

Chapter 3

Follow up from the Committee's last report

3.1 This chapter provides an update on developments that the committee undertook to monitor after their last report of June 2009, and considers other developments related to the terms of reference.

Commonwealth

3.2 During its last report the committee resolved to monitor a number of issues relevant to Commonwealth policy impacting upon the lives of Indigenous people living in regional and remote Australia.

3.3 On 2 October 2009 the committee wrote to the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP, seeking a response in relation to the issues raised in their last report. These issues and the Minister's response are set out below.

COAG National Partnership Agreements

3.4 COAG has agreed to a number of National Partnership Agreements, new forms of payments to fund specific projects and to facilitate and reward states and territories that deliver on agreed reforms. Financial arrangements include incentive payments to reward performance.

3.5 The committee agreed to monitor the amount and timing of these incentive payments as well as gauge the impact this approach is having on improving the effectiveness of state and territory government policies.¹

3.6 The Minister has advised the committee that the term 'incentive' is not regarded as meaningful under the Federal Financial Framework, and that there are three types of payments being made under this Framework. These are project payments, facilitation payments and reward payments. Facilitation payments are up-front payments to the states and territories while project payments are provided to the states and territories after milestones are achieved.

3.7 None of the Indigenous-specific National Partnerships have reward payments associated with them.

3.8 The Indigenous Housing and Early Childhood payments are a mix of facilitation payments and project payments while the Indigenous Economic

1 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 9.

Participation, Indigenous Health and Remote Service Delivery National Partnerships do not contain any payments to the states and territories.²

Role of Coordinator-General for Remote Indigenous Services in Alice Springs Transformation Plan

3.9 The committee agreed to monitor the newly created role of the Commonwealth Coordinator-General in the implementation of the Alice Springs Transformation Plan and asked for information about the Transformation Plan.³

3.10 The Minister has advised the committee of the following:

On 29 July 2009, I announced that 40 year subleases had been agreed to by 16 of the 18 town camps in Alice Springs and steps were being taken to quickly finalise those leases to enable housing and infrastructure works to commence in early August 2009. However, some town camp residents subsequently brought legal action which sought to restrain both the execution of those agreed leases and to stop compulsory acquisition. Interim injunctions were obtained pending the resolution of a hearing held on 31 August and 1 September. A decision has not yet been handed down. I remain committed to finding a way to improve housing and living conditions in the town camps as quickly as possible and would prefer to proceed on the basis of agreed leases if possible.

The Government has continued with its substantial commitment under the Alice Springs Transformation Plan which includes over \$25 million for social services, \$11 million for a managed visitor accommodation facilities to reduce homelessness as well as \$13.4 million from the Nation Building - Economic Stimulus Plan for additional managed accommodation targeted at people requiring accommodation for medical treatment including renal dialysis and transitional accommodation.

Progress includes:

- development of an intensive case coordination model in conjunction with Centrelink, which has commenced operation in the town camps;
- \$100,000 for an additional Alcohol Counsellor, who started work with Central Australian Aboriginal Congress (CAAC) in September to fill a gap in alcohol treatment services;
- \$1.5 million for the CAAC to expand and improve its Targeted Family Support Service which provides intensive case management for individual families. Additional staff will include two social workers and two Indigenous case workers to expand its case management capacity from 15 to 50 families;

2 Correspondence to committee from the Hon Jenny Macklin MP, 23 November 2009.

3 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 16.

- Communities for Children Early Childhood and Family Support Project – a service provider is expected to be announced in the near future;
- installation of up to two demountables and an ablution block at the Central Australian Aboriginal Alcohol Programs Unit (CAAAPU);
- \$87,110 in further funding for the Alice Springs Town Council to continue dog control and licensing in the town camps until June 2010;
- \$13.4 million from the Nation Building - Economic Stimulus Plan to construct three new short term accommodation facilities which will provide up to 97 new beds in Alice Springs. Construction of the first of these projects is due to begin in December 2009; and
- a preferred site to locate an additional short term visitor accommodation facility has been identified in Alice Springs and Northern Territory Government officials are seeking the relevant Ministerial approvals to purchase the site. Arrangements for the type and configuration of the accommodation units as well as the supported accommodation management model are progressing to ensure that some accommodation facilities can be quickly established as soon as the site is secured.

Implementation of the Alice Springs Transformation Plan is overseen by a Joint Steering Committee which comprises representatives of the Australian Government, Northern Territory Government, Lhere Artepe Aboriginal Corporation, Alice Springs Town Council and Tangentyere Council. The Coordinator-General receives updates on the implementation of the Alice Springs Transformation Plan.⁴

Expanding children's services and family support

3.11 The NTER measures provided \$859 000 for five playgroups and \$400 000 to expand current and early childhood programs. Around \$4.2 million was allocated to funding for 10 new crèches in communities that had no learning and child care services for children under five years. Funding was also directed towards upgrades for up to 16 existing crèches with identified urgent health and safety concerns.⁵

3.12 The committee undertook to report on the progress of these important services in this report. An update of progress on this measure was reported in the latest NTER Monitoring Report and is discussed below. However the Minister advised the committee that funding provided for the expansion of early childhood services in the Northern Territory was provided to four different service providers for 2007–09. The funding in 2008–09 enabled greater numbers of Indigenous children and families (around 265 parents/caregivers) to access these services which included:

4 Correspondence to committee from the Hon Jenny Macklin MP, 23 November 2009.

5 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 85.

- Child nutrition prevention and intervention sessions - to improve the health and well-being of babies and children;
- Health education program about pregnancy - breastfeeding and early parenting;
 - Support program to enhance parenting practices
 - Strengthen family units
 - Develop children's social skills;
 - Reduce problematic behaviour; and
- Alcohol and Drug rehabilitation program for families and children.⁶

3.13 The committee was also advised that new funding agreements for 2009–12 have been signed by four early childhood service providers to enable them to continue these services and that five new facilitated playgroups were established as part of the Northern Territory Emergency Response. Two Intensive Support Playgroup providers commenced the delivery of mobile playgroup activities and individualised family support in May 2009 and new funding agreements for 2009–12 have been signed to enable them to continue their services.⁷

3.14 One Locational Supported Playgroup provider started delivery of playgroups, in May 2009 and two others commenced in September 2009. Funding agreements were signed by all three service providers in 2008–09 (for two years) and new funding agreements will be entered into for the period 2009–12.⁸

3.15 The committee is pleased that providers are being offered funding security of up to three years and encourages the Commonwealth government to continue longer term funding arrangements.

Safe Houses

3.16 The committee undertook to monitor the operation of safe houses and the existence of negotiated community management plans to govern safe houses.⁹ An update of progress on this measure was reported in the latest NTER Monitoring Report and is discussed below.

3.17 The Minister advised that 21 of the 22 safe houses (now referred to as safe places in the NTER Monitoring Report) have been opened. This includes two transitional houses in Alice Springs and Darwin, and 19 safe places in remote

6 Correspondence to committee from the Hon Jenny Macklin MP, 23 November 2009.

7 Ibid.

8 Ibid.

9 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, pp 86 and 89.

communities. Refurbishment of a women's safe place in Angurugu will be completed by the end of December 2009.¹⁰

3.18 The operation of safe houses is the responsibility of Northern Territory (NT) Department of Health and Families. Minister Macklin has advised the committee that staff in remote safe houses are supported by project officers based in Darwin who regularly travel to communities to provide face to face support and provide daily telephone contact to staff.

3.19 The NT Department of Health and Families has advised Minister Macklin that Memoranda of Understanding (MOU) between safe places and other services such as police and night patrols will be developed and adapted to the local community conditions in order to:

...establish a formal cooperative framework for the provision of safety to women and children in the remote communities. Safe houses will be known as a neutral place for all women wishing to take an active part in stopping violence for themselves, their families and their communities.

The Australian Government is working with communities to take forward a range of enhancements to the Safe Place sites including:

- minor refurbishments;
- landscaping, aided by Greening Australia and using local workers; and
- painting, murals, children's play areas, outdoor seating, barbeque facilities etc that make families feel more comfortable using the facilities, and engage the community.¹¹

Diversionary activities for young people

3.20 In its last report, the committee agreed with the NTER Review's recommendation that a comprehensive strategy for youth development services to address both capital infrastructure and recurrent funding, linked to a wider community development framework, was required.¹² The committee undertook to monitor progress made towards developing this strategy and implementing a range of diversionary activities for young people under the NTER measures.¹³

3.21 An update of progress on this measure was reported in the latest NTER Monitoring Report and is discussed below. The Minister has also advised the committee that funding of \$28.4 million over three years was announced in the May

10 Correspondence to committee from the Hon Jenny Macklin MP, 23 November 2009.

11 Ibid.

12 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 91.

13 Ibid, p. 92.

2009 Budget under the Closing the Gap in the Northern Territory Youth in Communities measure. This is intended to provide comprehensive youth services infrastructure across priority Indigenous communities in the Northern Territory.¹⁴

3.22 Minister Macklin has stated that achievements to date include:

- an overarching strategic framework and comprehensive program guidelines for the Closing the Gap in the NT Youth in Communities funding measure has been finalised, with a senior officers group being set up to provide oversight of implementation.
- four continuation projects have been approved for funding, to a total value of \$3.706 million. Projects will be funded over three years, and are expected to provide employment and training opportunities for approximately 44 youth workers across eight Remote Service Delivery townships, one Territory Growth township, and a number of other priority communities. Negotiation of funding agreements for these projects is currently underway, with the projects likely to commence implementation from late November 2009.
- a survey of the NT Remote Service Delivery and NT Growth townships with Indigenous youth populations above the NT average. This survey will inform the funding of new projects under the Youth in Communities measure and is expected to be completed by the first week of December 2009.
- applications to fund new youth projects under the Youth in Communities measure is on schedule for early December 2009, with agreements expected to be in place to commence projects by late January 2010.¹⁵

3.23 The committee is pleased to report on this progress however is concerned that more information on how priority Indigenous communities are selected is not available.

