjatjara Yankunytjatjara area and Alice Springs, as well as a recommendation to for Commonwealth government on this issue, is discussed later in this chapter.

Recommendation 8

5.49 That the Commonwealth Attorney-General's office undertake discussions with the South Australian government with a view to the South Australian government undertaking a review of the Magistrates Court Circuit on the APY Lands to ensure its ongoing effectiveness.

Government accountability

5.50 While in South Australia the committee noted a unique service that UnitingCare Wesley provides called the Anangu Lands Paper Tracker project. This project tracks:

...the implementation of state and federal government commitments to Anangu Pitjantjatjara and Yankunytjatjara peoples across South Australia. In addition to the APY Lands it tracks government activities on the Maralinga Lands, at Yalata community on the west coast and at the Umoona community in Coober Pedy...the main goals of the project are to make it easier for Anangu to talk with governments as equal partners, to make decisions for themselves from a position of knowledge and strength and to participate in broader debates about their future. We believe the project provides an independent forum of accountability.

Since it began in mid-2007 the Paper Tracker project has tracked progress made against more than 80 government commitments and areas of identified need. Importantly, the project highlights both the good and the bad. As well as posting comprehensive information on our website we distribute an e-newsletter that now goes out to more than 700 subscribers. Last year, in an effort to make it easier for Anangu to access the information we have collected, we produced two radio shows in partnership

44 Women's Legal Service South Australia, *Submission 62*, p. 5

with PY Media. Portions of each show were broadcast in both English and the Pitjantjatjara and Yankunytjatjara languages.⁴⁵

5.51 The committee notes that this project provides a single source of both South Australian state and Commonwealth government commitments and policies regarding Indigenous people in South Australia. Given the high degree of frustration people feel about the lack of information and apparent lack of coordination between government agencies, the committee considers this to be a good monitoring and accountability tool for Indigenous communities in South Australia. The committee urges governments to consider supporting the establishment and operation of similar independent government monitoring and accountability projects in other states and territories.



Senate Select committee on regional and remote Indigenous communities in Amata, South Australia

Northern Territory government policies

5.52 Although Chapter 5 of this report focuses on the Northern Territory Emergency Response (NTER) and will discuss many of the issues in regional and remote Indigenous communities, this Chapter discusses the impact of Northern Territory government policy affecting the wellbeing of regional and remote Indigenous communities that were raised with the committee and which are not directly related to the NTER.

45 Mr Jonathan Nicholls, UnitingCare Wesley Adelaide, *Committee Hansard*, 4 March 2009, p. 3.

A Working Future policy

5.53 Released on 20 May 2009, the Northern Territory's *A Working Future* policy focuses on developing 20 of the largest remote communities as 'Territory Growth Towns' to provide 'services and amenities like any other similar-sized towns elsewhere in Australia'.⁴⁶ Remote communities to be developed are: Maningrida, Wadeye, Borroloola, Galiwin'ku, Nguiu, Gunbalanya, Milingimbi, Ngukurr, Numbulwar, Angurugu/Umbakumba, Gapuwiyak, Yuendumu, Yirrkala, Lajamanu, Daguragu/Kalkarindji, Ramingining, Hermannsburg, Papunya, Elliott and Ali Curung. See Appendix 5 for a map of the 'Territory Growth Towns'.

5.54 The Northern Territory government outlined the policy at the committee's hearing in Darwin:

Working Future is a strategy and framework that will drive government investment and activity to grow 20 identified communities into well-serviced townships. The townships will operate as hubs, servicing many of the nearby outstations and homelands. It is anticipated that 33,000 people, 24,000 people residing in towns and 9,000 people in residing in 300 small communities and outstations located within a 50-kilometre radius will be serviced through the Working Future.

This accounts for around 50 to 60 per cent of the territory's total Indigenous population and approximately 80 per cent of the Indigenous population residing the territory's urban centres. The policy also notes that remote service delivery will be improved through 'one-stop shops' to be established initially in 15 of the 'Territory Growth Towns' for both Northern Territory and Commonwealth government services.⁴⁷

5.55 The policy also states that the Northern Territory government will focus on remote service delivery.

Coupled with that is a national partnership agreement on remote service delivery which targets 15 remote locations. This agreement is with the Australian government in the Northern Territory and aims to improve access to services, provide simpler access and better coordinated government services for joint service delivery structures and local implementation plans that identify service delivery priorities for each location.

It is hoped that these partnerships will substantially increase economic and social participation in the communities. The 15 locations that have been selected under this remote service delivery program are 15 of the larger

46 Paul Henderson, Northern Territory Chief Minister and Alison Anderson, Northern Territory Minister for Indigenous Policy, *A Working Future: Real Towns, Real Jobs, Real Opportunities*, Joint press release, 20 May 2009, <http://newsroom.nt.gov.au/index.cfm?fuseaction=viewRelease&id=5584&d=5> (accessed 13 June 2009).

47 Mr Kenneth Davies, Department of the Chief Minister, Northern Territory government, *Committee Hansard*, 22 May 2009, p. 51.

communities identified for substantial housing funding, and they are also aligned with the Northern Territory's 20 territory towns approach.⁴⁸

5.56 The policy outlines the Northern Territory government's intention to reduce red tape through the employment of a Northern Territory Coordinator General for remote service delivery.⁴⁹ The committee notes that this is a similar position to the recently announced Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) Coordinator General outlined in Chapter 2. The committee will monitor with interest the improvements and effectiveness that both of these positions may have on remote service delivery.

5.57 The policy also promises to improve funding arrangements and acknowledges that the provision of funds on an annual basis makes planning difficult. It undertakes to 'put in place a new way of allocating funding that is fair and that provides certainty for communities'.⁵⁰ The committee welcomes this announcement and will monitor and report on any funding changes and the effects the changes may have on service delivery. The committee also hopes that this commitment to change from the Northern Territory will further encourage the Commonwealth government to make a similar commitment to the reform of funding cycles and the way that programs are administered by Commonwealth departments.

5.58 The Northern Territory government has outlined in the policy document that it intends to:

- Work to increase employment and economic development through 'private investment' including 'local people owning their own businesses and homes' and developing a long-term Indigenous Economic Development Strategy;
- Develop a Remote Integrated Transport Strategy; and
- Commit to annually reporting against the 'Closing the Gap' targets and implement a special evaluation of remote service delivery.⁵¹

5.59 The Northern Territory government summarised its vision of the *A Working Futures* policy at the committee's hearing in Darwin:

We think Working Futures is quite a sophisticated policy platform. It picks up the land issues, economic development and the transport strategies as well as the outstations and the townships. The whole focus behind this is about working with the Australian government to maximise the impact of

48 Mr Kenneth Davies, Department of the Chief Minister, Northern Territory Government, *Committee Hansard*, 22 May 2009, pp. 51-2.

