

Women's International League for Peace and Freedom
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**Submission to the Federal Government's
Northern Territory Emergency Response Review**

Preamble

This submission is made on behalf of the Australian Section of the Women's International League for Peace and Freedom (WILPF). Since its founding in 1915, WILPF has worked for social and racial justice, human rights, the environment and an end to war as a means of dealing with human conflicts. Addressing racism, both within our own organisation and in the wider community, is a key part of our organisation's programme of work.

Last year, when the Northern Territory (NT) Intervention was first undertaken, we indicated that WILPF supported the need for urgent Federal Government action against violence, and against child sexual abuse in indigenous communities in the NT. WILPF continues to support the involvement of the Federal Government in addressing these things. As the Anderson/Wild report concluded, addressing child sex abuse was – and is – a “national emergency”. WILPF therefore welcomes the Federal Government's willingness to grapple with these difficult issues.¹

While there is no intention on the part of our organisation to suggest that the Northern Territory Emergency Response (NTER) does not arise out of the best intentions on the part of governments to address an extremely difficult set of circumstances – a set of circumstances which has appeared intractable over a long period of time – nevertheless, good intentions are not enough. Many, if not most, of the mistakes of the past have arisen out of good intentions. In fact, in view of the history of oppression of indigenous

¹ We must also note however that a similar degree of child sexual abuse exists in other parts of the Australian community and, while addressing the problems in the NT, it is important to guard against further stereotyping of indigenous Australians as if to say that their communities are in some way unique in regard to child sex abuse or domestic violence. They are not. Anything that appears to suggest this is dangerous as it adds fuel to the fire of racism that is prevalent in our society and makes real progress in addressing indigenous disadvantage so difficult. Our collective horror of sexual abuse of young children is so strong that people have difficulty in not demonising people who act out such abuse even though it is overwhelmingly the case that most perpetrators were once innocent victims themselves.

Australians and of white colonisation, it is not overstating it to say that many indigenous Australians have died and been made sick precisely because of good intentions on the part of the “white” community. Hence, the central importance of genuine, thorough and respectful consultations with the indigenous leadership cannot be overstated.

Back in July last year, our organisation wrote to the then Federal Minister expressing the hope that the Federal Government’s willingness to be fully engaged with Aboriginal communities in the NT may finally begin to redress the last thirty years of policy failure in this area. However, we also observed at that time that the implementation of the NTER bore all the hallmarks of policy-making on the run.

Nothing has emerged in the intervening time to dissuade us from that view. This submission is therefore made in the hope that these policy deficiencies may now be addressed by the Rudd Government.

This submission is in three parts. The first part comprises this present document.

The second part of our submission is the more or less verbatim transcript of an interview conducted very recently (12/8/08) with a long-term trainer and consultant who works for an indigenous organisation in the Northern Territory. Although this worker is not named in these documents, if the Review Committee believes that it is essential, we are willing to supply the name of the worker with appropriate assurances and protections. Over the past thirty years, this worker has spent - and continues to spend - a large amount of time in a number of remote communities in the Northern Territory. The interview was conducted and transcribed by Cathy Picone. The transcript of this interview is supplied as Appendix 1.

The third part of our submission is an executive summary of the monograph by Richard Trudgen entitled “Why Warriors Lie Down and Die”. This book was first published in 2001. The executive summary, taken from the author’s website, is supplied as Appendix 2.

We thank the Review Committee for the opportunity to make this submission, and ask that these three constituent parts be read in conjunction as a single submission.

The Need for Genuine Consultation and Flexibility

Central to our submission and to the views of both Richard Trudgen in his book, “Why Warriors Lie Down and Die” and the consultant/ trainer whose words are transcribed in Appendix 1 is the understanding that what is required, above all, is consultation; the “return of real control”² to the Aboriginal people, the “empowerment” of Aboriginal people. To date, this sort of consultation has been conspicuously absent from the NTER.