School breakfast and lunch program

3.24 The committee sought an update on the number of schools with operational breakfast and lunch programs and whether this is having a demonstrable impact on school attendance.¹⁶

3.25 An update of progress on this measure was reported in the latest NTER Monitoring Report and is discussed below. The Minister has also advised that as of 2 November 2009 there were 64 remote schools in the NT with a School Nutrition Program in place. Of these, 59 are government schools and five are NT Catholic Education Office schools. This program provides an estimated 7000 meals per day to

14 Correspondence to committee from the Hon Jenny Macklin MP, 23 November 2009.

15 Ibid.

16 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 85.

the 4400 attending school students, consisting of 2600 breakfasts and 4400 lunches (based on August 2009 NT Department of Education school enrolment and attendance data).¹⁷

3.26 The Minister has told the committee that she has advice to indicate that nearly all program contributions are made under Income Management arrangements and as of 13 November 2009, of the 3782 Centrelink customers whose income is being managed who have school aged children, 3209 (or 85 per cent), were voluntarily contributing toward the School Nutrition Program.¹⁸

3.27 A list of all schools with School Nutrition Programs in place is at appendix three.

3.28 All schools in the program provide lunch but not all schools provide breakfast. In some schools, parents provide breakfast to their own children and in 14 schools breakfast is supplied under the Red Cross Good Start Breakfast Club initiative.

3.29 In relation to the impact this program is having on school attendance the Minister has stated that:

In its recent performance audit of the School Nutrition Program, the Office of Evaluation and Audit (Indigenous Programs) [OEA] found that 'the number and relative importance of other factors impacting [on] student attendance and engagement makes it difficult for [The Department of Education, Employment and Workplace Relations (DEEWR)] to be able to attribute any changes in student attendance and engagement specifically to the implementation of [the School Nutrition Program]' (OEA Performance Audit of the School Nutrition Program, June 2009, p.15 para 2.8).¹⁹

Support for Carers

3.30 During its last reporting period the committee heard compelling evidence about the needs for increased aged care and disability services as well as additional support for carers. It was asserted that many people who should be eligible for carers payments did not have access to them. The committee raised this with the Commonwealth at their hearing in Canberra and was pleased to hear that this was an issue that FaHCSIA and Centrelink were already aware of and that steps were being taken to address the problem. The committee undertook to report on progress made to resolve this problem during its inquiry process.²⁰

17 Correspondence to committee from the Hon Jenny Macklin MP, 23 November 2009.

18 Ibid.

19 Ibid.

20 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 132.

3.31 The Minister has advised that this situation is being addressed through a change to the definition of a Treating Health Professional to include Indigenous health workers and other visiting medical services. This will enable Indigenous people in remote and rural areas to have their Care Load needs assessed in their community rather than having to travel outside of community as in the past.

3.32 The Minister has advised the committee that Centrelink is in the final stages of completing the Indigenous Carers DVD (Caring for Our People) in English and ten Indigenous languages to be distributed to communities and is investigating running the Indigenous Carers DVD on National Indigenous Television. In addition, Centrelink is developing radio messages for regional and remote community radio stations.²¹

3.33 The committee looks forward to considering the impact this has on services for Indigenous carers in its future reports.

3.34 The committee also wrote to the Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery, the Hon Warren Snowdon MP, seeking a response in relation to issues considered in its last report. These are presented below.

COAG Health National Partnership

3.35 The Health National Partnership includes targets to deliver health checks to 55 per cent of the adult Indigenous population (around 155 000 people) over 5 years with about 600 000 chronic disease services delivered in the same period. The Partnership also commits to provide more than 90 000 Indigenous people with a chronic disease with a self-management program and around 74 500 Indigenous people with financial assistance to improve access to Pharmaceutical Benefits Scheme (PBS) medicines.

3.36 The committee agreed to follow the progress of this initiative and to gather details on issues such as the number of Indigenous adults receiving health checks, what chronic diseases are being targeted and the impact this is having.²²

3.37 Minister Snowdon advised that the Commonwealth is contributing \$805.5 million over four years for an Indigenous Chronic Disease Package. The package has 14 separate measures to address chronic disease risk factors, encourage better management of chronic disease in primary health care services, improve follow up care, and increase the capacity of the primary health care workforce to deliver effective health care to Indigenous people.

21 Correspondence to committee from the Hon Jenny Macklin MP, 23 November 2009.

22 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 13.

3.38 The committee was advised that figures in its June 2009 report reflect targets in November 2008. Since then the targets have been revised, with the package intended to result in more than 133 000 additional health checks, 400 000 additional chronic disease management services for Indigenous people with a chronic condition, support for over 50 000 Indigenous patients with a chronic disease to better self manage their condition and financial assistance to improve access to PBS medicines to over 70 000 Indigenous people over four years.

3.39 Implementation of the Chronic Disease Package commenced on 1 July 2009 but the majority of service delivery is scheduled to commence between May and July 2010.

3.40 Indigenous health checks and follow up chronic disease items are currently being delivered through the Medicare Benefits System. The new arrangements to substantially increase take-up will not occur until November 2009 for the enhanced Practice Nurse/Aboriginal Health Worker follow up items, December 2009 for the funding of Indigenous Outreach Worker positions, May 2010 for the Practice Incentives Program Indigenous Health Incentive, and July 2010 for the PBS co-payment measure. Chronic Disease Self Management activities will commence from July 2010.²³

3.41 As the measures have not yet commenced operation, the committee is unable to report on whether these targets are likely to be met. The committee looks forward to reporting further on their implementation in the next report.

Access to dental services for Indigenous people in rural and remote areas

3.42 The committee undertook to follow the Commonwealth's commitment of \$11 million over four years to improve access to dental care services for Indigenous people in rural and remote areas. The committee notes that, in order to achieve this, the Commonwealth government announced a trial of mobile dental facilities and committed to evaluating this trial.²⁴

3.43 The Minister advised that under the Indigenous Mobile Dental Pilot (IMDP) program the commitment of \$11 million over four years will be used to develop a series of projects to implement and test models of mobile dental service delivery to Indigenous people in rural and regional Australia. The Department has commissioned a literature review of dental service delivery to Indigenous populations in rural and regional areas, and issued a request for tender for a consultant to identify suitable projects, including identification of locations and models for service delivery and governance. Tenders closed on 27 October 2009.

23 Correspondence to committee from the Hon Warren Snowden MP, received 9 November 2009.

24 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 21.

3.44 The Minister anticipates that an evaluation strategy for the trial of mobile dental facilities will be developed in the near future and that the geographic coverage of projects will be based on recommendations from the consultant.²⁵

Northern Territory

3.45 During its last report the committee also undertook to monitor a number of issues relevant to Northern Territory government policy impacting upon the lives of Indigenous people living in regional and remote parts of the NT.

3.46 The committee wrote to the Northern Territory Minister for Indigenous Policy, the Hon Malarndirri McCarthy, seeking a response in relation to the issues presented below.

Safe Houses

3.47 As the NT government is responsible for managing safe houses in the NT, the committee undertook to monitor whether consultation with communities about their monitoring and operation was occurring.²⁶

3.48 On 23 November 2009, Minister McCarthy advised the committee that there are currently 19 remote safe houses which have been opened and staffed by local people employed by the NT Department of Health and Families at an A03 level. Minister McCarthy confirmed the information provided by Minister Macklin in relation to safe place project officers and the type of support they provide to local staff. In addition Minister McCarthy advised that pre-employment training has been provided to staff and a mentoring program is being planned to provide additional support.²⁷

3.49 In response to how the management and operation of the safe houses was progressing, the committee was advised that the NT government was addressing community integration issues through a 'high level Memorandum of Understanding between Safe Places, Night Patrol and Police which can be adapted to each community's specific circumstances.'²⁸

25 Correspondence to committee from the Hon Warren Snowden MP, received 9 November 2009.

26 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 86.

27 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

28 Ibid.

Activities for young people

3.50 The committee undertook to monitor the extent to which diversionary and other activities for young people in regional and remote Indigenous communities was available, and how this was being supported by the NT government.²⁹

3.51 Minister McCarthy confirmed Minister Macklin's advice in relation to this issue as detailed in paragraph 3.17 above and provided additional information on the NT government's Building a Better Future for Young Territorians Progress Report 2008–2009.³⁰

Teacher numbers and housing in the NT

3.52 The NTER provided funding for an additional 200 teachers for the NT, with a commitment from the Commonwealth government of \$98.8 million over 5 years to help the NT government achieve this.

3.53 The committee undertook to follow up how this measure was being implemented, as well as how accommodation needs were to be managed³¹.

3.54 Minister McCarthy provided the following information:

The 200 teachers funded through the NTER were to be allocated as follows:

- 170 teachers employed by the Department of Education and Training (DET); and
- 30 teachers employed through non-government schools (NGS).

The funding has been spread over four years, with a total of 50 teachers per annum being deployed from 1 July 2008 onwards. This includes 42.5 teacher positions through DET and 7.5 through NGS.

As of August 2009, the implementation of this measure had reached the following milestones:

- 85 teachers were deployed by DET; and
- 12 teachers were deployed by the Catholic Education Office.³²

29 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 91.

30 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

31 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 94.

32 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

3.55 The committee is pleased that additional teachers are being deployed to NT schools and will be seeking further details from the NT government on where these additional teachers are being located and how their housing needs are being met.

Working Future Policy

3.56 The Working Future policy outlined the Northern Territory government's intention to reduce red tape through the employment of a Northern Territory Coordinator-General for remote service delivery. The committee noted that this is a similar position to that of the Commonwealth Coordinator-General. The committee is interested in the improvements and effectiveness that both of these positions have had on remote service delivery.

3.57 The policy also promises to improve funding arrangements and acknowledges that the provision of funds on an annual basis makes planning difficult. The policy undertakes to 'put in place a new way of allocating funding that is fair and that provides certainty for communities.'³³

3.58 The committee welcomed the policy in its last report and undertook to monitor and report on any funding changes and the effects the changes may have on service delivery, as well as the impact of the role of the NT Coordinator-General for remote service delivery.³⁴

3.59 Minister McCarthy advised that The Northern Territory Coordinator-General is expected to provide his first six monthly report by the end of November 2009 but was in a position to provide the following information to the committee. In the view of the Coordinator-General:

...funding to service providers, Shires and non-government organisations should be significantly streamlined. The [Coordinator-General] further advises that his preference is for funding cycles of at least three to five years. This would enable service providers to have more certainty for staff recruitment and retention and provide improved stability of services to constituents in remote towns.

Additionally, the Coordinator General is of the view that all funding should be linked to Shire statutory obligations under the Local Government Act. In other words, funding should be acquitted through the Act's financial and performance acquittal process rather than through arbitrary timelines set by agencies. The Coordinator General further intends to recommend that there

33 Northern Territory government, *Working Future*, http://www.workingfuture.nt.gov.au/remote_services.html (accessed 25 November 2009).

34 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 149.

be a clearer method of identifying funding to Remote Service Delivery and Growth Towns in Government budget processes.³⁵

3.60 The committee considers that funding agreements of three to five years duration would be a significant improvement on current uncertainty for many service providers and encourages both the NT and Commonwealth governments to support this recommendation.