49 Northern Territory government, *A Working Future – Outstations/homelands policy*, headline policy statement, May 2009, http://www.workingfuture.nt.gov.au/remote_services.html

50 Northern Territory government, *A Working Future – Outstations/homelands policy*, headline policy statement, May 2009, http://www.workingfuture.nt.gov.au/remote_services.html

51 Northern Territory government, *A Working Future – Outstations/homelands policy*, headline policy statement, May 2009, http://www.workingfuture.nt.gov.au/remote_services.html

the dollars that are coming into the Northern Territory and to make a difference on the ground. In five years time, we want those towns to look a whole lot different from the way they look now.

We want them to have a business centre, a motor vehicle registry and we want students or children to have a real address—a house with an address—and we would like to see a postal service in place. We would like to see the rubbish runs being done really in the same way you would see in an equivalent regional town elsewhere.⁵²

5.60 Part two of the strategy on outstations and homelands is discussed below.

Outstations and Homelands

5.61 On 20 May 2009 the Northern Territory government also announced its new outstations and homelands policy as part of the *A Working Future* policy. Previously the Northern Territory government, since self-government in 1978, had responsibility only for major Indigenous communities with the Commonwealth government retaining responsibility for outstations and homelands. However in September 2007—as discussed in the committee's previous report⁵³—a Memorandum of Understanding (MoU) between the Commonwealth and the Northern Territory governments on Indigenous Housing, Accommodation and Related Services was signed which provided \$793 million in funding on the basis that the Northern Territory government would take over responsibility for the delivery of services to homelands and outstations.⁵⁴

5.62 The committee notes that there has been a considerable delay between the Northern Territory government assuming responsibility for homelands and outstations and the release of its policy.

5.63 In the policy statement the Northern Territory government noted the importance of 'the contribution of outstations and homelands to the economic social and cultural life of the Territory'. The Northern Territory government states that existing homelands and outstations will have their funding levels maintained however it will not develop any new outstations and homelands.⁵⁵

5.64 At the committee's hearing in Darwin the Northern Territory government noted that the MoU with the Commonwealth government:

52 Mr Kenneth Davies, Department of the Chief Minister, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 65.

53 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No. 1 2008*, September 2008, Chapter 4, pp. 33-35.

54 Memorandum of Understanding between the Commonwealth government and Northern Territory government, *Indigenous Housing, Accommodation and Related Services*, September 2007, paragraph five.

55 Northern Territory government, *A Working Future – Outstations/homelands policy*, headline policy statement, May 2009, http://www.workingfuture.nt.gov.au/remote_services.html

...provided \$20 [million] to the territory for outstations for each year for 2007-08, 2008-09 and 2009-10 financial years. A funding disbursement methodology is being determined as part of that outstations policy. On top of the \$20 million, there is additional funding which also is set aside to support outstations through CDEP funds and also through Bushlight programs.⁵⁶

5.65 However the committee also notes, as Greg Marks outlined in his submission, the MoU did not include 'any requirement that any of this money previously earmarked for outstations need be spent on outstations'.⁵⁷ The committee will monitor and report on the Northern Territory government's funding of homelands and outstations in future reports.

5.66 The Northern Territory government has also stipulated in the policy document this it will not be providing funding for additional housing—which the committee notes the Commonwealth is not doing either—stating that as the land is privately owned it is not suited for a public housing model and that owners of houses on private and communal land will primarily be 'responsible for repairs and maintenance of their assets, including water supplies'.⁵⁸ This policy position was reiterated at the committee's hearing in Darwin.

We are understanding that we need a really solid policy platform that everybody understands and that we can stick to—creating towns, not communities, and shifting away from communal housing to private ownership, and saying to people on outstations that there is a limit to the resourcing that is available and that while we are not going to shift you off the outstations, we cannot continue to build resources and houses on what is essentially private property. We have to target expenditure and that is a big change.⁵⁹

5.67 The committee notes that there was considerable confusion and fear surrounding the release of the Northern Territory government's homelands and outstations policy. Mr Greg Marks noted in his submission that:

It is clear that the Northern Territory has not sought responsibility for outstations at this time and that it is concerned at its capacity to cope especially given the backlog in infrastructure. It would also appear from press reports that there is considerable disquiet in the Aboriginal

56 Mr Kenneth Davies, Department of the Chief Minister, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 52.

57 Mr Greg Marks, *Submission 30b*, p. 16.

58 Northern Territory government, *A Working Future – Outstations/homelands policy*, headline policy statement, May 2009, http://www.workingfuture.nt.gov.au/remote_services.html

59 Mr Kenneth Davies, Department of the Chief Minister, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 66.

community about the transfer of responsibility for outstations to the Northern Territory.⁶⁰

5.68 At the committee hearing in Darwin the Laynhapuy Homelands Association Incorporated noted that although the homelands schools were not under threat, it was their view that the Northern Territory government's policy would eventually result in the end of the homelands:

The discussions with the territory government earlier this week and the agenda laid out in the National Partnership Agreement basically say there is no scope for further investment and growth of homelands, particularly in the area of housing. If you stop housing, you stop growth and you condemn people to continued overcrowding. If you cannot invest in the infrastructure and you cannot invest in the housing, those homelands have no future. It may not happen tomorrow. It may not happen next year. That is the effect that those decisions will have...There is no immediate threat, but it raises big questions about the future.⁶¹

5.69 The Ramingining Homelands Resource Centre Aboriginal Corporation outlined their concerns about the availability of housing funding available for homelands and outstations in their submission, noting that the benefits of the Commonwealth funding will not reach them.

The Strategic Indigenous Housing and Infrastructure program (SIHIP) introduced as part of the Emergency Response, has effectively marginalized those Indigenous people who live in the Homelands rather than in the "prescribed communities."

These people, who suffer the same problems of overcrowding and inadequate levels of maintenance funding for their housing as those who live in the communities are not to receive any of the benefits of the SIHIP. We believe this to be patently unjust, if not discriminatory...Additionally, while the Ramingining housing stock will eventually be brought up to an acceptable living standard, there is to be no new houses built despite ample evidence of chronic overcrowding.⁶²

5.70 The committee asked whether any of the Laynhapuy Homelands would be within a 50km radius of one of the 'Territory Growth Towns' or service hubs, to which Mr Norton replied that out of the 25 permanently occupied homelands they look after:

...there may be a couple that fall within 50 kilometres of a major centre. I think Ramingining, Nhulunbuy and Bulman would fall within 50 kilometres of Gapuwiyak, but they are completely inaccessible during the wet season. Amongst the older Laynhapuy homelands, Bawaka would be within that 50 kilometres, but again it is pretty inaccessible during the wet season and you

