

From: Stuart Hills

Sent: Tuesday, 7 August 2007 9:03 PM

To: Ferguson, Alan (Senator); Eggleston, Alan (Senator); Bartlett, Andrew (Senator); Murray, Andrew (Senator); McEwen, Anne (Senator); Hurley, Annette (Senator); Joyce, Barnaby (Senator); Heffernan, Bill (Senator); Brown, Bob (Senator); Mason, Brett (Senator); Brown, Carol (Senator); Milne, Christine (Senator); Ellison, Christopher (Senator); Evans, Chris (Senator); Moore, Claire (Senator); Fierravanti-Wells, Concetta (Senator); Bernardi, Cory (Senator); Wortley, Dana (Senator); Johnston, David (Senator); Abetz, Eric (Senator); Nash, Fiona (Senator); Humphries, Gary (Senator); Marshall, Gavin (Senator); Brandis, George (Senator); Campbell, George (Senator); Sterle, Glenn (Senator); Barnett, Guy (Senator); Chapman, Grant (Senator); Coonan, Helen (Senator); Polley, Helen (Senator); Macdonald, Ian (Senator); McLucas, Jan (Senator); Faulkner, John (Senator); Hogg, John (Senator); Macdonald, Sandy (Senator); Watson, John (Senator); Ludwig, Joe (Senator); Adams, Judith (Senator); Troeth, Judith (Senator); McGauran, Julian (Senator); Lundy, Kate (Senator); Patterson, Kay (Senator); Nettle, Kerry (Senator); O'Brien, Kerry (Senator); Carr, Kim (Senator); Kirk, Linda (Senator); Allison, Lyn (Senator); Payne, Marise (Senator); Bishop, Mark (Senator); Fisher, Mary Jo (Senator); Cormann, Mathias (Senator); Forshaw, Michael (Senator); Ronaldson, Michael (Senator); Fifield, Mitchell (Senator); Stott Despoja, Natasha (Senator); Minchin, Nick (Senator); Sherry, Nick (Senator); Scullion, Nigel (Senator); Crossin, Patricia (Senator); Calvert, Paul (Senator); Wong, Penelope (Senator); Siewert, Rachel (Senator); Colbeck, Richard (Senator); Ray, Robert (Senator); Kemp, Rod (Senator); Boswell, Ron (Senator); Lightfoot, Ross (Senator); Trood, Russell (Senator); Webber, Ruth (Senator); Birmingham, Simon (Senator); Conroy, Stephen (Senator); Parry, Stephen (Senator); Fielding, Steve (Senator); Hutchins, Steve (Senator); Boyce, Sue (Senator); Stephens, Ursula (Senator); senator.ian.campbell@aph.gov.au

Subject: Intervention into N.T.
Sutherland Shire Citizens for Native Title and Reconciliation

Dear Honourable Senators,

We ask you to, please, take into consideration our views regarding the Federal Government's intervention into Indigenous communities in the Northern Territory. Please see the copy, following, of our letter to Minister Brough.

Sincerely,

Stuart Hills (Deputy Chair, SSCNTaR)

Taren Point NSW 2229

August 3rd. 2007

The Hon Mal Brough
Minister for Families, Community Services and Indigenous Affairs
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Dear Minister,

We write in response to the intervention, by the Government, into Aboriginal communities of the Northern Territory, following the release of the “Little Children are Sacred” report (referred to in the following as the Report).

The physical and sexual abuse of children is an abhorrent offence against our nation’s moral and legal codes. We note that it is a major problem for the broader Australian community also.

As abuse of children is an offence for us, so also is it an offence against the traditional moral and legal codes of our Indigenous peoples, as reflected in the Report’s title. We quote its English translation:

“In our Law children are very sacred because they carry the two spring wells of water from our country within them”.

