Minister for Families, Community Services and Indigenous Affairs

Media Release

National emergency response to protect Aboriginal children in the NT

21/06/2007

In response to the national emergency confronting the welfare of Aboriginal children in the Northern Territory, the Australian Government today announced immediate, broad ranging measures to stabilise and protect communities in the crisis area.

The immediate nature of the Australian Government's response reflects the very first recommendation of the Little Children are Sacred report into the protection of Aboriginal children from child abuse in the Northern Territory which said: "That Aboriginal child sexual abuse in the Northern territory be designated as an issue of urgent national significance by both the Australian and Northern Territory Governments...."

All action at the national level is designed to ensure the protection of Aboriginal children from harm.

The emergency measures to protect children being announced today are a first step that will provide immediate mitigation and stabilising impacts in communities that will be prescribed by the Minister for Families, Community Services and Indigenous Affairs.

The measures include:

- Introducing widespread alcohol restrictions on Northern Territory Aboriginal land.
- Introducing welfare reforms to stem the flow of cash going toward substance abuse and to ensure funds meant to be for children's welfare are used for that purpose.
- Enforcing school attendance by linking income support and family assistance payments to school attendance for all people living on Aboriginal land and providing meals for children at school at parents' cost.
- Introducing compulsory health checks for all Aboriginal children to identify and treat health problems and any effects of abuse.
- Acquiring townships prescribed by the Australian Government through five year leases including payment of just terms compensation.
- As part of the immediate emergency response, increasing policing levels in prescribed communities, including requesting secondments from other jurisdictions to supplement NT resources, funded by the Australian Government.
• Requiring intensified on ground clean up and repair of communities to make them safer and healthier by marshalling local workforces through work-for-the-dole
• Improving housing and reforming community living arrangements in prescribed communities including the introduction of market based rents and normal tenancy arrangements
• Banning the possession of X-rated pornography and introducing audits of all publicly funded computers to identify illegal material
• Scrapping the permit system for common areas, road corridors and airstrips for prescribed communities on Aboriginal land, and;
• Improving governance by appointing managers of all government business in prescribed communities
• The national emergency response will be overseen by a Taskforce of eminent Australians, including logistics and other specialists as well as child protection experts. Magistrate Sue Gordon, chair of the National Indigenous Council and author of the 2002 Gordon Report into Aboriginal child abuse in Western Australia has agreed to take a leadership role on the Taskforce.

The issue will be placed on the agenda for next week’s meeting of the Intergovernmental Committee on the Australian Crime Commission (ACC) to formally refer the issue to the ACC to allow it to identify and locate perpetrators of sexual abuse of Indigenous children in other areas of Australia.

If required, a special sitting of Parliament in July will consider legislation to implement the Australian Government measures.

The Northern Territory Government will be expected to:

• Increase its efforts and resources to ensure the servicing and protection of its citizen in the range of areas of State and Territory responsibility and support, within the scope of its resources, the national emergency response
• Develop a comprehensive strategy to tackle the 'rivers of grog' across the Territory
• Resume all special leases over town camps in the major urban areas where lease conditions have been breached. The Australian Government will act in this area if the NTG fails to do so
• Remove customary law as a mitigating factor for sentencing and bail conditions
• The situation facing children in Indigenous communities is a national emergency and the immediate action of the Australian Government is an appropriate response to the crisis highlighted by the Little Children are Sacred report.

Additional information

Tackling alcohol abuse:

The Australian Government will introduce legislation to:
Ban the sale, possession, transportation and consumption of alcohol (initially for six months) in prescribed areas, excepting wet canteens operating with the approval of the Taskforce that have strict alcohol management practices and that do not allow take away sales; and

Require licensees to view photographic identification and record purchaser addresses and proposed destination of alcohol purchases where the quantity exceeds five cartons for low strength and three cartons for full strength beer, or equivalent across the remainder of the Northern Territory.

The NT Government will be required to develop a comprehensive plan to tackle the 'rivers of grog'

**Welfare reform:**

The Australian Government will introduce legislation to:

Reduce discretionary disposable income by quarantining 50 percent of all Australian Government income support and family assistance payments, and CDEP wages, for an initial period of twelve months, for people who have been, or become, in receipt of payment for two years or longer for residents in prescribed communities, with those outside of these communities decided on a case by case basis by Centrelink.

**Improving school attendance:**

The Australian Government will:

Link the receipt of Australian Government income support and family assistance payments to school attendance for principal carers of children of compulsory school age in prescribed communities, with quarantining of 50 percent of income support payments and one hundred percent of family assistance payments, for an initial period of twelve months, in cases of poor school attendance (more than three unexplained absences per school term) which would include mandatory deductions to provide for school breakfast and lunch for the school age children.

**Acquisition of townships:**

The Australian Government will:

Introduce legislation to acquire a five year lease over prescribed Indigenous communities, with just terms compensation with this to include, but not be limited to, communities of 100 people or more located on:

Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA) land;
located on a form of freehold title issued by the NT Government to Aboriginal corporations and known as Community Living Areas.
Other communities may also be prescribed by the Minister on the basis of advice from the
The Australian Government's acquisition of five year leases not affect the Australian Government's negotiations to achieve ninety nine year township leases.

**Town camps:**

The NT Government will be expected to:

Immediately resume all special leases issued by the Northern Territory Government to Aboriginal associations for the town camps in the vicinity of major urban centres where these leases are in breach of their lease conditions, (this would not require compensation) and if such action is not undertaken urgently, that the Australian Government introduce legislation to allow it to exercise the powers of the Northern Territory Government to resume the leases.

**Reform of community living arrangements**

The Australian Government will, in prescribed communities:

Establish market based rents for public housing, with normalised tenancy requirements;

Improve housing stock

Community members on income support will be required to participate in community cleanups and basic cleanups of public housing on a Work for the Dole basis

**National Intelligence Taskforce**

Additional resources will be provided to enhance the scope of the Australian Government led National Intelligence Taskforce operations in the Northern Territory to include a sexual abuse reporting desk.

A separate Fact Sheet regarding changes to the permit system is attached.
Changes to the permit system

Aboriginal Land Rights (Northern Territory) Act 1976

- Permits are currently required to enter and remain on Aboriginal land in the Northern Territory
  - except in specific circumstances, it is an offence under the Aboriginal Land Rights (Northern Territory) Act 1976 to enter or remain on Aboriginal land without a permit
  - permits are granted by Land Councils or traditional owners of the land.

- The requirement to obtain a permit will be removed in relation to:
  - common areas of major communities
  - airstrips and access roads to the communities.

- Common areas include:
  - roads in the communities and areas that are normally accessible to everyone such as public buildings and facilities, shops, art centres and the like.

- Private residences and sacred sites will continue to be protected.

- The requirement to obtain a permit will also be removed in relation to:
  - people attending court hearings on Aboriginal land
  - people performing Commonwealth or Northern Territory Government duties on Aboriginal land.

- The permit system will continue to apply to the vast bulk of Aboriginal land in the Northern Territory
  - this includes homelands.

- The Northern Territory Government will also be given the power to make laws to temporarily restrict access to areas where the permit system no longer applies to protect the privacy of a cultural event or to protect public health and safety.

- The changes will be implemented by amendments to the Aboriginal Land Rights (Northern Territory) Act 1976.

More information on the changes is available at this website: www.oipc.gov.au