60 Mr Greg Marks, *Submission 30b*, p. 16.

61 Mr Ric Norton, Laynhapuy Homelands Association Incorporated, *Committee Hansard*, 21 May 2009, p. 38.

62 Ramingining Homelands Resource Centre Aboriginal Corporation, *Submission 77*, pp. 4-5.

would spend about an hour and a half driving across sand to get there. All the rest of ours fall outside that radius, so the idea of Yirrkala being a hub and upgrading the road network is really not very practical.⁶³

5.71 Members of the Acacia Larrakia community that appeared before the committee in Darwin were under the impression that the Northern Territory government policy was going to stop funding to outstations and people are now 'worried that they have to move into the town system'.⁶⁴

5.72 When in Ntaria (Hermannsburg) the committee also met with representatives from the Tjuwanpa Outstation Resource Centre which supports 42 outstations around the Ntaria area. Questions arose as to who was responsible for housing maintenance and repairs on these outstations. The committee wrote to the Northern Territory government to inquire if they had responsibility for repairs and maintenance. The Northern Territory government responded that it does not accept responsibility for repairs and maintenance of houses in outstations and homelands but it does currently contribute to maintenance and management through grants to Shire Councils and organisations like the Tjuwanpa Outstation Resource Centre. The Northern Territory government noted that in 2008/09, for the 141 houses that Tjuwanpa Outstation Resource Centre manages, it received \$236 000 for housing maintenance and \$70 500 for housing management. The Northern Territory government anticipated that for 2009/10 it would receive a similar amount but beyond this the new outstations policy is to dictate the level of funding.⁶⁵

5.73 The committee notes that as the new policy states that owners of houses on private and communal land on outstations and homelands are now responsible for maintenance and repairs it is again unclear if this funding for housing management, repairs and maintenance to the Tjuwanpa Outstation Resource Centre will continue.

5.74 The committee has observed and considered evidence that indicates a high degree of uncertainty in relation to outstations and homelands. Residents are concerned about their future. Now that the policy has been released the committee encourages the Northern Territory government to implement a comprehensive communication strategy to ensure that people living in outstation and homeland communities and service providers understand the policy and its affects.

School education

5.75 The committee visited schools in both Ntaria (Hermannsburg) and Milingimbi whilst in the Northern Territory.

63 Mr Ric Norton, Laynhapuy Homelands Association Incorporated, *Committee Hansard*, 21 May 2009, p. 39.

64 Mr Joseph Jeffrey, Acacia Larrakia Community, *Committee Hansard*, 21 May 2009, p. 108.

65 Department of Education and Training, Northern Territory government, answers to questions on notice, 12 May 2009 (received 22 May 2009).

5.76 The school at Ntaria has dramatically increased its attendance rates. For example, the committee was advised that last year there were six secondary aged students at school and now there are 60. While the committee acknowledges that the increase in school attendance is a great achievement it has created new challenges as the school does not have the facilities available to meet this higher level of attendance.

5.77 The Central Australian Youth Link Up Service (CAYLUS) also noted in their submission:

...often remote schools are under-resourced and could not operate effectively if all the youth of the community did attend. The NT Education Department has a policy of reducing teachers at a remote school when attendance drops. This means schools capacity to provide a stimulating environment is reduced when it should be being increased.⁶⁶

5.78 The committee wrote to the Northern Territory government to inquire about their plans to meet the increased resource requirements due to higher attendance levels in Ntaria, a situation which the committee is pleased to report is not solely confined to Ntaria. The Northern Territory government provided detailed expenditure for Hermannsburg in their response:

NTARIA SCHOOL	Estimate	Status
Three classrooms provided since July 2008 as a priority from the NTER funding for supplementary initiatives.	\$1.2 million	Completed
Various minor works including connecting paths, and a shed	\$53k	Completed
Installation of Relocatable ablutions facility	\$46K	Completed
Acoustic treatment to primary classrooms	\$100k	In progress by public tender
Capital Works item to; <ul style="list-style-type: none"> Expand the home economics area and; Expand the administration area and staff room; Comprises \$401k NT and \$100k AG funding. 	\$501 091	Approved by Minister and awaiting approval from Treasurer
Primary school building covered outdoor learning area extensions to classrooms.	\$125k	Application in Round 2 BER funding. Decision expected late May.
Demolish older building and build new pre school.	\$2 million	Application in progress for Round 2 BER funding. Decision expected early June.
21 st Century Science Learning Centre. Note that this is a competitive bid process.	\$1.9 million	Will submit funding application as part of the NT bid. Decision expected August.

Source: Department of Education and Training, answers to questions on notice.

5.79 The Northern Territory government also outlined more general expenditure on education in the Northern Territory through the 'Closing the Gap' funding which includes:

- \$6 million for classrooms;
- \$10 million for homeland upgrades or new schools;
- \$20 million to upgrade 15 Community Education Centres (or large community schools) over 4 years;
- \$1.2 million for Counselling offices; and
- \$43 million for government employee housing (all employees including teachers) over four years.⁶⁷

5.80 The Minister for Families, Housing, Community Services and Indigenous Affairs also provided the committee with updated information on the education services and programs available in communities in the Northern Territory. This information is provided at Appendix 6.

5.81 The Northern Territory government advised the committee that it was focusing on raising participation levels for Indigenous students in remote schools for the National Assessment Program—Literacy and Numeracy Tests (NAPLAN) tests. As the Northern Territory Department of Education and Training (DET) noted at the Darwin hearing:

...we have really focused on literacy and numeracy and getting students in our remote schools ready for the NAPLAN assessments. Our big focus this year was on participation. When you have students with an ESL background and who come from homes where they may not be speaking English a lot of the time, they find it very hard to sit down and do these formal assessments.

Our staff out in the remote areas have been spending a lot of time this year preparing the students and the communities for the assessments which have just taken place. We are very hopeful that we will have a much better participation rate this year. I am not sure about the results because the experience has shown in Indigenous communities in the Kimberley, for instance, when the participation rate in the national assessments went up, the results went down because you had a lot more students who had never had an assessment before and who were doing it for the first time.⁶⁸

67 Department of Education and Training, Northern Territory government, answers to questions on notice, 12 May 2009 (received 22 May 2009).

68 Dr Kevin Gillan, Department of Education and Training, Northern Territory Government, *Committee Hansard*, 22 May 2009, pp. 53-54.

Teacher/student ratios in remote schools

5.82 On its visit to Amata in South Australia, the committee observed the success of the Amata School in securing adequate teaching staff. The committee noted a relatively higher ratio of teachers to students in South Australia in comparison to the Northern Territory. On this basis the committee wrote to the Northern Territory government to inquire whether the student/teacher ratio for remote schools took into account the English as a Second Language (ESL) needs of students in these remote schools.