We welcome the Government’s commitment to the elimination of abuse of Indigenous children. However, we are concerned about; the Government’s commitment in the long-term, the manner and the detail of the Government’s intervention and the soundness of the premises guiding the Government’s actions. We fear that the Government’s action has been poorly thought through and could lead to more harm than good for the Aboriginal people and communities of the Northern Territory.

The current situation is a result of 200 odd years of misunderstanding, discrimination, indifference and neglect. The complex of inter-related problems faced by Indigenous peoples and communities cannot be solved by a piecemeal approach of tackling one problem at a time.

Clearly the broad sweep of past policy and practice has failed our Indigenous people. We note the comment of one Remote Area Nurse embedded in the Report at page 52:

“The people are overwhelmed and have reached a point where they think that things cannot change. The only way it will is if the whole community lifts together and works towards change. Things need to be put into place that will encourage this. The present government way of dealing with things only adds to the feeling of disempowerment and hopelessness”.

We call for radical holistic policy change. A change which; is sustained long-term; which respects our Indigenous peoples, their traditional cultures – including their connection with and rights to their lands, their understandings and aspirations. A change which takes full account of the “language barrier” and the “cultural gap” between Government, its advisers

and officials and the Aboriginal people in the communities, and gives control to Indigenous people themselves, as one Yolgnu Elder, quoted in the Report said:

“It is time that the government accepts that Aboriginal people need to have some control and that we need to at least be given the opportunity to fail.”

We note, here, the COAG Reconciliation Framework, adopted in 2000 which recognised “*the unique status of Indigenous Australians and the need for recognition, respect and understanding in the wider community*”.

Some will see the enormity of the situation and ask: “where will the money come from?” We believe that “the lucky country”, with a booming economy, can finance the necessary programs. To quote, again, from the Report:

“The money is available. The Australian Government budget surplus last year was billions and billions of dollars. What has been lacking is the political will. We have to stop marching on the spot and work with some real commitment to success to save Australia from an impending disaster.”

A ‘holistic’ policy approach must be placed outside the influence of the electoral cycle, and receive bi-partisan political support at all levels. It’s time to throw away our ideological biases and listen to and learn from our Indigenous peoples. It’s time to end the poorly focused, short-term funding of the past, by Governments of all parties, in all jurisdictions. It’s time to end the seemingly endless round of inquiries and studies whose recommendations are never adequately implemented. It’s time to end the “***demoralising cycle of 'stop-start' policy making and frequent changes of direction that have characterised Aboriginal affairs for many years.***” (Combined Aboriginal Organisations, SMH, July 11th). It’s time to effectively coordinate, monitor and evaluate programs and bodies working to assist Indigenous communities.

The holistic approach we seek cannot be designed and imposed from ‘outside’. The appropriate role for Government, on the Nation’s behalf, is a support role, a role providing expertise, materiel and other resources, but never ‘imposition’ of policy and practice. The key to success is the engagement and genuine empowerment of Indigenous people as they seek to pursue their own aspirations.

We believe that only in this way will Indigenous people find their own way to effectively and productively engage with the modern world.

We now turn to addressing specific matters of concern:

1) Lack of consultation

It is a matter of great concern to us that the Government has acted unilaterally with little or no prior consultation with the communities and the most respected and authoritative Indigenous leaders. These are the people who know their communities and their people best. The Government must engage with these leaders, and perhaps especially the women, and work with them. We cannot afford to ignore their knowledge and the expertise of the organisations they lead.

We are, similarly, concerned with the lack of consultation with the N.T. Government. It also has resources, knowledge and expertise which cannot be ignored. The N.T. Government

commissioned the Little Children are Sacred Report and its analysis and recommendations are **not to be dismissed lightly**.

We are concerned that the Federal Government's response has largely ignored the recommendations of the Report and feel that the Government has unfairly attacked the Territory Government for delaying its response to the Report. The Report contains an extensive set of recommendations which demand a considered response.