Funding for homelands and outstations

3.61 The committee's second report included concerns about the funding of homelands and outstations following changes to NT and Commonwealth government policy. The committee noted that the Memorandum of Understanding between the NT and Commonwealth governments on Indigenous Housing, Accommodation and Related Services did not include a requirement that any of this money previously earmarked for outstations need be spent on outstations.³⁶

3.62 The committee undertook to seek further information about how homelands and outstations were to be funded.

3.63 Minister McCarthy has advised that the NT government took over responsibility for homelands and outstations from the Commonwealth government on 1 July 2008. An amount of \$20m per annum is transferred by the Commonwealth to the Northern Territory Government for municipal and essential services. The NT government allocates an additional \$8m per annum for housing repairs and maintenance. The Commonwealth government has also provided \$5.5m to the NT government to convert Community Development Employment Projects (CDEP) places to municipal and essential services positions.³⁷

Through the Working Future policy, the Northern Territory Government has publicly stated that it values the contribution of homelands and outstations to the economic, social and cultural life of the Territory. The Government's headline policy, released in May 2009, establishes the following:

- Government will continue to provide municipal, essential and housing repairs and maintenance services to existing homelands and outstations that are occupied at least eight months of the year.
- Through in-depth consultations, Government will clarify residents' expectations of support and service delivery.

35 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

36 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 150.

37 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

- Government will improve the transparency of service delivery arrangements and introduce a new disbursement model for the allocation of resources.

The Northern Territory Government is currently conducting the Stage 4 of the homelands and outstations consultations with residents and service providers. These consultations are expected to be completed by 15 December 2009 and will enable the Government to:

- a) formulate a new funding allocation model to be in place as at 1 July 2010 based on a combination of estimated costs of service delivery, planned investments, residents' needs and available resources; and
- b) establish the extent of any potential gaps in funding for services and support to homelands and outstations.³⁸

Student/teacher ratios and ESL services to remote schools

3.64 The committee undertook to seek information about current student/teacher ratios and English as a Second Language (ESL) services to remote Indigenous schools after concerns were raised with the committee during the last reporting period that ESL needs of Indigenous students in remote and regional schools were not being taken into account.³⁹

3.65 The committee has been advised by Minister McCarthy that teacher/student ratios used for teacher allocation purposes in NT government schools are as follows:

- Preschool: one teacher for twenty students (1/20);
- Primary school: 1/22;
- Middle school: 1/17; and
- Senior school: 1/14.⁴⁰

3.66 The Minister also advised that as of October 2009, there were 21 general classroom teacher vacancies in remote schools, of which eight were due to resignations. The recruitment process is currently in progress for all these 21 positions.

Although no changes have been made to teacher/student ratios used for allocation purposes to date, the priority with the deployment of additional teachers above formula allocations (such as those provided through the '200 teachers' initiative) has been to increase teacher numbers in the early years

38 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

39 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 157.

40 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

in remote and regional primary schools in order to achieve improved English language literacy outcomes.

With regard to specialist ESL teachers, it should be noted that the data is more complex due to varying staff allocation methodologies (these are currently under review as part of the broader staff allocation methodology). As of October 2009, a total of 63.6 Full-Time Equivalent (FTE) ESL teaching positions were allocated across all remote schools. This figure includes senior teachers who work across a number of smaller schools.⁴¹

3.67 The committee will consider the issue of student/teacher ratios and the provision of ESL services in the NT in future reports and looks forward to following the review of staffing allocation methodologies currently being undertaken by the NT government.

The Northern Territory Emergency Response

3.68 The committee reported extensively in its last report on the legislative basis, administration and substantive nature of the NTER measures. Earlier this year the Commonwealth renamed the NTER measures 'Closing the Gap in the Northern Territory'.

3.69 As the committee noted in its report of June 2009, the measures were the subject of an independent review led by Mr Peter Yu in 2008. The review report was provided to the Minister, the Hon Jenny Macklin MP, on 30 September 2008 and released publicly on 13 October 2008. The Commonwealth and Northern Territory governments responded to this review on 21 May 2009 through a joint statement. On the same day, the Commonwealth government released a discussion paper titled Future Directions for the Northern Territory Emergency Response (NTER Discussion Paper) which outlined elements of the NTER which the Commonwealth government was committed to amending.

3.70 As the committee reported comprehensively on the NTER in its last report, the details of the NTER and evidence the committee gathered during the last reporting period will not be repeated here. Instead an update on issues related to the NTER and its implementation is discussed by the committee below.

Closing the Gap in the Northern Territory National Partnership Agreement

3.71 Since the committee's last report the Commonwealth and Northern Territory governments signed a bilateral agreement on 31 July 2009.⁴² This agreement was made as part of COAG's National Indigenous Reform Agreement. The agreement

41 Correspondence to committee from the Hon Malarndirri McCarthy, received 23 November 2009.

42 Advice provided to secretariat by the Department of Prime Minister and Cabinet.

formalises a number of NTER measures as part of the COAG framework and provides for these measures to continue until 30 June 2012.⁴³

3.72 The agreement has the stated objectives of enhancing services in the Northern Territory which protect children, supporting law and order, and delivering quality education and health services.⁴⁴ The agreement states that this will be achieved through the following strategies:

- (a) Income Management and Welfare Reform:
 - (i) maintenance and extension of income management consistent with the Racial Discrimination Act, after appropriate consultation has been undertaken, to eligible welfare recipients in prescribed communities;
 - (ii) assessing, licensing and monitoring community stores and ensuring food security in communities without a store; and
 - (iii) additional language, literacy and numeracy training places to enhance the sustainable employment prospects by improving skills, including financial management services to help individuals and families manage their income effectively.
- (b) Law and Order:
 - (i) provision for 60 Northern Territory Police to replace Australian Federal Police as part of the NTER;
 - (ii) the construction of five new police stations and continued operational funding of temporary Themis police stations;
 - (iii) development of alcohol management plans and targeting alcohol related health and social issues, alcohol related offending and anti-social behaviour, and enhancing compliance and community education;
 - (iv) continued provision of legal assistance to Indigenous Australians for matters arising as a result of the NTER;
 - (v) continued support for the Northern Territory Aboriginal Interpreter Service
 - (vi) continued support for the Welfare Rights Outreach Project; and
 - (vii) the establishment and/or continued operation of 81 night patrol services
- (c) Family Support:

43 Council of Australian Governments, *Closing the Gap in the Northern Territory National Partnership Agreement*, p. 4.

44 Council of Australian Governments, *Closing the Gap in the Northern Territory National Partnership Agreement*, p. 6.

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- (i) support for 22 safe houses that have been established in Darwin, Alice Springs and 15 remote communities;
 - (ii) continuation of the operation of the Mobile Child Protection Team;
 - (iii) continuation of the existing Remote Aboriginal and Family and Community Worker program in at least 13 communities; and
 - (iv) youth projects, services, organisations and infrastructure to promote positive behaviours amongst young people in the Northern Territory.
 - (d) Early Childhood:
 - (i) services to improve the skills of families and to educate young people about pregnancy, birth and parenting including through ongoing funding of playgroups; and
 - (ii) continuation of the operation of the nine crèches established under the NTER and capital funding to finish construction of one crèche and to provide upgrades to two existing crèches.
 - (e) Improving Child and Family Health:
 - (i) continuation of the expanded primary health care services initiatives;
 - (ii) providing ear and hearing services, in particular, the completion of Ear, Nose and Throat specialist care;
 - (iii) continuing follow up dental care for children; and
 - (iv) substantially strengthening the Mobile Outreach Service to address child abuse related trauma.
 - (f) Enhancing Education
 - (i) the construction of at least 22 extra houses for teachers in remote communities during 2009–10;
 - (ii) continuation of the School Nutrition program supporting improved school attendance and to help with learning and engagement in education; and
 - (iii) Accelerating Literacy and Numeracy programs and Quality Teaching initiatives.
 - (g) Remote Service Delivery
 - (i) continuation of Government Business Managers (GBMs) in prescribed communities;
 - (ii) building capacity of interpreter services to support engagement between Indigenous communities and government and non-government agencies;
 - (iii) outreach visits to remote Indigenous communities by the Commonwealth Ombudsman;

- (iv) implementation of the Remote Service Delivery National Partnership oversighted by Commonwealth and Northern Territory Coordinators General for Remote Service Delivery; and
 - (v) the Remote Service Delivery National Partnership which involves governments working together to implement a new remote service delivery model initially in 26 priority locations across Australia. Fifteen larger major works communities in the Northern Territory have been agreed as the locations for initial investment under this approach. They are Angurugu, Galiwinku, Gapuwiyak, Gunbalanya, Hermannsburg, Lajamanu, Maningrida, Milingimbi, Nguiu, Ngukurr, Numbulwar, Wadeye, Yirrkala, Yuendumu and Umbakumba.
- (h) Resetting the Relationship:
- (i) leadership development, engagement and community development workshops to build local capacity and support people on the ground; and
 - (ii) employment and training of 15 Indigenous Engagement Officers (IEOs) in priority locations in the Northern Territory, which will be complemented by a further 15 IEOs through the Remote Service Delivery National Partnership.
- (i) Evaluation of the Closing the Gap in the Northern Territory initiatives in 2011–12.⁴⁵

3.73 The committee considers that having such explicit strategies as part of the COAG framework is a positive step towards better monitoring and reporting of activities. However the committee is keen to ensure that the impact of these strategies is rigorously measured to ensure that actions are actually having a positive impact on people's lives.

Genuine consultation, engagement and partnership

3.74 FaHCSIA released the latest Monitoring Report of the NTER measures on 22 October 2009, covering the period January–June 2009. Monitoring Reports provide departmental progress against the NTER initiatives.

3.75 The latest Monitoring Report states that more than 500 community consultations on changes to the measures have taken place, as well as workshops with

45 Council of Australian Governments, *Closing the Gap in the Northern Territory National Partnership Agreement*, pp 6–8.

regional leaders and Indigenous organisations in the Northern Territory to inform them of the changes to the legislation that the Commonwealth has committed to.⁴⁶

3.76 The committee notes that two reports arising from these consultations, Report On the Northern Territory Emergency Response Redesign Consultations and Report On the NTER Redesign Engagement Strategy and Implementation, were placed on the FaHCSIA website on 23 November 2009. In a press release on the same day Ministers Macklin and Snowdon stated that:

This comprehensive consultation process reflects the Australian Government's determination to build strong and positive relationships with Indigenous Australians based on cooperation, mutual respect and responsibility.

...

