

Dear Senator Ferguson,

I acknowledge your reply, dated September 14th, to my correspondence re the Northern Territory legislation which I hoped some Senators on both sides of the Senate would oppose. I am well aware that the Liberal Coalition of which you are a part passed that legislation without considering the amendments put forward in the interest of the protection of Indigenous rights. That is part of the arrogance that has become obvious since the Liberal Coalition with the support of Family First gained control of the Senate.

What the Liberal Coalition has done with relation to the so-called emergency leases over so many parts of Aboriginal land calls in question the integrity of the government which has shown so little concern for Australia's Indigenous people for the last eleven years. I remember when the Aboriginal women years ago were begging for your support, you ignored them. You cut the level of support for three Aboriginal-governed educational institutions: the Institute for Aboriginal Development in Alice Springs, the Dance Theatre in Redfern, Tauondi in South Australia. In 2005/6 approximately \$140 million designated for Indigenous education was not spent. In her reply to me the Minister for Education blamed the failure of Indigenous communities to fulfil what were the very one-sided 'mutual obligation' conditions. When the government of which you are a part is well aware, since you have put so much more money into private schools on that post code provision and made education more accessible for those who can pay, that education is the key to escape from poverty you allowed that allocated money to remain unspent.

The Federal government has had the responsibility for support for Aboriginal and Torres Strait Islander Australians in legislation since the 1970s. When the Liberal Country Coalition was in power in the Northern Territory, you did almost nothing, except funding English only education. You undermined the bi-lingual approach to education which had been, and is well researched as the best way to educate people for whom English is the second, or even third language. And you cut funds for English as a Second Language.

You enabled that government, with its history of 25 years of neglect, to undermine bi-cultural approaches which allowed students to retain connection with and pride in their culture. In fact, some of the bi-cultural research material was sold by the NT government to other countries because it so well documented the sound educational practice that the Howard government deliberately undermined in your determination from the beginning, when Herron established that review of ATSIC, to remove any self-determination for Aboriginal people and to push for assimilation.

Yes, when Opal was developed, you supported its use in Aboriginal lands. However, you did nothing to deal with the underlying problems that encouraged Aboriginal people to feel they had no future. Where was the support for employment? If the government had invested in roads, generators, and proper housing, instead of spending its time berating the NT Labor government which inherited - and contained - twenty-five years of racism and neglect when it won the election in 2001, we might have seen a decline in child abuse which, by the way, is not just a concern for Aboriginal communities.

At no stage was there any commitment to support Aboriginal self worth. As the Prime Minister said, concern for Aboriginal people 'would not play at the ballot box' at the last election. That is why your government felt free to ignore Aboriginal needs and wants in this latest budget. The sanctimonious attitude of the Minister for Indigenous Affairs when he justified removing support for the safe house for women at Yuendumu on economic grounds was sickening. If you don't know, you should know, that women's shelters need to be there for the times when women and their children need refuge from domestic abuse. To suggest that it was under-used and therefore a cost in fact increased the likelihood of

child abuse because there was no place for the women to escape. The cuts to support for the women's shelter in Balgo in Western Australia is another example of this penny-pinching in one of the areas of greatest need. This from a government so proud of its surplus!

In the area of health, the failure of the government to follow up initial treatments for trachoma with the appropriate anti-biotics meant that children's sight continued to be impaired. Over-crowding meant that children were, and are, exposed to all of the respiratory ailments for so many years. In the area of 'glue ear', you chose to do something when some communities signed 'mutual obligation' agreements'. Chlorine in swimming pools can decrease the problem of serious ear infection. With English containing so many silent letters and so many that sound different from the way they look, you showed no interest in connecting the needs of health with responses to education. Non-Indigenous bureaucrats will be paid to decide what constitutes 'essential priority needs'. The Minister can designate the school area to which a child must go. I wonder whether, at any stage, the quality of the education provided is considered! Now, you are promoting private ownership in return for a 99 year lease on land near Sky Bay. Where will people with the highest level of unemployment, and therefore no capacity to put money aside for superannuation for their future, get the money to pay the mortgage, let alone meet the daily costs of each household? Your government's ideological commitment to individualism and market-driven life has meant that you will not recognise or respond to attitudes that are culturally different from the one that you have imposed on Australia for the last decade. We can expect mining companies to move in. I saw the situation on the Gove Peninsula for myself where hotels undermined efforts of the Aboriginal community to decrease the use of alcohol.