² From Trudgen, Richard: “Why Warriors Lie Down and Die”, 2001, Aboriginal Resource and Development Services Inc.

The Howard Government and the previous Minister displayed an extremely limited understanding of what constitutes consultation. It is our hope that the Rudd Government may be able to address this deficit by making the necessary improvements to government policy and process. However, we must admit to a degree of despair on this point as the consultant/ trainer we interviewed remarked on a huge “lack of flexibility” in the NTER:

“And finally, during the Intervention, what has become apparent is a remarkable lack of flexibility, in fact a real inflexibility. Of course, anyone needs to start off with an idea but there’s been a total lack of capacity to adapt to situations. It’s almost impossible to get any feedback through. There’s a total lack of responsiveness. The people on the ground are even embarrassed about this rigidity.”³

Centrally and above all, governments must work in collaboration with and with respect for Aboriginal leaders and Aboriginal communities. Consultations need to be genuine consultations. It is not enough to be flying ill-equipped consultants into remote communities, conducting questionnaires and then telling people in indigenous communities what is going to happen.

Centralised, imposed, top-down programs will not, indeed cannot, work. Because community engagement is fundamental, thorough consultations were - and are - necessary. Any action undertaken by government and government workers needs to be in respectful partnership. The necessary trust needs to be built. Government needs to get the views of the people and practitioners on the ground and ask them what they believe should happen.

White Society’s Racism

Richard Trudgen’s book was published seven years ago in 2001. We ask why it is that his book has received so little attention; why it is that the same thing needs to be said over and over again; why it is that white society and white governments seem not to be able to hear the very fundamental points being made by authors such as Richard Trudgen.

We think that the answer lies in our own whiteness - which is also a kind of blindness. As whites, we have come to occupy a privileged position in this society, and we seem to be unable to take account of our privilege. We believe that when we see things going “wrong” in Aboriginal communities, we have the right - even the responsibility - to go into those communities urgently and immediately and, as we see it, set things right.

In the words of the consultant/ trainer we interviewed:

“All this is happening TO Aboriginal people. They’re not participants.”⁴

³ Appendix 1, page 5

⁴ Appendix 1, page 4

It's become what that consultant/ trainer called "a feeding frenzy for the Aboriginal industry – another layer on the blanket of white oppression."⁵

And the worker concludes:

*"Overall, there's just been this enormous busyness."*⁶

While we in WILPF can wholeheartedly agree that it's true that we need to take some action, we are calling for that action to be undertaken in true partnership with Aboriginal people, not with some few selected Aboriginal leaders in communities far away. The consultation needs to be with the Aboriginal people in the communities, the very people who will be and who have been, affected by our white interventionist actions. This point is well made by Richard Trudgen and is central to his book - see Appendix 2.

Funding Commitments

We concur with Fred Chaney in his view that: "Australians want no less than equality for Aboriginal people. Australians will tolerate the extra expenditure required if they are confident that it will yield results."⁷ Consequently, it is our hope that the Federal Government will make the necessary financial commitments to ensure that all Aboriginal communities have adequate resources and infrastructure. Because of the huge deficits and long history of neglect by governments at all levels, we recommend that greatly increased funds should be directed towards the needs of indigenous Australians in the NT communities.

For instance, we believe that there is a need to provide real jobs in the townships and communities. Potential workers in those communities should not have to rely on part-time jobs provided under Community Development Employment Projects, or "work for the dole". The Government needs to provide full-time government jobs that bring communal and public services, just as everywhere else in Australia.

WILPF also believes that the huge deficit in the provision of adequate housing in indigenous communities needs to be addressed as a matter of urgency. The provision of shipping containers as dwellings is thoroughly unsatisfactory.

Quarantining of Welfare Payments

On the question of the quarantining of portions of welfare payments, while some affected Aboriginal people are happy with the policy⁸, we believe that the measure is in general misdirected. For a fuller view on this point, a view which is consistent with our own, please consult the first part of the interview in Appendix 1.