- While a broad range of views were expressed in consultation meetings, some common themes emerged:
- Overall, people said that children, women and the elderly were now safer, better fed and clothed; they were getting a better night's sleep; and there was a reduction in humbugging for money for alcohol, drugs and gambling. This was attributed to a combination of NTER measures, in particular income management, alcohol restrictions, community store licensing and the increased police presence;
- People identified income management was delivering benefits, particularly to children, women and the elderly. The benefits included more money being spent on food, clothing and school-related expenses, and assisting with saving for large purchases, such as fridges and washing machines.
- Some people felt that those who had proven their capacity to manage their money should not be income managed, and many people commented that it unfairly targeted Aboriginal people;
- The most frequent comment on the pornography restrictions was that people do not want pornography in their communities and are satisfied to have the NTER controls on sexually explicit and very violent films and magazines continue, along with the controls on use of publicly funded computers;
- Many people (particularly women) indicated very strongly that the alcohol restrictions should stay in place but that local responses were needed to effectively address alcohol misuse;
- There were some strongly expressed views about the signs notifying the NTER alcohol and pornography restrictions;

46 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 1*, October 2009, pp 5–6.

- Community stores licensing was regarded positively and seen as contributing to improvements in the range and quality of food and household items available from local stores;
- People expressed the desire of Aboriginal people to take greater ownership of solutions to the problems that the NTER is seeking to address;
- People expressed strong support for the Government's commitment to restore the operation of the Racial Discrimination Act.⁴⁷

3.77 The committee is pleased to learn of efforts to improve the level of consultation and engagement that communities are experiencing but did not receive any evidence from communities or organisations to indicate that the experience of people in the NTER communities has improved. The committee notes that a report prepared by the Jumbunna Indigenous House of Learning and launched by former Prime Minister the Hon Malcolm Fraser on the same day as the NTER consultation reports has found that the consultation process has been inadequate.⁴⁸

Housing

3.78 As the committee has previously reported, adequate housing was considered by the NTER Review to be so fundamental to environmental health and safety that it recommended substantial investment of public funds in community housing. The review found that this was dependent on security of tenure and where land was being compulsorily acquired, it should be subject to a 'just terms' payment.

3.79 In particular the Review recommended payment of just terms compensation to Aboriginal landowners for the acquisition and use of their property without consent from the date of the original acquisition, and that rent be paid to the Aboriginal landowners. The Commonwealth government accepted this recommendation and asked the Northern Territory Valuer-General to determine a reasonable amount of rent.⁴⁹

3.80 The Commonwealth has commenced making payments in relation to two Tiwi Island communities for land covered by five year leases under the NTER. These two communities are Milikapiti and Pirlangimpi and they will receive payments backdated

47 The Hon Jenny Macklin, MP, Minister for Families, Housing, Community Services and Indigenous Affairs and the Hon Warren Snowdon MP, *Comprehensive consultation on redesigning the Northern Territory Emergency Response*, Joint press release, 23 November 2009.

48 Jumbunna House of Indigenous Learning, *Will They be Heard? A response to the NTER Consultations June to August 2009*, November 2009.

49 *Australian Government and Northern Territory Government Response to the Report of the NTER Review Board*, May 2008, p. 4.

to the commencement date of the leases. The rate of payment has been assessed by the Northern Territory Valuer-General.⁵⁰

3.81 The Commonwealth government has stated that it is committed to paying rent for the other NTER communities after consultation with the Central and Northern Land Councils.⁵¹

3.82 The committee is pleased to be able to report that progress has been made on the implementation of this recommendation and looks forward to reporting further on just terms payments in 2010.

Strategic Indigenous Housing and Infrastructure Program (SIHIP)

3.83 The Commonwealth government's Strategic Indigenous Housing and Infrastructure Program (SIHIP) was announced in April 2008.⁵² While it was never intended to be part of the NTER measures, given the importance of housing in so many of the issues related to Indigenous wellbeing and the NTER Review recommendation discussed above at paragraph 3.71, the committee considers it useful to report on progress made under this program in the context of the NTER measures.

3.84 SIHIP is a partnership between the Commonwealth and Northern Territory governments to deliver the construction of around 750 new houses, the demolition of 230 uninhabitable houses, 500 housing upgrades, essential infrastructure to support new houses and improvements to living conditions in town camps.⁵³ This is intended to be completed by 2013.⁵⁴

3.85 The committee understands that the Northern Territory government has engaged three construction company consortia to deliver the program with a target of 20 per cent set for Indigenous employment across the program.⁵⁵ The SIHIP

50 The Hon Jenny Macklin, MP, Minister for Families, Housing, Community Services and Indigenous Affairs and the Hon Warren Snowdon MP, *Commencement of rent payment for five year leases*, Joint press release, 2 October 2009.

51 The Hon Jenny Macklin, MP, Minister for Families, Housing, Community Services and Indigenous Affairs and the Hon Warren Snowdon MP, *Commencement of rent payment for five year leases*, Joint press release, 2 October 2009.

52 Dr Jeff Harmer, Department of Families, Housing, Community Services and Indigenous Affairs, *Community Affairs Estimates Hansard*, 23 October 2009, p. 10.

53 FaHCSIA, *New Remote Housing System - NT*, http://www.fahcsia.gov.au/sa/indigenous/progserv/housing/pages/newremote_housing_system.aspx (accessed 23 June 2009).

54 NT Department of Local Government and Housing website <http://www.housing.nt.gov.au/remotehousing/sihip> (accessed 30 October 2009).

55 NT Department of Local Government and Housing website <http://www.housing.nt.gov.au/remotehousing/sihip> (accessed 30 October 2009).

allocation of \$672 million⁵⁶ is part of the COAG National Partnership Agreement on Remote Indigenous Housing which has a total budget allocation of \$5.5 billion over 10 years.⁵⁷

3.86 As the committee reported in its last report, the Commonwealth government has stated that appropriate land tenure arrangements must be in place before construction can commence. Leases are now in place in Maningrida, Gunbalanya, Wadeye, the Tiwi Islands, Groote Eylandt, Bickerton Island and the Tennant Creek town camps.⁵⁸

3.87 In its last report the committee noted the high level of confusion that surrounded the SIHIP program. The program has attracted significant media attention with numerous reports that the program is failing to live up to expectations. The Secretary of the Department of Families, Housing, Community Services and Indigenous Affairs, Dr Jeff Harmer, clarified the departments' advice in relation to the SIHIP program during the October 2009 estimates hearings to the Community Affairs committee. He stated that the program:

...would provide substantial capital works to 73 remote communities as well as to a number of targeted town camps over five years...

Major works...would be delivered in 16 of these communities, with refurbishment work to existing housing in another 57. The targeted town camps would also receive major works, including new houses and refurbishments as well as the upgraded infrastructure services, such as power, water, sewerage, roads, drains and street lighting. These improvements are intended to bring these urban living areas up [to] the same standard as other suburbs in the town.

...the Northern Territory government began the procurement process for the alliance consortiums that would deliver the work under the alliancing model. This was an open process to run in two stages and was completed in October 2008.

Three consortiums were chosen, which included some of Australia's largest and most experienced construction companies...Recently...the program has been in the public eye, particularly around ensuring that it is achieving the

56 The Hon Jenny Macklin, MP, Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Rob Knight MLA, NT Minister for Housing and the Hon Warren Snowdon MP, *Leases signed in Maningrida, Gunbalanya and Wadeye*, Joint press release, 10 September 2009.

57 The Hon Jenny Macklin, MP, Minister for Families, Housing, Community Services and Indigenous Affairs, *Joint Press Release with the Attorney-General, the Hon Robert McClelland MP*, 21 October 2009.

58 The Hon Jenny Macklin, MP, Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Rob Knight MLA, NT Minister for Housing and the Hon Warren Snowdon MP, *Leases signed in Maningrida, Gunbalanya and Wadeye*, Joint press release, 10 September 2009.

targets set by government of constructing 750 new houses and providing 230 rebuilt houses and 2,500 refurbished houses by the end of 2013.

The review of SIHIP, conducted in August, examined these issues and put in place a number of arrangements to ensure the program will achieve these goals. This includes streamlined management arrangements and greater involvement by the Australian government on the day-to-day program management and delivery of the program... I can assure you that we are now very actively involved in this program in the Northern Territory. We are already seeing the impact of these changes, with program management costs reduced...from 11.4 per cent to eight per cent...

...Capital works under the program are now gathering pace, with a number of new houses underway and 60 rebuilds and refurbishments now underway or completed. This is expected to increase to almost 50 new houses under construction and more than 180 rebuilds and refurbishments underway or completed by December 2009. I will just repeat those figures: almost 50 new houses under construction and more than 180 rebuilds and refurbishments underway or completed by December 2009.

...The pace of the program will continue to increase. From 2010 for each year of the program, SIHIP will build more than double the number of houses built on average over the last five years. That is also an important fact or projection. From 2010, next year, for each year of the program, SIHIP will build more than double that of the best year in the past five years...this would mean 150 houses will be built by the end of 2010. I repeat: that is 150 by the end of next year. However, the current estimate is that 200 houses will have been completed by that time. Given the changes we have made to the arrangements following the review, we do expect that we will exceed the original target and we will have 200 houses by the end of 2010.⁵⁹

3.88 As noted in Dr Harmer's evidence to the Community Affairs estimates hearing above, the Commonwealth government has acknowledged that there have been problems with the administration of the program.⁶⁰ The SIHIP program was internally reviewed by an official from the both the Commonwealth and Northern Territory governments in August 2009 in response to concerns that the program has been slow to deliver housing, that the governance of the program was overly bureaucratic and that it was too costly.⁶¹

3.89 While the review found that the overall program design was sound, the program required changes if it was to meet the targets set. In relation to timing, the

59 Dr Jeff Harmer, Department of Families, Housing, Community Services and Indigenous Affairs, *Community Affairs Estimates Hansard*, 23 October 2009, pp 10–12.

60 Dr Jeff Harmer, Department of Families, Housing, Community Services and Indigenous Affairs, *Community Affairs Estimates Hansard*, 23 October 2009, p. 13.

61 Department of Families, Housing, Community Services and Indigenous Affairs and the Northern Territory government, *Strategic Indigenous Housing and Infrastructure Program – Review of Program Performance*, August 2009, p. 5.

review found that there had been a three month delay against original timeframes in commencing work in the first three nominated locations, Groote Eylandt, the Tiwi Islands and Tennant Creek, and that there were problems with the governance arrangements to manage the program. It also found that cost estimates were ambitious and that in order to deliver on budget, the program would need to be adjusted.⁶²

3.90 The review found that administration costs should be reduced from 11.4 per cent of program budget to 8 per cent. It also recommended that the Commonwealth government take a stronger role in the delivery of the program and in community engagement. Targets and timelines should be made publicly available and both governments should direct resources to transitioning Indigenous employees under SIHIP into ongoing employment.⁶³

3.91 The committee is pleased to note that amendments have been made to the program oversight and administration and will report on progress made towards fulfilling the target of at least 150 houses being built by the end of 2010 when they next report.

