



# THE UNITING CHURCH IN AUSTRALIA

## NORTHERN SYNOD

### **Statement on the Northern Territory Emergency Response Act 2007 (Intervention)**

The Northern Synod of the Uniting Church covers all the Northern Territory, the Kimberly Region around to and including Broome and the Anangu Pitjantjatjara Yankunytjatjara Lands (APY) Lands of South Australia. Through the work of its predecessors' in the Methodist and Presbyterian Churches, the Northern Synod has an extensive history of engagement and working in partnership with Indigenous people.

#### **2007 Story**

In 2007 the Northern Synod condemned the Intervention as abusive, intrusive, and damaging. Of particular concern was the lack of consultation with Indigenous people on major the reforms contained within the Intervention's various legislative changes.

The 2007 Synod stated that the Commonwealth Government should:

- a) repeal the *NT Emergency Response Act 2007*; and
- b) start afresh through consultative processes to develop a range of responses that directly address the recommendations of the *Little Children are Sacred* Report.

The 2007 Synod decision reflects the view that real and sustainable progress will not be made unless there is appropriate and relevant engagement with Northern Territory Indigenous people. Indeed there is the danger of a backlash due to the lack of identifiable outcomes achieved against the expenditure of large amounts of public funds through the Government's Intervention.

#### **2008 Story**

In 2008 the Northern Synod made a submission to the Intervention Review. The central thesis of the submission was that Government needs to stop intervening and start working with Indigenous community groups. Sustained engagement with local communities is needed to develop and implement local solutions. The issue was not alternative measures developed by people in Canberra, but alternative approaches developed in consultation with Northern Territory Indigenous people.

#### **2009 Story**

In 2009 the story continued to reflect that government was not listening, or if it was listening, was not taking any notice. The rejection of the recommendations of the *Yu Review* (version 1) demonstrated this concern. The Northern Synod continues to oppose the Intervention because its measures come from a mindset of 'one-size-fits-all', and have not been designed with NT Indigenous community input.

## 2010 Story

The 2010 story is shaped by the response from the Australian Government following consultations undertaken in 2009. The response, *Future Directions for the Northern Territory Emergency Response*, released in December 2009, addressed some of the concerns presented by the Northern Synod though the consultation process and other communications with the Minister and the Department of Families, Housing, Community Services and Indigenous Affairs.

While containing some changes which are commended, the changes have still badly missed the main point of our submissions, which is that the relationship between the Commonwealth and Indigenous Australians needs to be re-set.

While the Australian Government has stated a commitment to a more respectful and supportive relationship with Indigenous Australians, this has yet to happen. Although the commitment is appreciated for its inherent values and intent, it is also at the heart of the problem with the Intervention, which is that the Australian Government's initial and continuing approaches and actions as undertaken through the Intervention do not contain a basis for a more respectful and supportive relationship with Indigenous Australians.

Instead, the Government's approach lays a basis for ongoing mistrust because Government has placed its focus on (improved) service delivery, to the detriment of entering into an active, working partnership with Indigenous bodies, groups and peoples. The Government focus remains on doing things "to" or "for" Indigenous peoples, rather than on working together to achieve mutually sought after outcomes.

In order to re-set the relationship, the following actions are recommended.

1. Fully, not partially, restore the *Racial Discrimination Act 1975* and other human rights obligations suspended or removed by the Intervention legislation and do so immediately.
2. Place development of a *Treaty* back on the national agenda and proceed to develop an *Australian Human Rights Act*.
3. Disengage the spin doctors and provide meaningful information, with an appropriate range of options as applicable, to aid meaningful communication, especially for Indigenous community consumption.
4. Re-design consultation process and refocus consultations as negotiations with community representatives, open to a wider range of possibilities.
5. Cease head-deals with a very small number of influential Indigenous powerbrokers and instead engage with local community or regional leaders as relevant to the matters to be addressed.
6. Where negotiations/discussions involve people whose first language is not English, use interpreters/translators to ensure community leaders and members understand what is being considered.
7. Where negotiations/discussions involve people whose first language is not English, conduct negotiations in the languages of the Indigenous peoples involved.

8. Refocus the work of current Government Business Managers and other public servants interacting with Indigenous people from being community administrators/controllers to act as community development consultants.
9. Ensure that Government Business Managers and other public servants interacting with Indigenous people have completed some form of cross-cultural awareness training.
10. Allocate funding (for the employment of consultants, etc,) so community groups may be able to develop their own local community or regional Alcohol Management Plans. This will probably involve revocation and re-declaration of Prescribed Areas as the Alcohol Management Plans will most likely contain boundaries that relate to specific communities and surrounding lands.
11. Remove the existing and offensive Prescribed Area alcohol and pornography signs that stigmatise communities and the people who live in them.

It remains a tragedy that the statement made by the annual meeting of the Northern Synod in September 2007 is just as relevant now as it was then. Accordingly we repeat our 2007 statement that:

The Northern Synod calls on the Australian Government to enter into a real partnership with Indigenous people in the Northern Territory by enacting legislation that upholds human rights, affirms self-determination and enhances the capacity of individuals and communities to contribute to solving issues of concern within their own lives.

In 2010 the Northern Synod of the Uniting Church again calls upon the Australian Government to stop intervening and start working with the Northern Territory's Indigenous people.

*March 2010*