You are well aware, as a government, that how people feel about their treatment in the past affects their positive commitment to the future. Instead of using cooperative approaches, when the drama of 'The Little Children are Sacred' hit the headlines, so close to an election, you decided to be punitive. In a reply from the Minister for Health to my specific questions about support for Aboriginal women, I received generalities about total amounts of money. My concern is where the money has gone. In a recent article in the *Canberra Times* we gained a clear picture of where this money will be going. So much into the payment of members of the bureaucracy and you are not accountable for how that money, my money, is used.

I have the greatest admiration for the Indigenous women and for those non-Indigenous women who have worked with them for decades, trying to make the government of which you are a part show an interest in the key issues of health, education, over-crowding, under-employment and lack of infrastructure in remote areas. The Prime Minister got rid of the Aboriginal women who might challenge his approach. As usual, his approach has been that of sledge-hammer. Health workers and police and support to build houses, while working with Aboriginal people to maintain them, would have been cooperative. This was what had been sought. The Prime Minister ignored the key elements of the Anderson-Wild Report. I note that the Minister for Health has said \$100 million will be committed to the health of Aboriginal children to follow up these initial health checks. Initial health checks eleven years on from 1996! What does that tell you? How will the money be spent? Will it be spent constructively supporting Indigenous health centres like the effective one in Katharine? Will it be under-spent again? There are so many questions, so much distrust. In fact, this is what the government of which you are a part is doing.

Thank you for your letter which I am sharing with others who have more direct knowledge than I have about the real impact of the legislation that has been passed. I conclude my letter with this article in *The*

*Canberra Times* by Jack Waterford. Unfortunately we do not have a paper in Adelaide that is prepared to do this kind of detailed investigation of what lies behind the legislation. Note the phrase in the article that I have italicized and made bold which reveals the clear purpose of the government. That explains why Australia, to its shame, did not sign the United Nations Declaration of Indigenous Rights. Who was it not 'fair'to? Those who would exploit Indigenous land, deny Indigenous rights and ensure that the Native Title legislation is made null and void.

Yours sincerely

Erica Jolly.

See this article by Jack Waterford.

'A roadmap for indigenous upliftment' (6, Tue 04 Sep 2007)

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'NEVER mind the depth. Feel the width. The Northern Territory Emergency Response to the crisis in Aboriginal communities has already led directly to new jobs for nearly 528 people (albeit nearly all whitefellas), created a bonanza in the Northern Territory training industry, and given the Toyota franchise in the territory perhaps the greatest shot in the arm that it could ever have hoped for about \$15 to \$20 million will be spent on four- wheel drives over the next six months.

By rough figuring, that's an extra pale- white right hand for every 40 Aborigines, costing the federal taxpayer about \$250,000 each in salary and immediate on-costs, or about \$6000 per Aboriginal person served. Added to the helping, caring and cajoling establishment of about 4500 already directly involved in looking after these benighted people, we will pretty soon be up to one whitefella (bureaucrat, teacher, cop, health worker, welfare worker or manager) per Aboriginal family of five, at a cost somewhere in the order of \$50,000 per man, woman and child. So far, alas, the very cost of maintaining this establishment will probably preclude doing much to improve the living conditions of the subjects of this attention.

One can expect that air conditioning in every temporary shelter built for white fellows as a result of this exercise will take priority over new housing or clean water for the communities involved. Of the \$293 million currently announced as new expenditure nationally for Aboriginal housing, for example, one might expect that shame will force the feds and the Northern Territory Government to spend about \$120 million on new dwellings, and maintenance of old dwellings, in the territory this year.

Given the rate of depreciation of old dwellings, and the population explosion there, spending at that rate should see all territory Aborigines in satisfactory housing by about 2090.