Data collection and use

3.92 The lack of evidentiary material underpinning the NTER measures was cited by the NTER Review as a major problem. While it was found that there was considerable quantitative and qualitative data available in the key areas of health, housing, education, policing and employment it was clear that little or no baseline data existed to specifically evaluate the impacts of the NTER. Apart from some initial scoping data, there was little evidence of baseline data being gathered in any formal or organised format to permit an assessment of the impact and progress of the NTER upon communities. The NTER Review recommended the development of a single integrated information system to allow for regular measurement of outcomes of all government agency programs and services for Indigenous communities in the Northern Territory.⁶⁴

3.93 The committee is pleased to note that the latest Monitoring Report indicates that an evaluation strategy will provide ongoing assessment to reflect phases of the NTER and capture the whole of government effort over the short, medium and long term.⁶⁵ While it welcomes the development of an explicit evaluation strategy and

62 Department of Families, Housing, Community Services and Indigenous Affairs and the Northern Territory government, *Strategic Indigenous Housing and Infrastructure Program – Review of Program Performance*, August 2009, pp 6–8.

63 Department of Families, Housing, Community Services and Indigenous Affairs and the Northern Territory government, *Strategic Indigenous Housing and Infrastructure Program – Review of Program Performance*, August 2009, p. 8.

64 Northern Territory Emergency Response Review Board Report, 30 September 2008, p. 16.

65 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 1*, October 2009, p. 6.

encourages the Commonwealth government to ensure that this is done rigorously and independently, the committee has not been presented with any evidence to indicate that this evaluation strategy will function as an integrated information system for effective data management.

Reinstatement of the RDA and other legislative amendments

3.94 As previously reported, one of the most contentious elements of the NTER was the suspension of the measures from the operation of the *Racial Discrimination Act 1975* (RDA). The Commonwealth government has repeatedly stated that it will introduce legislation by the end of 2009 to reinstate the RDA.⁶⁶

3.95 On 29 October 2009 the Australian Greens introduced a private members bill to reinstate the RDA. The debate on this bill was adjourned.

3.96 Other legislative proposals to amend the NTER mooted by the Commonwealth include:⁶⁷

- individuals being able to apply for an exemption from income management based on their family situation, financial abilities or record of behaviour;
- new licensing assessments for community stores;
- amended legislation in relation to the five-year leases over Indigenous communities in the Northern Territory to clarify the purpose and operation of the leases; and
- allowing for community input and individual requests to be assessed in determining whether bans on alcohol and pornography should continue (as opposed to blanket bans).

3.97 Minister Macklin's office advised the committee that the Commonwealth government intended to introduce legislation during the week beginning 23 November 2009 however this will not be debated until 2010.

3.98 On 25 November 2009 the Commonwealth government announced further details about the reforms. In a press release, Minister Macklin stated that the NTER was to be strengthened and would include the repeal of all NTER laws that suspend the operation of the RDA as well as:

Alcohol and pornography restrictions, five-year leases, community store licensing and law enforcement powers have been re-designed to more clearly be special measures that help Indigenous people in the NT achieve

66 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 1*, October 2009, p. 5.

67 Department of Families, Housing, Community Services and Indigenous Affairs, *Future Directions for the Northern Territory Emergency Response*, Discussion paper, 21 May 2009.

equal human rights. The measures relating to publicly funded computers and the business management areas powers will remain unchanged.

...

Income management will be re-designed as a non-discriminatory measure. The new scheme will commence across the NT - in urban, regional and remote areas - as a first step in a national roll out of income management in disadvantaged regions. This represents a significant step forward in the Government's continuing welfare reform agenda. The roll out of the new scheme in the NT will begin in July 2010 and is expected to be completed by 31 December 2010.

The RDA will immediately apply to the new income management scheme from July 2010. Existing income management provisions will be repealed with transitional arrangements put in place.

The RDA suspension in relation to existing measures will be lifted on 31 December 2010 to enable an effective transition from existing to new arrangements.⁶⁸

Administration of the measures

3.99 During the first 12 months of its operation, the NTER was led by a Taskforce chaired by Dr Sue Gordon AM. Major General David Chalmers was appointed as the full-time operational commander of the NTER Operations Centre and continued in this role until February 2009. Mr Michael Zissler was appointed in February 2009 to continue in this role. Mr Zissler's appointment ended on 30 June 2009 and from this time the NTER has been managed by FaHCSIA's Northern Territory office.

NTER Monitoring Report of 22 October 2009

3.100 The latest Monitoring Report is divided into two parts - the first providing an overview of progress made in the January-June 2009 period and the second being specific progress against each measure. As the committee provided a detailed report on individual measures in its last report, this will not be repeated in this report. The committee will instead highlight areas of progress and areas of concern.

3.101 The committee is keen to point out that as the Productivity Commission states in its *Overcoming Indigenous Disadvantage* Report, not everything can be measured or captured in numbers.⁶⁹ The committee agrees with the Productivity Commission that things that work need to be emphasised and built in to all program design. The Productivity Commission has found that the following factors are critical to success:

68 The Hon Jenny Macklin, MP, Minister for Families, Housing, Community Services and Indigenous Affairs and the Hon Warren Snowdon MP, *Strengthening the Northern Territory Emergency Response*, Joint press release, 25 November 2009.

69 Productivity Commission, *Overcoming Indigenous Disadvantage: Key Indicators 2009*, July 2009, p. 9.

- cooperative approaches between Indigenous people and government — often with the non-profit and private sectors as well
- community involvement in program design and decision-making — a ‘bottom-up’ rather than ‘top-down’ approach
- good governance — at organisation, community and government levels
- ongoing government support — including human, financial and physical resources.⁷⁰

3.102 The report also concludes that the lack of these factors can often contribute to program failures.⁷¹ The committee encourages these factors to be taken into account when reviewing the NTER measures.

Improving child and family health

3.103 The health components of the Northern Territory Emergency Response include:

- Child health checks and follow up services;
- Child special services;
- Alcohol and other drugs response; and
- Expanding Health Service Delivery Initiative (EHSDI).

Child health checks

3.104 Child health checks involved medical teams visiting communities from July 2007 to provide voluntary health checks for children up to the age of 16 years. In its last report the committee noted that health checks for 9 428 children had been done.

3.105 By 30 June 2009 this number had increased to 14 610 health checks. The Monitoring Report states that the focus of the child health checks during the period 1 January to 30 June 2009 was to provide follow-up care to children who had referrals from checks in earlier time periods. While data collected by the Commonwealth shows that follow-up in primary health care has reached 80 per cent of children in the NTER communities, specialist follow up was progressing slowly.⁷²

3.106 The Monitoring Report states that this is because of the chronic nature of many of the conditions that require treatment.⁷³

70 Ibid.

71 Ibid.

72 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 7.

73 Ibid, p. 11.

Fundamentally, many ear, skin, physical growth and oral health problems are the result of poor living conditions, poverty, overcrowding and lack of adequate nutrition. While these conditions can be ameliorated through health interventions, their prevention requires change to these broader determinants of health.⁷⁴

3.107 The delay in providing specialist follow-up services was also reported in the previous Monitoring Report released by the Commonwealth in June 2009 which reported on activities up to December 2008.⁷⁵

3.108 While the committee appreciates the challenges of providing specialist follow-up services in remote communities it disagrees with the assertion that the delay can be explained by the chronic nature of conditions. This may be the case if follow-up had occurred but there had been no change in outcomes, however the failure to deliver follow-up services does not relate to how hard it is to prevent or ameliorate chronic conditions.

3.109 The committee would like to see a more rigorous analysis of the data in order to provide a clearer understanding of the impact of the measures.

Child special services

3.110 Child special services refers to services for children experiencing trauma from child abuse. The main part of this service has been the establishment of a Sexual Assault Referral Centre Mobile Outreach Service (MOS) which commenced in April 2008. As the committee reported in June 2009, the NTER Review found that the service had a limited capacity to deliver services across the Northern Territory due to low staff numbers, and that there was little understanding of what the service provided.⁷⁶

3.111 The Monitoring Report states that in the period 1 January to 30 June 2009, MOS teams made a total of 83 visits to 42 communities and town camps across the Northern Territory, provided 133 case related services to children and/or their family members, and delivered 74 community education or professional development sessions to service providers and community members. This is certainly an increase on the previous reporting period where teams made a total of 38 visits to 11 communities and town camps.⁷⁷

74 Ibid, p. 12.

75 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 6.

76 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 78.

77 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 11.

Alcohol and other drug response

3.112 The alcohol and other drug response was designed to increase access to alcohol and other drug detoxification, treatment and rehabilitation services across the Northern Territory in recognition of the health impacts of alcohol bans in prescribed communities.⁷⁸ In its last report the committee expressed concern that information in the previous Monitoring Report on the availability of detoxification and rehabilitation beds was not sufficiently clear.⁷⁹ The committee is pleased that this situation has been clarified in the current Monitoring Report which states that two dedicated hospital beds for detoxification at both Katherine District and Tennant Creek Hospitals have been provided.

3.113 The current Monitoring Report provides information on the number of staff positions that have been funded under this program and states that 14 Alcohol and other Drugs (AOD) positions have been funded in six Aboriginal medical services and that eight ongoing positions have been funded in four Aboriginal medical services and four Northern Territory Department of Health and Family centres.⁸⁰ In addition, two AOD registered nurses and 12 Indigenous Community Support Worker positions were funded in six Aboriginal Medical Services across the Northern Territory during 2008–09.⁸¹

3.114 While the committee welcomes the funding of positions, the Monitoring Report does not make clear what kind of service is available to NTER communities as there is no statement of the number of positions currently filled. The Monitoring Report acknowledges the problems encountered with filling positions⁸² but the committee is concerned that a failure to report on the number of positions that are currently occupied has the potential to disguise the level of access people have to drug and alcohol services.

Expanding Health Service Delivery Initiative (EHSDI)

3.115 The Expanding Health Service Delivery Initiative provided \$99.7 million across the 2008–09 and 2009–10 years to increase primary health care services and

78 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response: One Year On*, 20 June 2008, p. 21.

79 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, pp 79–81.

80 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 13.

81 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 14.