5.83 The Northern Territory government's response indicated that the student/teacher ratio for remote schools is the same as for all other schools, which is:

- 22:1 for Years T-6
- 17:1 for Years 7-9
- 14:1 for Years 10-12.⁶⁹

5.84 However remote schools are assigned Assistant Teachers for primary classes on the basis of 1:22 students to assist the teacher and large remote schools are allocated specialist ESL teacher positions based on student achievement data against ESL scales, with a Curriculum Access factor is applied to smaller schools, which generates extra teaching staff.⁷⁰

5.85 The Rivers Region Youth Development Service stated at the committee's hearing in Katherine that:

We believe that education in remote locations is substandard, and we do not understand why we accept this. Student-teacher ratios when teaching English as a second language are set at 10 to one, whereas when you are teaching in remote schools you have 25 students and one teacher, so it is more than double the ESL student-teacher ratio.⁷¹

5.86 The Northern Territory government's response also noted that the NTER funded an additional 170 teachers across the 73 prescribed communities with a view to decreasing the student/teacher ratio to 10:1. The committee notes that a ratio of 10:1 is more than halving the current student/teacher ratio for primary schools and if applied across the board in the Northern Territory it would double the number of teachers teaching primary classes and substantially increase the number of teachers required for the secondary years.

69 Department of Education and Training, Northern Territory government, answers to questions on notice, 12 May 2009 (received 22 May 2009).

70 Department of Education and Training, Northern Territory government, answers to questions on notice, 12 May 2009 (received 22 May 2009).

71 Rivers Region Youth Development Service, *Committee Hansard*, 20 May 2009, p. 73.

5.87 CAYLUS also outlined the importance of ESL teachers in remote schools and suggested ways to provide more assistance:

Remote schools need experienced English as a second language (ESL) teachers to be able to provide an education to youth who do not speak English as a first, or even second language. Perhaps the NTER could look at encouraging such teachers to spend some time in the remote schools, possibly on a rotational basis the way some Health Services use doctors. This would not require such a high level of commitment from the teachers, but would bring vital skills into the region that could make a real difference to educational outcomes.

Similarly, structured university student volunteer programs could provide tutoring and other services in the remote communities, and possibly develop a workforce for the future.⁷²

5.88 DET also noted that it is in the final stages of preparing a submission to the Northern Territory government Cabinet on a student-based staffing allocation system for introduction in 2010 which would provide for substantial increases in allocations to schools with high proportions of ESL learners. The response notes however that this proposal has not yet been considered by Cabinet and is not confirmed.⁷³

5.89 The committee will monitor the situation with student/teacher ratios and urges the Northern Territory government to consider increasing the ratio for remote schools and areas with high ESL requirements.



Senator Moore at Ntaria (Hermannsburg) School in the Northern Territory.

72 Central Australian Youth Link Up Service, *Committee Hansard*, 1 May 2009, p. 8.

73 Department of Education and Training, Northern Territory government, answers to questions on notice, 12 May 2009 (received 22 May 2009).

Outstation and homeland schools

5.90 There was also considerable discussion and concern regarding outstation and homeland schools, especially in light of the newly announced Northern Territory government policy initiatives.

5.91 The issue of the closing of homeland and outstation schools was raised with the committee in Ntaria. The committee inquired about the reasons for these closures given the importance of a school to maintaining outstation community life.

The two homeland outstations that I think you are referring to. Red Sandhill was one, which was closed in 2007 due to declining enrolments and changes to the management of the school, and Kulpitharra is the other one, and that was closed in 2006 after a six months period when no students had presented to go to school. This was after several years of very low enrolments and attendance.⁷⁴

5.92 The Laynhapuy Homelands Association Incorporated also noted the importance of homeland schools in their submission:

Our members are very clear that they want their children to be educated in schools in the homelands for as many years of schooling as is possible.

Parents regard sending their children to Yirrkala or Nhulunbuy as very undesirable as it takes them away from all the positive and supportive family and kinship relationships, away from culture, law and the structures for discipline...Sending children away to boarding schools has been tried by some parents, but this has proven to not be very successful.⁷⁵

5.93 DET outlined at the committee's hearing in Darwin that they are committed to homeland schools and that:

Where the facilities or the number of students and people in the community has diminished, obviously we work with the community to come up with a solution. We do not just barge in and close down a facility. I think the last school that closed was Warrego...Yes, two years ago, next to Tennant Creek, and that had four students.⁷⁶

5.94 DET also noted that:

Last year we also appointed a director of homelands education. That is a completely new position. We have been aware that we need to lift our game there. Our director is looking at doing a scope through all of the homelands that have learning centres to look at the facilities but also at the quality of

74 Dr Kevin Gillan, Department of Education and Training, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 62.

75 Laynhapuy Homelands Association Incorporated, *Submission 28*, p. 18.

76 Dr Kevin Gillan, Department of Education and Training, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 64.

the programs. He works in very close collaboration with the regional directors.⁷⁷

Adult numeracy and literacy

5.95 The committee has noticed during the course of this inquiry that there is a large deficiency in many remote communities in the availability of adult education programs, especially those that provide basic literacy and numeracy. This was also reported by the Senate Standing Committee on Community Affairs' recent inquiry into petrol sniffing in central Australia.⁷⁸

5.96 The committee is of the view that there is a real need for adult education classes and programs in regional and remote Indigenous communities in the Northern Territory, as well as other states, as very often people need to undertake literacy and numeracy training before they can undertake the formal Vocational Education and Training (VET) courses. Senator Siewert outlined the situation at the committee's hearing in Darwin:

...the issue that has been raised with us, which is not just a Northern Territory issue, is that what people are finding is they need to do some literacy and numeracy training before they even start some of the other VET courses, but they are not able to get funding for provision of those classes because they are not registered at any certification level. I have been to various schools that are getting around this basically because they are just going above and beyond and they are squeezing limited resources to run extra classes at night and things like that. However, it is only for so long that you can do that and that is not sustainable in the long term.⁷⁹

5.97 The Northern Territory government noted that they were extending the provision of VET in remote schools, but there was no elaboration on whether these programs would contain numeracy and literacy training or at what levels.

...our remote VET provision has been very successful in getting some of the students who had left back to school. We are extending that across the territory this year and next year across six communities. We are extending it to 10 and then to 12 communities. It is a very expensive option but it is working.⁸⁰

5.98 The committee welcomes this extension of the VET in schools as the Rivers Region Youth Development Service noted:

77 Dr Kevin Gillan, Department of Education and Training, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 53.

78 Senate Standing Committee on Community Affairs, *Grasping the opportunity of Opal: Assessing the impact of the Petrol Sniffing Strategy*, March 2009, p. 90.