The Report seems to, in many respects, support and complement the N.T. Government's comprehensive Aboriginal Family Violence Strategy. Instead of 're-inventing the wheel', the Federal and N.T. Governments must cooperatively review that Strategy and the Report. We would be interested to know just how comprehensively the Strategy has been resourced and implemented and what impact it has had.

2) Compulsory child health checks and indiscriminate application of tough new welfare policies

We object to indiscriminate institution of compulsory child health checks, with the emphasis being on checking for signs of sexual abuse. Compulsory and potentially invasive checks of this kind will add to the children's trauma. This view is supported by leading pediatricians. If the Government wants to tie parental acceptance of these checks to the receipt of welfare benefits, then it is being disingenuous to claim that they are not compulsory. We are also concerned at the racially discriminatory nature of the proposal. No other cultural group in the country will receive - nor tolerate - such treatment.

What does this policy "say" to responsible Aboriginal parents? It can only intensify their feeling of disempowerment and hopelessness.

We note the Health Minister's determination to move "heaven and earth" to get defence health teams into the remote communities, but, while we have the highest regard for the men and women of our defence force, we also note that: "Defence officials have raised concerns about getting reserve doctors at short notice, and about whether such doctors would be appropriate, given they normally deal with adults, not vulnerable children."

The difficulties are compounded by the lack of doctors and facilities in the remote communities. A program of one-off health checks would likely be worse than useless. Where then is the plan to permanently improve the provision of medical services to Indigenous communities?

Compulsory health checks, if they are to be introduced, must be sensitively instituted and be part of a long-term plan. The lack of trust in Government of Aboriginal people must be recognized and addressed.

As regards the wider application of the new welfare policy to school attendance, we ask will those parents whose children do not attend school because of a lack of places or a facility in their neighbourhood have their welfare payments penalised? Will this be an indiscriminate one-size-fits-all policy?

3) Alcohol prohibition.

Prohibition, as a policy, has failed in the past and brought its own problems. We note that many Aboriginal communities in the Territory are already “dry”. Communities such as Borroloola, Nguiu and Umbakumba.

Support systems and strategies need to ensure that new issues, associated with an illegal trade and sudden withdrawal of alcohol, do not arise. The report recommends that we study the success of already dry communities such as Umbakumba.

We support this recommendation from the Report and reject a Government imposed ban on alcohol as unwise and unworkable.

4) Removal of the permit system

We question the removal of the permit system which allows Aboriginal people to control who enters their land. While the Government may wish easier access and believe that this action will open the communities, and the abuse, to the national media spotlight thus inhibiting the abusive activity, we are skeptical of this. Rather it may well provide open access for white pedophiles, and others. Note the words of Rev. Jim Downing from Darwin. ***“white vultures who have ripped off remote Aboriginal stores, Aboriginal painters and others for thousands of dollars over the years, who are just waiting for the removal of the permit system so that they can get their noses back in the trough..... We have watched others sexually abuse women and children and then move on to prey on other communities”.***

5) Government leasing of Aboriginal lands.

We note, and share, the concerns expressed by Aboriginal leader, Pat Turner that ***“child abuse is being used as a ‘Trojan horse’ to disguise a Federal Government takeover of indigenous-owned land. “We are totally against tying serious social need to our hard-fought land ownership and land tenure,” she said. “No compensation will ever, ever replace our land ownership rights.”***

We question the need for the Government to do this and ask, will this lead to long-term or permanent loss? Given Aboriginal cultural attachments to land, will this lead to the eventual demise of Aboriginal cultures?

6) Scrapping of Community Development Employment Projects

It is of immediate and grave concern that the Federal Government has scrapped the CDEP program.

Professor John Altman (AUN, Centre for Aboriginal Economic Policy research) has estimated that this will increase unemployment in remote communities by 70 or 80 per cent. While we support efforts to assist Indigenous people into ‘real’ jobs, we believe appropriate mainstream work is not presently available to the thousands of Indigenous people affected by this sudden change in policy.