82 Ibid.

recruitment of more health professionals through the Remote Area Health Corp.⁸³ The Remote Area Health Corp was established to recruit health professionals. The previous Monitoring Report stated that by 31 December 2008 the Remote Area Health Corp had deployed seven registered nurses.⁸⁴

3.116 By 30 June 2009, 8 general practitioners, 76 nurses and 9 allied health professionals had been placed in the NTER communities, according to the Monitoring Report.⁸⁵ While the committee understands that the focus of the Remote Area Health Corp is recruitment of urban based health professionals to provide increased primary health care, and welcomes the availability of more health professionals in remote communities, they are concerned that this is not addressing the longer term needs of communities to build a sustainable workforce to address the very high rates of staff turnover.

3.117 The Monitoring Report states that work on regionalising primary health care services is continuing, with the rationale for this being that regional health services will be able to more effectively provide health services:

The move to regionalise primary health care services provides a mechanism for strong community engagement through the Health Service Delivery Areas (HSDA) Steering Committees. The committees will ensure communities have a say in how these services will be governed in the future. The future primary health care delivery systems in the Northern Territory will be based on the 14 new HSDAs. These provide a planning framework and create regional services that have sufficient reach to enable the continuation of locally accessible services based on an agreed core services policy.⁸⁶

Supporting Families

3.118 This measure involves:

- programs to expand children's services and family support;
- new and improved safe houses for families experiencing violence;
- additional child-protection workers and Aboriginal family and community workers; and

83 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 7.

84 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 15.

85 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 6.

86 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 6.

- diversionary activities for young people.

Expanding children's services and family support

3.119 The NTER measures provided \$859 000 for five playgroups and \$400 000 to expand early childhood programs. Around \$4.2 million was allocated to funding for 10 new crèches in communities that had no learning and child care services for children under five years. Funding was also provided for upgrades to up to 16 existing crèches with urgent health and safety concerns.

3.120 The committee reported in its June 2009 report that four new crèche facilities had been completed at Areyonga, Papunya, Lajamanu and Kaltukatjara and six upgrades to existing crèche facilities had been completed at Maningrida, Gunbalanya, Borroloola, Ntaria, Santa Teresa and Nyirripi.⁸⁷

3.121 The latest Monitoring Report shows that at 30 June 2009, three of the nine new crèches being established were operational – Lajamanu, Peppimenarti and Robinson River.⁸⁸ This appears to be a reduction in operational services reported in the previous Monitoring Report. The Monitoring Report states that five services are anticipated to be in operation later this year at Areyonga, Docker River, Papunya, Yarralin and Milikapiti.⁸⁹

3.122 Of the 13 crèche upgrades, eight have been completed in Ntaria, Nyirripi, Santa Teresa, Oenpelli, Borroloola, Maningrida, Minjilang and Minyerri. This is an additional two upgrades since the last Monitoring Report period. Completion of four upgrades is expected in the next few months in the communities of Gapuwiyak, Pirlangimpi, Wugularr and Hart's Range and an upgrade at Waruwi will be undertaken during 2009–10.⁹⁰

3.123 As with many of the services that form part of the NTER measures, the ability to recruit and retain staff is having a significant impact on the success of these programs.⁹¹ As discussed below, the committee is keen to see a more strategic approach to workforce development.

3.124 Funding for 13 Remote Aboriginal Family and Community Workers (RAFCWs) was provided under the NTER measures to help families access services, provide support to child safety services and to support child services workers in local

87 Correspondence provided to the committee from Mr Michael Zissler, Commander Northern Territory Emergency Response Operations Centre, 26 May 2009.

88 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 26.

89 Ibid p.27

90 Ibid.

91 Ibid.

communities. The committee notes that between September 2008 and 31 January 2009, the Northern Territory government recruited eight RAFCWs. One team leader, one project officer and one acting manager were also been recruited.⁹²

3.125 The Monitoring Report states that as of May 2009 23 RAFCW staff were employed and operational in nine communities. There were also three team leaders, one manager and one administrative officer employed.⁹³ The committee is pleased that progress in recruiting people to these positions has been made.

3.126 The NTER included funding for five new facilitated playgroups and an expansion of Indigenous Children Program (ICP) and Invest to Grow (ItG) services in the Northern Territory. The playgroup funding was directed to two mobile Intensive Support Playgroups (ISPs) based in Tennant Creek and Katherine and to three Locational Supported Playgroups in Numbulwar, Milingimbi and Yuendumu.

3.127 NTER funding was also provided for the expansion of three Invest to Grow projects. NPY Women's Council were to deliver programs on child nutrition and intervention sessions with families with children at risk. Menzies Inc. were to deliver Core of Life, a health education program providing information about pregnancy, breastfeeding and early parenting. Finally, Let's Start Exploring Together for Indigenous Preschools was a project to develop a preschool program in communities to support parents; enhance parenting practices; strengthen family units; develop children's social skills and reduce problematic behaviour, to be delivered by Charles Darwin University.

3.128 The committee previously reported on the status of these three programs. The current Monitoring Report shows that from January 2009 to May 2009 the NPY Women's Council delivered 13 prevention and intervention sessions for children at risk to 111 participants (50 parents/caregivers and 61 children), and assisted 75 children and their families with essential food and health requirements in emergencies. This was a reduction in numbers for the second half of the 2008–09 financial year due to the temporary closure of a delivery site in Alice Springs.⁹⁴

3.129 The Monitoring Report states that the Let's Start Exploring Together program was delivered in Pirlangimpi in Term One and Palumpa in Term Two of 2009. A total of 10 children, 10 parents/caregivers and 2 other siblings participated in the program. It also states that work is being done in the communities of Alice Springs/Haast's Bluff, Tennant Creek, Peppimenarti School, and Belyuen in preparation for services to

92 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 19.

93 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 27.

94 Ibid, p.26.

be delivered however the committee notes that these services have not yet commenced.⁹⁵

3.130 The Core of Life Program is reported to have been disrupted during the year however 54 parents and caregivers have participated in the program over the period January to June 2009. There has been a change to the service provider arrangements with the program now being run by Youth and Family Education Resources Pty Ltd from 1 July 2009.⁹⁶

3.131 The committee is pleased that all three programs are now operational.

3.132 The Monitoring Report details progress made in relation to Intensive Support Playgroups (ISP) and the Locational Supported Playgroups (LSP). Between 1 January and 30 June 2009 152 children and 76 parents/caregivers participated in ISP sessions and 27 children and 26 parents/caregivers participated in LSPs.⁹⁷ However the Monitoring Report again notes that problems with staff recruitment have impacted upon the operation of the LSPs.⁹⁸

Safe houses

3.133 The Family Support package was allocated \$11.83 million in 2007–08 with the intent of establishing or expanding 22 safe houses and cooling off houses in 16 communities as well as increasing the capacity of safe houses in Darwin and Alice Springs. These facilities are intended to provide safety for people fleeing violence, and are now referred to as 'safe places' in the current Monitoring Report.

3.134 The previous Monitoring Report stated that as at 20 May 2009 17 out of 22 safe houses were operational.⁹⁹ The current Monitoring Report states that there are now 19 operational.¹⁰⁰ The current Monitoring Report also uses the term safe places instead of safe houses. Staff in these facilities are recruited, trained and managed by the NT government's Safe Place Team based in Darwin.¹⁰¹

95 Ibid, p.25.

96 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 26.

97 Ibid, p.23.

98 Ibid, p. 24.

99 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 18.

100 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 21.

101 Ibid, p. 22.

3.135 As the committee stated in its last report, it is concerned that the operating hours of 10 am to 6 pm may not be the times when the safe places are needed most, and that having to call upon staff to open the facility in late evenings and early mornings may place a great deal of pressure on these staff.¹⁰² The Monitoring Report states that the NT government has committed to examining procedures outside of opening hours and to working with staff to ensure the facilities are opened when they are needed.¹⁰³

Additional child-protection workers and Aboriginal family and community workers

3.136 As the committee stated in its last report, the Northern Territory government was already in the process of reforming its child protection system. NTER funding built on this process and contributed to the establishment of a mobile child protection team (MCPT). Based in Darwin, the MCPT's role is to investigate child protection reports in remote communities in order to address the backlog of investigations and to support local offices with increased workloads. The MCPT was intended to provide 10 child protection workers, a coordinator and an administrative officer.

3.137 In the period January to June 2009, there were seven MCPT positions filled. This included five Child Protection Workers (investigative staff), one manager, and one administrative officer.¹⁰⁴ This is an increase on the staffing levels from the last reporting period.¹⁰⁵

3.138 In the period January to June 2009, 40 communities were visited by the MCPT, with some communities being visited on multiple occasions; 236 cases were investigated by the MCPT and 28 children were taken into care.

3.139 The Northern Territory Government has reported difficulties in recruiting and retaining staff for the MCPT, due to a national shortage of child protection workers. The Monitoring Report states that "...the Australian and Northern Territory Governments are discussing the best way to provide staff to support women and their children in remote communities, as part of the negotiations around the next three years...funding."¹⁰⁶

102 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 86.

103 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 21.

104 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 22.

105 Ibid, p. 19.

106 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 22.

3.140 While the committee appreciates the difficulties associated with recruitment of all types of professional staff in regional and remote communities, they are also concerned about the ad hoc nature of responses to workforce shortages. In its last report the committee questioned why child protection workers were being offered short term contracts when there was longer term funding available. The committee stated that it considered that providing effective services in remote locations was so important that this should be addressed as a matter of priority.

3.141 Workforce shortages that impact on program delivery have been noted in other areas of the Monitoring Report. Instead of addressing these on a program by program basis the committee recommends that the Commonwealth and the NT government develop a comprehensive strategy to address workforce shortages in all areas associated with the NTER measures.

Recommendation 3

3.142 While recognising that some measures contain specific strategies to address workforce shortages, the committee recommends that the Commonwealth and Northern Territory governments develop a comprehensive strategy to address workforce shortages in all areas associated with the NTER measures.

Recommendation 4

3.143 The committee also recommends that progress made in addressing workforce shortages should be included in the Monitoring Report.

Diversionary activities for young people

3.144 This measure aimed to address the high levels of alcohol and drug abuse among young Aboriginal people living in remote communities and is largely a capital and infrastructure investment program with some funding for local youth activities. A three part youth alcohol diversionary implementation strategy was developed and FaHCSIA reported that \$8.5 million funded 95 projects.

3.145 The current Monitoring Report states that in 2008–09 a total of \$8.8 million was spent on the NTER Youth Alcohol Diversion measure, which comprised of two components: continuation of the Northern Territory Youth Development Network and Infrastructure and Youth Programs in Central Australia.