79 Senator Rachel Siewert, *Committee Hansard*, 22 May 2009, p. 54.

80 Dr Kevin Gillan, Department of Education and Training, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 58.

...yearly for the past few years there has been \$7 million worth of VET in Schools applications to deliver those vocational skills, but there is only \$2 million to go around the whole Territory, so there is a vast shortage in delivering those skills within the school and the community.⁸¹

5.99 The Laynhapuy Homelands Association Incorporated also confirmed the need for such literacy and numeracy classes in their homelands in the Northern Territory, stating that a skills audit by local literacy and numeracy trainers estimated that:

...the average adult English literacy and numeracy levels on the homelands are about Grade 3. The challenge to redress this basic adult educational disadvantage, much less addressing vocational training needs, is enormous. Unless there is a significant investment in enabling remote organisations to recruit adult literacy, numeracy and oracy trainers, it will take decades to overcome this disadvantage, and will consign at least two generations to a lifetime of social exclusion and dependence.⁸²

At the committee's hearing in Darwin the Laynhapuy Homelands Association further expended on the issue:

...we were looking at two groups of 30. The reality is, even if you could get that level of resources, you are looking at about 24 or 25 years before you could provide literacy and numeracy training to all the adults in the homelands...The problem is huge. It is a massive issue and it will take decades to solve and it will not be solved with \$100,000 here and \$100,000 there for 12-month projects...

...the literacy and numeracy is a critical barrier. We have a number of construction trainees and apprentices. In the past we have had them in our mechanical workshop. Very few of them can do certificate 3. They do not have the literacy and numeracy. They might have the technical skills but they do not get through the certificates.⁸³

5.100 CAYLUS advised the committee of some adult education programs they were supporting at the moment:

...there is one we are also supporting in Harts Range or Titjula. We are doing it in collaboration with a Victorian university who run a SWIRL program, which is about literacy. They send people up to communities to work with people on literacy...It is part of their uni course... They are, with our help, placing two students in Harts Range for the year to manage a type of internet cafe. It is not an internet cafe yet because Telstra still has not delivered the dish even though it was ordered in November last year...[and] the shire service manager has made it compulsory for all the CDEP people to do two hours on the computers every day as part of their CDEP. It is a

81 Mr William Daw, Rivers Region Youth Development Services and Alderman, Katherine Town Council, *Committee Hansard*, 20 May 2009, p. 74.

82 Laynhapuy Homelands Association Incorporated, *Submission 28*, p. 15.

83 Mr Ric Norton, Laynhapuy Homelands Association Incorporated, *Committee Hansard*, 21 May 2009, p. 45.

really sensible thing to do: if you have the resource, direct people towards it.⁸⁴

5.101 The committee notes however that the Northern Territory and Commonwealth governments' approach to the provision of adult education and numeracy and literacy programs in remote communities in the Northern Territory is piecemeal and uncoordinated.

5.102 The Rivers Region Youth Development Service also noted the lack of coordination:

There are numerous programs that are not connected, and there is no uniformity in how they are presented. We hear through different seminars we go to about all these wonderful programs, and it is really hard to find out if they will be available in all of our communities or some of our communities and in what sort of time frame they will be able to service them. For example, there is a work ready program that DET fund, Group Training Northern Territory, but at the moment that is only in Darwin. They have increased their funding but they have not had to increase the area that they service.⁸⁵

5.103 When DET was asked about this issue at the Darwin hearing it agreed that it was aware of the issue and the need in communities. DET noted that even though the schools within the communities are interested in providing these services they can not get access to Commonwealth government funding available for adult numeracy and literacy through the Department of Education, Employment and Workplace Relations (DEEWR). This is because:

...as a territory government department we cannot access those funds. Only a private registered training organisation is able to access those funds. We cannot get any of our RTOs in the territory interested enough to be able to go out, access those funds and work in the community...For instance, we would love to get one of our RTOs to Min Min, but my understanding is that they have to be private RTOs.⁸⁶

5.104 The committee is concerned that access to this funding is not flexible enough to meet the demands of remote Indigenous communities where there are fewer private Registered Training Organisation (RTO) operating. The committee also notes that many of the local schools which are already working in communities with established relationships may be best placed to provide additional adult education classes.

84 Mr Blair McFarland, CAYLUS, *Committee Hansard*, 1 May 2009, p. 13.

85 Ms Haidee McKittrick, Rivers Region Youth Development Service, *Committee Hansard*, 20 May 2009, p. 72.

86 Dr Kevin Gillan, Department of Education and Training, Northern Territory Government, *Committee Hansard*, 22 May 2009, p. 54.

5.105 The Victoria Daly Shire noted that they have been able to work with DEEWR in obtaining funding for adult numeracy and literacy for people already in employment, although the Shire noted that they are not currently running any literacy or numeracy programs for unemployed people.

We are setting up a program through which people who are currently in jobs but who are in jeopardy in those jobs will be mentored. They may not have the skills to continue in their jobs. I do not mean that we would terminate them but often, in our experience, people who are not ready for those jobs resign very quickly because they find it too stressful and they do not have the work culture to continue. So this program will enable those people to be mentored. Part of the mentoring program is identifying their learning needs and working with them through their employment to increase their numeracy and literacy skills. The other part to that is that the new CDEP program will have a training component which will include numeracy and literacy. In our night patrol program all the patrol officers are doing a Certificate in Community Services and, where people are identified who do not have the numeracy and literacy required for those jobs, they will go through a numeracy and literacy program to increase their skills. It will take them to a level they call occupational numeracy and literacy, so it is enough to fill out a form et cetera.⁸⁷

5.106 The Batchelor Institute of Indigenous Tertiary Education noted that basic literacy and numeracy skills were also affecting the efficacy of VET training. This has been recognised in communities, as the Batchelor Institute noted:

A lot of communities we have travelled to have virtually asked for all of the different trade areas to actually incorporate literacy with their programs so that they can understand the language of that profession as well. That does not seem to be happening. You have a lot of RTOs that are always keeping them separate in terms of the literacy programs running solely compared with the other programs, and never incorporating both.⁸⁸

5.107 The Batchelor Institute of Indigenous Tertiary Education also raised a further issue for the Northern Territory with the change to national VET training packages. This has reduced the appropriateness and effectiveness of VET training in the Northern Territory as the national training packages are developed and delivered:

...these days, in Victoria for education and training in Melbourne and other big cities. Five years ago, and even last year, there was still the last of the NT training qualifications floating around in the VET sector, and any Indigenous community training we did was largely an NT qualification designed for the Aboriginal community context. NT government stopped funding those, and the federal system has meant a national training package that has overridden all of those qualifications. We have to do a lot of work to make that sort of qualification fit into any of the world context of the

87 Mr Gregory Arnott, Victoria Daly Shire, *Committee Hansard*, 20 May 2009, p.7.

88 Mr Patrick Anderson, Batchelor Institute of Indigenous Tertiary Education, *Committee Hansard*, 21 May 2009, p. 93.

people we work with, and so there are some big gaps in assumed knowledge that we need to overcome. A large part of it is for us to say, 'How can we get that skill base established through our training and how else can we include in that the stuff that is necessary to be able to read the book, numeracy and literacy?' There does not seem to be enough funding associated with numeracy and literacy training alongside skill development training...There is close to zero flexibility in the VET sector nationally.⁸⁹

5.108 Given this scenario the Batchelor Institute recommends that there be an increase in the funding in the Northern Territory of non-accredited training to address the literacy and numeracy gaps.⁹⁰

5.109 The committee asked Mr Michael Zissler, the Commander of NTER Operations Centre if he was aware of the need for adult literacy and numeracy classes in remote Indigenous communities.