⁵ Appendix 1, page 3

⁶ Appendix 1, page 4

⁷ From his joint address with Tom Calma to the National Press Club, 5 July 2007

⁸ See Appendix 1, pages 1 - 2

Government needs to empower people to manage their own money rather than usurping their rights by withholding portion of their welfare entitlements. Coercion does not work; full respect for people's human rights does.

Other means – other than quarantining of welfare entitlements - must be found to prevent humbugging.

Reinstatement of the Racial Discrimination Act and the Northern Territory Aboriginal Land Rights Act

The Racial Discrimination Act (1975) is one of the human rights instruments that the Government needs to observe. Any measures undertaken should not be directed against any one particular racial group. Policy and practice must be non-discriminatory. The racist implications of the present policy are not lost on Aboriginal people affected by the measures:

“And why are they doing it to Northern Territory Aboriginals? To the Aboriginals - not to the white people? Because I'm black.”⁹

WILPF calls for the immediate reinstatement of the RDA (1975).

On the most important question of the seizure of the land for five years, we believe that taking back the leases for five years infringes the Northern Territory Aboriginal Land Rights Act (ALRA). WILPF agrees with Patrick Dodson in his statements that:

“the fundamental changes proposed for the land rights act that mandates Commonwealth Government control of the Northern Territory communities would be a devastating setback for Aboriginal rights”; and

“the Northern Territory ALRA is the iconic declaration of the Australian nation's intent to restore to Aboriginal people the dignity of their traditional lands”; and that

“these settlements have become the lifeblood of cultural regeneration as indigenous people, by their own determination, relocated in extended family groups to traditional country after the collapse of the feudal pastoral industry regime and closure of church missions in the 1960s and 1970s”.¹⁰

⁹ Frank Djirrimbilpilwuy quoted in a conversation between Kathy Mills, Ali Mills and Frank Djirrimbilpilwuy on the anniversary of the NT Intervention, Darwin 21st June 2008

¹⁰ Quoted in *The Age*, July 14, 2007:
<http://www.theage.com.au/articles/2007/07/13/1183833765256.html>

All Governments Need to Work Together

Like the authors of the “Little Children Are Sacred” report, WILPF believes that it is necessary that all governments work together for any program/s to have any chance of success.

In the words of the interviewee recorded in Appendix 1:

“You can’t separate the Intervention from what’s happening with the NT Government’s reforms of the councils. To people for whom English is a fourth language, the difference between territory government and federal government doesn’t matter. People see it as the same thing.”

What is required is for all levels of government to act cooperatively and collaboratively, and to end the “blame game”.

Alcohol and Pornography Bans

The bans in some communities on alcohol and pornography do not in themselves do anything to rid communities of violence or sexual violence. If anything, sudden withdrawal of alcohol from addicts is likely to give rise to more violent behaviour. It is simplistic to use such heavy-handed approaches without long-term support measures such as counselling.

In any case according to the consultant we interviewed:

“[T]here’s still a significant amount of marihuana and kava coming in.”¹¹

Conclusion

In general, we in WILPF would prefer to see a less punitive, less accusatory approach from the Federal Government, an approach that is more consultative, conciliatory and rehabilitative, one where the emphasis is on:

- genuine consultation with Aboriginal people;
- increased flexibility on the part of government to respond to people’s concerns;
- respect for human rights instruments such as the RDA (1975) and the Northern Territory ALRA;
- adequate funding to address the deficits in resource provision and infrastructure including adequate housing;
- provision of adequate services including health services, and rehabilitation services for alcoholics, users of pornography and sex abusers;
- provision of real jobs; and
- provision of support services for parenting.

*Prepared by Cathy Picone and Ruth Russell
For WILPF (Australian Section) Inc., 15 August 200*

¹¹ Appendix 1, page 4