3.146 The Northern Territory Youth Development Network provided 35 activities in 13 communities and was coordinated by the Australian Red Cross (ARC). Projects delivered under the Youth Development Network include sport, arts, music, dance, education and training and other youth development activities.¹⁰⁷

107 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 28.

3.147 The Infrastructure and Youth Programs in Central Australia provides for learning and recreational activities and infrastructure to support young people, while building community capacity through training and employment opportunities. Approximately \$6.5 million was spent on 15 projects across communities in the Northern Territory over 2008–09. Three of these 15 projects were based in Arnhem Land and the remainder were in central Australia. All projects under this component were managed by the Central Australian Petrol Sniffing Strategy Unit, based in Alice Springs. Activities included blue light discos; holiday programs over the January, April and June/July school holiday periods, learning support programs which used music to improve school attendance across eight communities; and a cultural horse work camp for users of volatile or other substances.¹⁰⁸

3.148 Infrastructure projects included the purchase of sporting equipment, construction of seven BMX tracks and large scale refurbishment works to support the Mt Theo Substance Misuse Program. In addition, funding was provided for a visit by East Arnhem Traditional Owners and Elders to the Mt Theo Outstation to learn about this rehabilitation model and build support networks.¹⁰⁹

Enhancing education

3.149 The enhancing education initiatives were intended to be carried out mainly through an MOU between the Commonwealth and Northern Territory governments which committed them to working collaboratively. Enhancing education measures include:

- extra teachers;
- extra classrooms;
- expansion of literacy programs;
- the Quality Teaching Package; and
- a school breakfast and lunch program.

3.150 The NTER Review reported that in June 2007 approximately 8 000 children were enrolled in 69 schools in the 73 NTER communities. At least 2 500 of these children were not attending school regularly. As many as 2 000 children of school age were not enrolled in education at all.¹¹⁰

3.151 The NTER Review found that there was a great degree of despair in communities at the low levels of educational outcomes experienced by many children in Indigenous communities. They concluded that the Northern Territory education

108 Ibid, p.29.

109 Ibid.

110 Northern Territory Emergency Response Review Board Report, 30 September 2008, p. 29.

system was in crisis.¹¹¹ The committee has also heard during this inquiry that school staff and community members are frustrated by the lack of progress being made.

School breakfast and lunch program

3.152 The school nutrition program, which provides breakfast and lunch, is designed to increase attendance at schools. According to the Commonwealth government, the rationale was drawn from the Little Children are Sacred report which recommended that a school nutrition program be established. The previous Monitoring Report stated that as at December 2008, 71 schools across the 73 prescribed communities had a school nutrition program.¹¹²

3.153 The Monitoring Report of October 2009 shows that this number has decreased slightly from the last Monitoring Reporting period with 68 schools (59 Government, five Catholic and four independent) across 73 prescribed communities having a School Nutrition Program.¹¹³

3.154 As the committee reported in June 2009, and as is stated in the Monitoring Report, there is no concrete evidence to link the provision of breakfast and lunch with school attendance, however, as it stated in its previous report the committee considers that providing regular, healthy meals to children and having the engagement of their parents and other members of the community facilitated through this program can only be beneficial.

Extra teachers and classrooms

3.155 The NTER provided funding for an additional 200 teachers in the Northern Territory. The Northern Territory government advised the committee that the Commonwealth government committed \$98.8 million over five years to provide an additional 200 teachers to work in remote community schools, with around 50 teachers recruited and deployed in Northern Territory government and Catholic schools.¹¹⁴ They also advised that the Northern Territory is expected to receive \$196.6 million over three years, of which at least \$7 million will specifically be used for new classrooms in NTER communities. With the intention of helping to attract and retain teachers, the Commonwealth government committed to providing the Northern Territory with a further \$11.2 million in 2009–10 for the construction of up to 22 additional houses for teachers in the remote NTER communities. This is in addition to

111 Northern Territory Emergency Response Review Board Report, 30 September 2008, p. 30.

112 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 17.

113 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 19.

114 Northern Territory government, additional information provided at hearing, 22 May 2009.

the ten teacher houses that will be built in Wadeye, announced by the Australian Government in October 2008.

3.156 Information on how this measure is progressing was provided by the NT government as is discussed above at paragraphs 3.47–3.50.

Promoting law and order

3.157 Measures include:

- more police in remote communities;
- bans on alcohol and pornography in prescribed areas;
- expanded night patrol services;
- additional legal services and interpreter services; and
- a child abuse intelligence desk.

3.158 The Monitoring Report shows that reports of crime have increased and explains this in terms of greater access to police for people to report crimes, and for police to be able to apprehend offenders.¹¹⁵ The rationale for this explanation is that more police equals more scrutiny and therefore more arrests and charges.

More police

3.159 A primary objective of the NTER was to provide for more police and police stations, and to give police additional powers. Before the NTER, 38 police stations serviced remote communities in the Northern Territory. Between July 2007 and February 2008, 18 additional temporary police stations were built under Taskforce THEMIS in the NTER communities. Sixty three additional police were deployed comprising 45 AFP and interstate police and 18 Northern Territory police. The current Monitoring Report states that this figure is now 61 police comprising 43 AFP officers and 18 Northern Territory police.¹¹⁶

3.160 There has been no additional upgrading of police stations since the committee last reported. A total of four existing police stations have been upgraded.¹¹⁷ The Monitoring Report states that over \$50 million over three years has been allocated to

115 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009*, Part 2, October 2009, p. 32.

116 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009*, Part 2, October 2009, p. 33.

117 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report*, Part Two, June 2009, p. 24.

build permanent police stations in Ramingining, Gapuwiyak, Yarralin, Arlparra and Imampa.¹¹⁸

3.161 The number of alcohol related incidents reported to the police across the NTER region is continuing to rise, as is the incidence of other substance abuse incidents.¹¹⁹ Domestic violence incidents also continue to rise and a significant number of these are alcohol related. The Monitoring Report states that increase in domestic violence incident reports is almost three times higher than the increase in total incidents reported in NTER communities. Domestic violence incident reports rose by 61 per cent from the period 2006–07 to 2008–09 while total incident reports grew by 21 per cent in the same period.¹²⁰

3.162 There continues to be a high level of assault (relative to population size) across the NTER communities. The Monitoring Report explains this in terms of increased policing and reporting in NTER communities.¹²¹ The Monitoring Report also presents data that shows the numbers of assault cases lodged with the courts across the last four financial years has fluctuated. In the two years since the introduction of the NTER the number of assault cases lodged in court in the prescribed areas of the Northern Territory was 7 per cent higher than it was in the previous two years. The number of lodgements for assault incidents committed in the NTER communities was significantly higher in 2008–09 than it was in any of the previous years.¹²²

3.163 The data also shows that the number of convictions for assault in the NTER communities has fluctuated over the last four financial years. Like the number of assault lodgements, the number of convictions for assault in 2008–09, however, is significantly higher than in the three previous years. Interestingly this does not reflect a general trend in the Northern Territory. Over the same period, the number of assault cases lodged in court for the rest of the Northern Territory was only one per cent higher than the previous two years. The number of lodgements for assault incidents committed in the rest of Northern Territory was slightly lower in 2008–09 than it was in any of the previous years.¹²³

3.164 In relation to sexual assault, the Monitoring Report notes that is hard to determine any clear pattern in the data as the number of lodgements in court for sexual assault offences was very similar (57) across 2007–08 and 2008–09 to the previous

¹¹⁸ Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009*, Part 2, October 2009, p. 33.

¹¹⁹ Ibid, p. 34.

¹²⁰ Ibid, p. 35.

¹²¹ Ibid, p. 36.

¹²² Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009*, Part 2, October 2009, p. 37.

¹²³ Ibid, pp 37–38.

two years (52).¹²⁴ The Monitoring Report makes the point that while Indigenous people may be overrepresented in lodgements in court and convictions for sexual assault it is important to note that most convictions relate to offences committed outside the NTER communities.¹²⁵

3.165 In relation to child sexual assault the committee considers that it is difficult to draw conclusions from the data presented in the Monitoring Report. The number of convictions for child sexual assaults committed in the NTER communities in the two years since the introduction of the NTER measures is 22, compared with 15 convictions in the two years prior to the NTER.¹²⁶

3.166 The total number of confirmed incidences of child abuse in the NTER communities rose, from 66 in 2006–07 to 227 in 2008–09. The majority of these confirmed reports across the NTER communities were accounted for by the category ‘child welfare’. This relates to issues that would generally be considered to be child neglect, with a significant increase in the confirmed incidence of abuse relating to child welfare across the NTER communities, from 63 confirmed incidents in 2006–07 to 177 in 2008–09.¹²⁷

3.167 The committee noted in its last report that there were increased notifications of child abuse not only amongst Indigenous communities but across the NT generally¹²⁸ which indicates that this is a problem that should not just be addressed in Indigenous communities but with the wider population.

3.168 As reported in the June 2009 report, this was noted by the Northern Territory Legal Aid Commission at the committee's Darwin hearing:

I will also make the point, just for your interest, that we have an increased number of children abused not just in the Indigenous community; most of our cases recently are non-Indigenous and to do with sexual abuse in the community. It should not be just targeted in the Indigenous community. It is a real problem across-the-board.¹²⁹

3.169 As the committee reported in its previous report, child protection data is not available at the NTER community level. The data presented in the current Monitoring

¹²⁴ Ibid, p. 39.

¹²⁵ Ibid.

¹²⁶ Ibid.

¹²⁷ Ibid p. 40.

¹²⁸ Ms Susan Cox QC, Northern Territory Legal Aid Commission, *Committee Hansard*, 21 May 2009, p. 29.

¹²⁹ Ms Susan Cox QC, Northern Territory Legal Aid Commission, *Committee Hansard*, 21 May 2009, p. 29.

Report is exactly the same as that reported in the previous Monitoring Report so these figures will not be repeated here.¹³⁰

Alcohol management plans

3.170 Alcohol Management Plans that are based on supply reduction measures in the form of an alcohol permit system are in place in Groote Eylandt (implemented in July 2005) and Nhulunbuy (implemented in April 2008). Alcohol Management Plans that are based on 'harm minimisation' strategies are being implemented in Alice Springs, Tennant Creek, Palmerston and Katherine. The principle 'harm minimisation' includes demand reduction, supply reduction and harm reduction strategies.¹³¹

3.171 The Monitoring Report also states that plans are in place to develop a Law and Order Strategy in Galiwinku which will address alcohol related harm.¹³²

3.172 The previous Monitoring Report noted that Alcohol Management Plans were in progress for Jabiru, West Arnhem, Darwin, Borroloola, Timber Creek, Maningrida and Elliot¹³³ however no information was provided in the current Monitoring Report in relation to these communities.