There are considerable resources around adult education but different communities are doing things in different ways...[there] are a number of programs that I have encountered, but whether it is consistent across the board, again I could not comment...Some of them do have school Edukits, but town camps clearly do not. I just do not want to deceive you there.⁹¹

5.110 The committee was concerned that although it seems that all levels of government are aware of the need for adult literacy and numeracy education—the NTER Taskforce report also recommended that adults in remote communities have access to literacy and numeracy programs⁹²—there is no coordinated or sustained effort matched with adequate funding to provide these programs.

5.111 The committee notes that formal classes and classroom based programs will not be suitable for everyone, and may in fact further reinforce negative experiences of education. The committee is aware of a range of non-formal literacy programs running all over the world that successfully and rapidly lift literacy and numeracy levels. The committee encourages governments to investigate the methodology used in these programs, to ensure that programs are appropriate and run by qualified adult educators.

89 Professor Peter Stephenson, Batchelor Institute of Indigenous Tertiary Education, *Committee Hansard*, 21 May 2009, p. 92.

90 Professor Peter Stephenson, Batchelor Institute of Indigenous Tertiary Education, *Committee Hansard*, 21 May 2009, p. 92.

91 Mr Michael Zissler, NTER Operations Centre, *Committee Hansard*, 22 May 2009, pp. 47-48.

92 Northern Territory Emergency Response Taskforce, *Final Report to Government*, June 2008, p. 20, http://www.fahcsia.gov.au/sa/indigenous/pubs/nter_reports/final_report_2008/Documents/nter_taskforce_report.pdf (accessed 9 June 2009).

Recommendation 9

5.112 Recognising that access to numeracy and literacy training in regional and remote Indigenous communities is limited but given that it plays a fundamental role, the committee recommends that the Commonwealth government, in consultation with state and territory governments, prioritise the implementation of basic and appropriate adult literacy and numeracy programs in order to address the current identified need.

Incarceration rates and Aboriginal and Torres Strait Islander Legal Services

5.113 The Central Australian Aboriginal Legal Aid Service (CAALAS) and the North Australian Aboriginal Justice Agency (NAAJA)—the two Aboriginal and Torres Strait Islander Legal Services (ATSILS) in the Northern Territory—raised their concerns at the hearing in Darwin regarding the dramatic increase in incarceration rates in the Northern Territory.

In June last year the rate was 568 per 100,000. That was almost 3½ times the national average and the figures have continued to rise dramatically since then. In the last quarter of 2008 the figure is already at 629 per 100,000 and we anticipate that the next quarter figures are going to be even higher because in the December quarter of 2008 the daily average number of prisoners was 993 and by early February 2009 the number of prisoners was approximately 1,120. This is an extremely dramatic rise.⁹³

5.114 NAAJA and CAALAS note however that publicly available statistics do not provide any definite answers as to why the rate has increased. However ABS statistics do confirm that court lists have increased and that the increases in charges have been for relatively minor types of offending. The main increase has been seen in the following three types of offences in the 12 months to 30 June 2008:

- traffic offences;
- offences against justice (breach of domestic violence orders, breach bail, escape custody, breach of orders); and
- public order offences.⁹⁴

5.115 In their supplementary submission NAAJA and CAALAS provided some statistics on Northern Territory magistrates courts and the non-custodial sentences they impose:

...68% of the 70% of non-custodial sentences are made up of Fines (62%) and Good Behaviour Bonds (6%). That leaves community supervision and community work as accounting for just 2% of all sentencing outcomes. This

93 Ms Helen Wodak, North Australian Aboriginal Justice Agency, *Committee Hansard*, 21 May 2009, p. 13.

94 Central Australian Aboriginal Legal Aid Service and the North Australian Aboriginal Justice Agency, *Submission 24a*, p. 4.

rate dropped from 3% in 2007/08, which is the rate it had been since at least 2003/04.⁹⁵

5.116 NAAJA and CAALAS also provided some possible reasons as to why the Northern Territory has such a high incarceration rate and why it has increased, these include:

- an over reliance by the courts in the Northern Territory on custodial sentences, more than three times the national average;
- very few community supervision and community work orders due to a dearth of targeted, rehabilitative, non-custodial sentencing outcomes;
- a lack of restorative justice options;
- a change in bail laws; and
- an increase in police numbers and therefore more prosecutions (police files have increased 25 per cent since 2007/08 and 57 per cent since 2006/07⁹⁶) and subsequently more custodial sentences;⁹⁷

5.117 NAAJA and CAALAS stated that the Northern Territory government has promised increased funding for community courts to extend this restorative justice option to a total of 10 communities. The Northern Territory government stated in its Closing the Gap report that community courts are now operational in Darwin, Nguiu, Milikapiti, Pularumpi and Nhulunbuy and have recently been held in Galiwin'ku and Yuendumu and are planned to extend to Wadeye, Maningrida and Alyangula communities.⁹⁸ NAAJA and CAALAS stated that progress on this has been very slow.⁹⁹

5.118 NAAJA and CAALAS believe that it is possible to extend non-custodial options including community based work orders, as CAALAS stated at the Darwin hearing:

There is scope for those to be used a lot more than they are. I suggested some time ago to look at increasing community based options. There was an attempt to expand the way that home detention orders could work, so that people could serve them out within a community. There is a lot of

95 Central Australian Aboriginal Legal Aid Service and the North Australian Aboriginal Justice Agency, *Submission 24a*, p. 3.

96 Central Australian Aboriginal Legal Aid Service and the North Australian Aboriginal Justice Agency, *Submission 24a*, p. 4.

97 Central Australian Aboriginal Legal Aid Service and the North Australian Aboriginal Justice, *Committee Hansard*, 21 May 2009, pp. 13 & 16.

98 Department of the Chief Minister, Northern Territory government, *Closing the Gap of Indigenous Disadvantage: Progress Report 2007-08*, 2009, pp. 8 and 10, http://www.workingfuture.nt.gov.au/download/CTG_report.pdf (accessed 13 June 2009).