In many communities CDEP has been very successful and its scrapping will, says Prof. Altman, ***“have marked impacts on the arts industry, the management of Indigenous Protected Areas, and community based Caring for Country ranger projects.”***

This policy change seems likely to create confusion and uncertainty and increase levels of boredom and social dysfunction in remote communities. It would appear to run counter to the Government’s stated objectives in intervening in the Northern Territory.

7) Links between Empowerment, Spirituality and Health

We are concerned that the Federal Government’s intervention displays a lack of insight into the links between empowerment, spirituality and Health.

The Little Children are Sacred Report and many others have canvassed the need for adequate resources to meet necessary medical, policing, educational, infrastructure needs of Indigenous communities. This includes the mental health needs.

Mental health support is crucial to the success of any intervention. Recent studies have shown a direct link between one’s personal power to control one’s life and one’s well-being. Mental health needs in Indigenous communities may well need much more support than indicated by these studies but they do show that there are benefits to be gained, both mental and physical, by improving the opportunities for Indigenous people to take control of their lives. Their own needs and aspirations must be supported and encouraged.

The medical world has known about and understood the link between the Mind and the Immune System for decades.

It seems reasonable to believe that if we can improve the “state of mind” of Indigenous people, we can expect physical health benefits to flow from this.

To support the establishment of Indigenous Healing Centres would do much to encourage this improvement.

We need a healing centre where all skin groups can go to heal their mental, emotional and spiritual pain. They can learn about themselves to bring back identity and culture.

Yolgnu Elder, quoted in the Little Children are Sacred Report
As the authors of the Report state:

Violence and abuse will not be reduced in Aboriginal communities until there is widespread healing of Aboriginal people.

As Karl Jung observed, after a lifetime of experience treating psychological disorder, none of his patients ever recovered without a recovery of their sense of spiritual awareness. This is certainly crucial to the recovery of alcoholics from the depredations of their addiction. Again, this cannot be imposed but only encouraged. Supporting Indigenous Healing Centres would assist Indigenous people to answer the universal need to find “meaning and purpose” in life, in a culturally appropriate way. The ‘quest’ to find meaning and purpose in life is always culturally shaped and cannot be imposed from outside. Our belief is that as each individual

connects with that he/she will become aware of his/her own inner values, and the healing process, for the individual and ultimately his/her community, will be well under way.

On our part, we can immediately begin to address Indigenous frustration and neurosis and loss of faith in the future, by Government, all Australian governments – Federal/State, Coalition/Labor – humbly and squarely, acknowledging their long-term failure to adequately and appropriately address Indigenous disadvantage. Perhaps that could be done through COAG. The ‘political football’ to which Indigenous Affairs has been subject for so long must come to an end. We call for a new bi-partisan approach in respect to Indigenous Affairs, an approach which takes Indigenous Australian cultures and aspirations seriously and enters into a new era of partnership with them.

A sincere apology, necessarily backed up by changed, respectful, attitudes towards Indigenous Australians, displayed through an emphasis on consultation and partnership with them would give major impetus to the revival of their self-esteem/self-respect and pride in their cultures and communities.

We believe that an apology is a necessary first step. It should be followed up by recognition at law of the distinctive status and rights of Indigenous Australians as First Peoples. These rights include the right to self-determination, the rights implicit to their relationship to land, the right to the maintenance and growth of their cultures and, the right to benefit, along with all other Australians, from a just and fair society.

In summary, we acknowledge that The Government has made a start in addressing the issue of child abuse in Indigenous communities of the Northern Territory. We urge upon the Government the crucial importance of fully addressing the recommendations of the Little Children are Sacred Report.

Sincerely,

Stuart Hills

Deputy Chair

On behalf of the Executive Committee of Sutherland Shire Citizens for Native Title and Reconciliation.

Cc Prime Minister and all MHRs and Senators