Expanded night patrol services

3.173 The NTER provided for night patrol services to be extended to all NTER communities. The aim of night patrol services is to help communities deal with violence and people at risk of harm. The committee noted in their last report that many communities already had night patrol services in operation.

3.174 As at 30 June 2009, the Monitoring Report states that there were 80 active night patrols which is an increase of nine from the last reporting period.¹³⁴

Additional legal services and interpreter services

3.175 Between 1 January 2009 and 30 June 2009 legal service providers handled 625 NTER related matters, including 154 advices, 197 duty lawyer services and 274

130 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 100.

131 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 44.

132 Ibid.

133 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 34.

134 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 41.

cases. Legal service providers undertook 90 outreach visits to communities.¹³⁵ This is an increase in activity from the last Monitoring Report where 398 NTER related matters, including 81 advices, 83 duty lawyer services and 234 cases was reported.¹³⁶

3.176 The committee understands that the Commonwealth Attorney-General's Department received funding of \$2 million for Aboriginal and Torres Strait Islander Legal Services (ATSILS) and Community Legal Centres (CLCs) in the Northern Territory and the Northern Territory Legal Aid Commission (NTLAC) to provide legal assistance for matters arising under the NTER in 2008–09. Further one-off additional funding of \$2.9 million was provided in 2008–09 by the Department to the ATSILS to meet the increasing demand for services and to an additional CLC to provide welfare, tenancy and post-imprisonment services specifically related to the NTER on the basis that demand for legal services related to NTER matters continues to increase.¹³⁷

3.177 The Monitoring Report notes that there continues to be challenges associated with recruitment of new staff and uncertainty of the continuation of funding from one year to the next has meant that services have only been able to offer one year contracts, which decreases the attractiveness of the position to potential applicants. Services have indicated that three year funding would help to resolve this issue.¹³⁸

3.178 The Monitoring Report states that for the period 1 January to 30 June 2009 2 934 people sought access to an interpreter which is a 38 per cent increase for the same period in 2008.¹³⁹

3.179 The NT Aboriginal Interpreter Service has identified a number of challenges which impact on service delivery including difficulties with recruitment and retention of interpreters, the lack of literacy and numeracy skills of potential interpreters and the need for accredited interpreters for legal proceedings.¹⁴⁰

Welfare reform and employment

3.180 Measures include:

- Income management;
- Licensing of community stores;

135 Ibid, p. 43.

136 Department of Families, Housing, Community Services and Indigenous Affairs, *Northern Territory Emergency Response Monitoring Report, Part Two*, June 2009, p. 35.

137 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, pp 43–44.

138 Ibid p. 44.

139 Ibid p. 46.

140 Ibid.

- Creating real jobs in communities outside Community Development Employment Projects (CDEP); and
- Increased participation in remote areas including work for the Dole activities,

Income management

3.181 People receiving Centrelink payments who live in prescribed areas became subject to compulsory income management of half their Centrelink payments and all of most advances, lump sum payments and the Baby Bonus. This measure was imposed universally within the prescribed areas. Income management has been amongst the most contentious of the NTER measures. It affects people who live in the 73 prescribed communities, their associated outstations and the 10 town camp regions of the Northern Territory who receive income support payments.¹⁴¹

3.182 Over the last three reporting periods the committee has heard that there have been considerable problems with the BasicsCard that is issued by Centrelink and allows people who are subject to income management to access their quarantined money at approved stores and merchants. It cannot be used to purchase alcohol, tobacco, pornography, gambling products or gift vouchers. It cannot be used to get cash out, lay-by goods or for 'book up'.¹⁴²

3.183 As the committee reported in June 2009 the NTER Review found that even though there was considerable criticism of this measure many people believed that it provided an opportunity to manage their income and the family budget in a way that was beneficial. Anecdotal evidence indicated that more food was being purchased and that tobacco sales had decreased at community stores.¹⁴³ The NTER Review recommended that the blanket application of compulsory income management cease and that it be available on a voluntary basis to community members who choose to have some of their income quarantined for specific purposes, as determined by them. It was also recommended that compulsory income management should only be applied on the basis of child protection, school enrolment and attendance.¹⁴⁴

3.184 This recommendation was not supported by the Commonwealth. Instead the Commonwealth announced that it would consider options to allow people to apply for an exemption from income management.¹⁴⁵

141 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009*, Part 2, October 2009, pp 44–45.

142 Centrelink, *BasicsCard*, [http://www.centrelink.gov.au/internet/internet.nsf/filestores/co514_0807/\\$file/co514_0807en.pdf](http://www.centrelink.gov.au/internet/internet.nsf/filestores/co514_0807/$file/co514_0807en.pdf) (accessed 15 June 2009).

143 Northern Territory Emergency Response Review Board Report, 30 September 2008, p. 21.

144 Northern Territory Emergency Response Review Board Report, 30 September 2008, p. 23.

145 Department of Families, Housing, Community Services and Indigenous Affairs, *Future Directions for the Northern Territory Emergency Response*, 21 May 2009, pp 11–12.

3.185 As at 26 June 2009, the number of Income Management customers was 15 182 which is a decrease of two per cent since 2 January 2009.

3.186 The current Monitoring Report states that most income managed money was allocated to food (65.4%), community housing rent (8.4%), clothing and footwear (5.9%) and store cards (5.3%). School nutrition accounted for 2.9%.¹⁴⁶ However as the committee reported in June 2009 there is no real way of the Commonwealth knowing how much income managed money is being spent on food or other items as itemised data is not collected at the point of sale, rather it is worked out from what Centrelink customers indicate they will allocate their funds to, not on actual items purchased.¹⁴⁷

3.187 The committee reiterates its previous statement that the Commonwealth should clarify this when it reports in relation to what income managed money is being spent on.

Licensing of community stores

3.188 The NTER legislation provided for the licensing of community stores. In its last report the committee noted the high level of frustration associated with the poor quality and high prices of food in NTER communities.

3.189 In its last report the committee recommended that roadhouses that were permitted to participate in the licensing scheme to sell fuel should only be able to do so if it was a condition of their license that roadhouses within the Petrol Sniffing Strategy Central Desert Region and feeder sites to this region sell Opal fuel.

3.190 In a media report of 30 June 2009 the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin was reported to be considering this recommendation¹⁴⁸ however the committee has not yet received a formal response from the Minister in relation to this recommendation.

3.191 The latest Monitoring Report states that as of 24 June 2009, a total of 85 community stores have been licensed. It also details findings of the Final Stores Post Licensing Monitoring Report which was FaHCSIA's review of community stores licensed for income management. This review investigated the impact of income management on community store operators and residents who purchased food from stores using income managed funds.

146 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 56.

147 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, pp 29–30.

148 ABC Online, 30 June 2009, *Government considers petrol sniffing advice*.

3.192 The Monitoring Report states that interviews of 66 licensed store operators were conducted by FaHCSIA officers and provides indications of positive results from store licensing and income management. The rationale for this methodology is explained in the Monitoring Report in the following terms:

Store operators have first hand experience with the operation of income management and its effect on stores and communities, making them well-placed to comment on income management. It should be noted that the results are only observations, perceptions and opinions of store operators.¹⁴⁹

3.193 The Monitoring Report states that store operators report that the overall impact of income management has been positive for communities, the overall impact of income management has been positive for stores and the BasicsCard has been overwhelmingly seen as a positive by stores.¹⁵⁰

3.194 While the committee is pleased that store operators see income management as positive from their perspective, the committee is concerned that the perspectives of community residents are not included in the Final Stores Post Licensing Monitoring Report.

Increased Job Participation

3.195 The latest Monitoring Report states that there have been 156 Work for the Dole (WfD) activities delivered across the NTER communities since the start of the measures¹⁵¹. This is an increase from the 134 activities that the committee reported in June 2009.¹⁵²

3.196 The Monitoring Report also states that as at June 2009, approximately 7 000 job seekers have been referred to Job Network services. There have been a total of 1 705 referrals to the Language, Literacy and Numeracy Program and 282 clients commenced in training. Since the start of the NTER, Job Network members have brokered nearly 2 000 job placements.¹⁵³

149 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 1*, October 2009, p. 35.

150 Ibid, pp 35–37.

151 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 60.

152 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 124.

153 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 60.

3.197 As at June 2009, there were a total of 1 752 positions filled under the Jobs Package. The intention of the Northern Territory Jobs package is that jobs are to be filled by who were previously engaged in the CDEP program.¹⁵⁴

3.198 The Jobs Package provided \$91 million in funding for around 1,670 jobs in Commonwealth funded service delivery and around 400 jobs in local government service delivery across the Northern Territory. The jobs package has exceeded original targets with over 2,090 positions funded. This number is composed of 1,683 jobs in Commonwealth service delivery and 407 in local government service delivery.¹⁵⁵

3.199 The committee is pleased to note that people are being placed in government service delivery jobs however, as it has previously noted, it is concerned about the overall systemic approach being taken to employment and workforce development generally. The committee will follow up on whether these job placements are ongoing positions.

Coordination

Government Business Managers

3.200 As the committee reported in June 2009 they found that Government Business Managers (GBMs) were having varying degrees of impact.¹⁵⁶ In the last reporting period there were 60 GBMs servicing 73 prescribed communities, Borroloola and town camps in Darwin, Tennant Creek, Katherine and Alice Springs.¹⁵⁷ In the current reporting period there were 59 GBMs servicing 72 communities and town camps.¹⁵⁸

Indigenous Engagement Officers

3.201 During the period 1 January 2009 to 30 June 2009 there were 21 Indigenous Engagement Officers (IEOs) in 21 communities across the Northern Territory. The IEOs provide feedback about NTER measures to communities and government; promote their community's role in defining needs, setting goals, and formulating policies and plans; and work with community groups to include community input into

154 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 26.

155 Ibid p. 64

156 Senate Select Committee on Regional and Remote Indigenous Communities, *Report No 2*, p. 121.

157 Correspondence provided to the committee from Mr Michael Zissler, Commander Northern Territory Emergency Response Operations Centre, 26 May 2009.

158 Department of Families, Housing, Community Services and Indigenous Affairs, *Closing the Gap in the Northern Territory: Whole of Government Monitoring Report January–June 2009, Part 2*, October 2009, p. 75.

decision making.¹⁵⁹ The Monitoring Report states that this measure has created local employment opportunities and helped to forge better relationships.¹⁶⁰

3.202 The committee understands that there is broad support for these positions in communities and encourages the program to be expanded beyond the current 21 communities.

159 Ibid, p. 76.

160 Ibid.