99 Ms Helen Wodak, North Australian Aboriginal Justice Agency, *Committee Hansard*, 21 May 2009, p. 13.

scope for that to happen, so that people can serve community based orders in the community where they originate from.¹⁰⁰

5.119 The Northern Territory police agreed that more needs to be done to support rehabilitation and reduce incarceration but that capacity was limited:

Rehabilitation services are something we just do not have at the levels that we need. We do not have a capacity, or have not had a capacity in the past, to even run basic anger management courses for people who are prisoners in jail for less than six months for domestic violence offences. These are the sorts of things that we need to start really thinking about and investing a lot of money and energy into so that the solutions are broad, cover a whole spectrum and deal with the whole range of issues but involve interventions and rehabilitation. Locking them up and throwing away the key is not a solution.¹⁰¹

5.120 The Northern Territory Legal Aid Commission also stated that rehabilitation is a key area that requires greater capacity in order to reduce incarceration rates:

There needs to be rehabilitation aimed at offenders in their communities and not outside the communities. I understand that there will be offenders who need to be in jail for a long time and they will need to be taken out of the communities, but the majority of offenders do not need to be removed from the communities. They need to be rehabilitated... We just do not have the resources in the Territory, in the correctional services, which is aimed at those sorts of programs... having people locked up for long periods of time, the whole of the criminal justice framework is towards not giving people bail easily, keeping them on remand, keeping them in prison and giving them sentences with minimum non-paroles that are high. Eventually people have to get out and they have to be able to deal with the community from which they come. This is not being addressed. We really need a lot more officers out in the communities where people can do community work orders. I have not seen anyone do a community work order for years. They just do not get them.¹⁰²

5.121 In their submissions NAAJA and CAALAS note that given the increased workload as a result of increased incarcerations rates, Commonwealth operational funding is inadequate and does not increase sufficiently each year in order to cover increases in costs, which is exacerbated by the Northern Territory government's 'refusal to provide any funding to an ATSIL'.¹⁰³ The committee notes the important work that the ATSIL services perform and are pleased to hear that some additional

100 Mr Mark O'Reilly, Central Australian Aboriginal Legal Aid Service, *Committee Hansard*, 21 May 2009, p. 14.

101 Assistant Commissioner Grahame Kelly, Northern Territory Police, *Committee Hansard*, 21 May 2009, p. 76.

102 Ms Susan Cox QC, Northern Territory Legal Aid Commission, *Committee Hansard*, 21 May 2009, p. 31.

103 Central Australian Aboriginal Legal Aid Service and the North Australian Aboriginal Justice Agency, *Submission 24*, p. 21.

funding has been allocated to NAAJA and CAALAS through the \$3.0 million Northern Territory Welfare Rights Outreach Project, however at the time of writing their supplementary submission at the end of May 2009 they had been unable to confirm what extra funding they had received, which makes forward planning difficult.¹⁰⁴

5.122 The Northern Territory Legal Aid Commission also noted that the increase in incarceration numbers has been a further drain on their resources:

The other problem that we see, from the commission's point of view and our resources, is the growing imprisonment rate and the inappropriateness of long-term prison for a lot of these offenders. There should be a much bigger focus on rehabilitation. I have been saying it for 30 years, but it really needs to be done out of jails and in the community. Nothing happens very well in prison for all sorts of reasons, and our Indigenous prisoners are there short term, mainly for driving offences and for minor assaults. There is not enough time to turn them around on anything, but it does increase the prison numbers. We have really felt that on our resources.¹⁰⁵

5.123 The committee believes that consideration should be given by the Northern Territory government to a review of custodial sentences to ensure that they are being used appropriately, and that magistrates and judges be provided with sufficient non-custodial options available to them when sentencing. The committee also believes that the resourcing of legal services in the Northern Territory needs to be reviewed in light of the increase in arrests and court listings.

5.124 This issue is also noted in Chapter 4 of this report in relation to the NTER measure to increase the police presence in the Northern Territory.

Recommendation 10

5.125 The committee recommends that the Northern Territory government review the high levels of custodial sentences in the Northern Territory and the reasons for recent increases as well as determine whether the non-custodial options available to magistrates and judges are sufficient.

Domestic violence and women's shelters

5.126 The Alice Springs Women's Shelter raised the issue of inadequate resourcing for women's shelters in Central Australia.

Demand for our service has increased over the time of the intervention in the last 18 months. Last financial year we saw a 30 per cent increase in the number of children attending the shelter, and that trend has continued this year, with a further 18 per cent increase in the second half of last year.

104 Central Australian Aboriginal Legal Aid Service and the North Australian Aboriginal Justice Agency, *Submission 24a*, p. 9.

105 Northern Territory Legal Aid Commission, *Committee Hansard*, 21 May 2009, p. 29.

Unmet demand has also increased over that period of time. In the second half of last year we were unable to provide support for 255 women and 122 children who sought support. This year the situation has got even more urgent. In the first three months of this year we have already knocked back 158 women and 100 children who sought the support of the Alice Springs Women's Shelter.¹⁰⁶

5.127 The Alice Springs Women's Shelter also noted similar statistics to the Women's Legal Service South Australia regarding the extent of violence against women in Central Australia. The Women's Shelter noted that out of their clients:

The rates of physical assault are extremely high...We did a recent file review which showed that 20 per cent of our clientele had received a stab wound at some time in their life and that they are most at risk of domestic violence homicide in Australia. It is also important to note that we often work with women over long periods of time. Ten or 20 years is not unusual period of time. We are starting to see the second and third generations of the same families coming back to the shelter.¹⁰⁷

5.128 However, in contrast to the situation in the APY Lands, the Alice Springs Women's Shelter stated that:

I would say that the severity of domestic violence has decreased... We are certainly not seeing a decrease in the number of assaults as far as I can see but we are certainly seeing fewer stab wounds and we have not had the same level of homicides. But there was still one woman murdered last year by her husband. It is still a significant risk for the women that we work with.¹⁰⁸

5.129 The NPY Women's Council also noted that the level of reporting of domestic violence has increased:

Clearly, in our region there is much more of a willingness to report than there was when the service started 14 years ago...You have also had a domestic violence police unit in Alice Springs...I think the message is starting to get out there and...Yes, the homicide rates in Alice Springs are down—thankfully they are, because in the space of a year we had five women from our region killed. Two of those homicides occurred in Alice Springs town camps which our members consider to be extremely dangerous places. One woman was from Mutitjulu and one was from Western Australia. In fact, the perpetrators, both of whom were the partners of the women, have now been sentenced. We still have another three or four homicide matters waiting to be finished.¹⁰⁹

106 Ms Dale Wakefield, Alice Springs Women's Shelter, *Committee Hansard*, 1 May 2009, p. 46.

107 Ms Dale Wakefield, Alice Springs Women's Shelter, *Committee Hansard*, 1 May 2009, p. 46.

108 Ms Dale Wakefield, Alice Springs Women's Shelter, *Committee Hansard*, 1 May 2009, p. 50.

109 NPY Women's Council, *Committee Hansard*, 1 May 2009, p. 76.

5.130 The Central Australian Aboriginal Family Legal Unit informed the committee that funding for programs for domestic violence perpetrators is also lacking, noting that:

...insufficient Government programs have been set up to reduce the prevalence of domestic violence in Indigenous communities. Whilst there are some effective programs running, they are not frequent or widespread enough. For example, whilst the Ngaanyatjarra Pitjantjatjara Yankunytjatjara (“NPY”) Lands’ Cross Border Indigenous Family Violence Program, which services the Papunya community, has proven to be an extremely effective model, it only has the resources to run approximately ten programs per year with a maximum of 15 participants per program. Covering an area of around 450,000 km² with approximately 10,000 inhabitants, ten programs providing for a total of 150 people per year is not enough to effectively address the high rates of domestic violence occurring in Indigenous communities.¹¹⁰

5.131 The committee inquired into what happened when the women's shelter turned people away, and what the consequences of inadequate facilities and resourcing were. The Alice Springs Women's Shelter advised that they have no choice but to send women and children:

...back to where they were. There are really very few other options. We try very hard, when we are full and we cannot take somebody, to do a safety plan with them, to look at where they might be safe and what other support they have in town. Access to other crisis accommodation has got even worse in town over the last little while with the closure of Mount Gillen. The Aboriginal hostels now have up to a month's wait. Some of the other cheap accommodation in town is very hard. It is very hard for us to access motel accommodation. Yesterday we had to ring around for somebody that we wanted to put into motel accommodation. On three occasions we were asked if the person we were referring was Aboriginal and then we were told that they did not have a room. We finally got accommodation for that woman. Trying to access other accommodation is almost impossible. Often the best we can do is to provide women with a taxi voucher, make sure they know how to call the police and send them back to where they were.¹¹¹

5.132 The committee considers that to have a significant number of women and children—158 women and 100 children so far this year, from the Alice Springs Women's Shelter—turned away with a taxi voucher and returned to the unsafe and violent situation they were seeking refuge from is grossly unacceptable.

110 Central Australian Aboriginal Family Legal Unit, *Submission 81*, p. [2].

111 Ms Dale Wakefield, Alice Springs Women's Shelter, *Committee Hansard*, 1 May 2009, p. 52.

Recommendation 11

5.133 The committee recommends that the Commonwealth government coordinates, in cooperation with the relevant states and territories, a review of the number of deaths and serious injuries caused by family violence in Indigenous communities as well as the current unmet need for appropriate facilities and resources in the Ngaanyatjarra Pitjantjatjara Yankunytjatjara cross border region.

COAG Chronic disease initiative

5.134 The Central Australian Aboriginal Congress Northern Territory raised concerns with the new COAG commitment designed to 'deliver more health professionals to Indigenous communities, expand health services, and help tackle key risk factors like smoking'¹¹² through providing a significant amount of the money earmarked to General Practice (GP) providers. Congress believes that COAG is taking a one-size-fits-all approach to delivering these primary health services:

The problem that we have in the Territory is that a significant amount of the COAG money has already been earmarked for private general practice through new practice enhancement payments as well as through divisions. COAG said that nationally 70 per cent of service to Aboriginal people is delivered by private GPs. That figure is disputed. It might only be 50 per cent...In the Territory, it would be less than five per cent of services...and that is almost all in Darwin...So why would you go down the road of investing in divisions of general practice and putting all these initiatives in for private general practice in the Northern Territory? It does not make sense.¹¹³

5.135 Congress noted that it and the Northern Territory government are in agreement that the COAG proposal is not appropriate for the Northern Territory.

We and the Northern Territory government are working in absolute collaboration on this so that we achieve a needs based allocation to whoever the provider is. If the provider is a state health department, they get the money for primary health care; if the provider is a community, they get the money. We achieve equity, irrespective of the provider...

...We have raised it with Nicola Roxon. We are trying to get them to understand that geographically there is not a GP on every corner in major centres...because in effect it is going to create another barrier to access.

112 The Hon. Kevin Rudd, Prime Minister and Hon. Nicola Roxon, Minister for Health, *\$1.6 billion COAG investment in Closing the Gap*, Joint press release, 30 November 2008, <http://www.health.gov.au/internet/ministers/publishing.nsf/Content/mr-yr08-nr-nr164.htm> (accessed 15 June 2009).

113 Dr John Boffa, Central Australian Aboriginal Congress Northern Territory, *Committee Hansard*, 1 May 2009, p. 33.

They are going to have all this money given to GPs over here when Aboriginal people live out there, so it is going to widen the gap.¹¹⁴

5.136 The committee is concerned that Congress and the Northern Territory government's established process for delivering primary health care in regional and remote Indigenous communities may not be used to deliver substantial new Commonwealth 'Closing the Gap' funds. The diversity between the states and territories, as outlined in Chapter 3, illustrates that national statistics do not necessarily reflect the situation across and within each state and territory.

Aboriginal health workers review

5.137 While the committee was visiting the Western Aranda Health Aboriginal Corporation in Ntaria it was made aware of the issue of Aboriginal Health Worker (AHW) registration which now requires a Certificate IV level for which many potential workers do not have the literacy levels to complete. The committee asked whether the Central Australian Aboriginal Congress Northern Territory, who deliver primary health services, were aware of this issue with AHWs. Congress noted that this issue has been raised with them several times and that the problems started when:

...Aboriginal health worker training, probably more than seven years ago...became a part of the Australian national framework process where there are certain literacy requirements and people have to have a base level of literacy to be able then to enrol in the course. It is a Certificate IV course, an 18-month program, and the nature of that training has substantially contributed to a lack of health workers being able to reach accreditation. They have to get accredited and then through the Certificate IV course. Once they complete that, they then have to apply for registration through the Northern Territory Health Care Worker Registration.¹¹⁵

5.138 The committee notes that the Northern Territory is the only state with a registration system for AHWs. Although being registered allows AHWs in the Northern Territory to provide services on a 'for and on behalf of' basis under particular items in the Medical Benefits Schedule—covering immunisation, wound management, antenatal services and the monitoring and support of patients with a chronic disease care plan¹¹⁶—it is also a barrier to increasing AHW numbers.

5.139 Congress advised the committee that the Northern Territory government has commissioned an independent review into Aboriginal health worker training,

114 Dr John Boffa, Central Australian Aboriginal Congress Northern Territory, *Committee Hansard*, 1 May 2009, pp. 33-34.

115 Dr John Boffa, Central Australian Aboriginal Congress Northern Territory, *Committee Hansard*, 1 May 2009, pp. 36.

116 Australian Institute of Health and Welfare, *Aboriginal and Torres Strait Islander health labour force statistics and data quality assessment*, Catalogue no. IHW 27, April 2009, pp. 45-46.

recruitment and retention in the Northern Territory which the committee welcomes and will report on when the review is made public.