For the foreseeable future, Aboriginal men, women and children must cope with an average occupancy, per substandard three-bedroom house, of about nine. We are not, however, setting this as the living standard for the new white helpers, even if, according to the department, some of them will, from time to time, have to use swags. By one figure I was given last week, the Toyota bonanza alone ought to be worth more than \$40 million, but this, based on what some of the new white public servants on the ground have been told (that they will get a Toyota each), has been denied by a spokesman for the

department of Families, Community Services and Indigenous Affairs.

"There is no allocated 'car' for 'volunteers'," the spokesman, not a million miles from the minister's office, said. By "volunteers" he meant ordinary public servants who have volunteered to go to the territory for set terms, partly from altruism and the desire to save Aborigines from themselves and partly in pursuit of the generous bonuses and allowances on offer. "The appropriations received for the NTER do include funds for vehicles, and staff posted in the NT will have access to vehicles ...where there is an operational requirement." So far, he said, 131 Commonwealth public servants have been sent to the Northern Territory under the "volunteer" scheme. Twelve more have yet to be sent. "Not all agencies have settled numbers of personnel, and will adapt requirements as necessary." There are also 30 Australian Defence Force personnel already allocated to the task force, with another 33 yet to be sent. The existing 40 or so Australian Federal Police and state police officers sent to supplement the Northern Territory Police presence in Aboriginal communities, are to be bolstered by a further 66 from the AFP.

The NT itself is kicking in 40 more cops in communities than were present before the emergency was discovered. Here in Canberra, we manage with a cop for every 450 people or so. Remote territory Aborigines were getting by, until the crisis was discovered, with about one for every 400, but, now that their problems are appreciated by the Minister, there is to be a cop for every 100 Aborigines or so.

Propaganda for the invasion has already shown many of these police leading little kids to school each day, as part of a fresh concerted effort to bolster school attendance. A worthwhile exercise, indeed, perhaps capable of garnering some incidental intelligence on who is and who is not being sexually abused, and doing something about it the official public point of the expedition. At current rates of progress, after a lot of case-finding assistance from health workers and social workers, there will prove to be, over the next year, about one case worth investigating per two cops on the ground, with about one matter able to be prosecuted per 10 cops on the ground.

They will not want for help from the Northern Territory Government. To prove that it means business on Aboriginal child protection, it has announced 223 new jobs which I expect to be at a rate of about five jobs per case, and 10 per successful prosecution. Its package involves, as new jobs, a Children's Commissioner, 10 child-protection workers, 37 new "specialist" jobs in its welfare branch, 40 cops in a remote- policing child-abuse task force, four specialist alcohol rehabilitation workers, 26 new family-violence support workers, 10 new "community corrections" officers, 10 new school counsellors, 47 new teachers and assistant teachers for remote schools and pre-schools, three new staff in the Northern Territory Department of Employment, Education and training, one Aboriginal and Islander education coordinator (whatever that is), two court clinicians, eight alcohol-compliance inspectors, one witness-assistance officer, and 23 specialist staff in the child-abuse task force.

It is not obvious that very many of them will be Aboriginal. It's a bit harder to get a fix on the new on-the-ground Commonwealth bureaucrats, in part because no one yet seems to know. Scores of people have already arrived in the Northern Territory with no one seeming to have the faintest idea of what they are expected to do.

For the moment some are undergoing hurriedly improvised "cultural-awareness courses" (two days seeming to be enough for that), instruction in first aid, and lessons in how to unbog Toyotas. According to the Minister's office, "Currently there are 15 Government Business Managers deployed into communities. A further 21 GBMs have been selected and will be allocated once training is completed.

"Other APS staff have not been allocated to specific communities but make visits as required. Centrelink employees for example are working in field teams (of three Customer Service Advisers and one Social Worker/Psychologist) visiting communities. These field teams are involved in providing Centrelink services, including general Centrelink services, lifting of Remote Area Exemptions and explaining Income Management initiatives to customers.

DEWR staff, for example, have key responsibilities around coordinating the delivery of employment-related DEWR services." So how is it run? "The administration of the NTER is shared between the NTER Operations Centre (based in Alice Springs) and the National and State offices of the relevant Australian Government agencies. "The NTER Operations Centre, under the command of Major General Dave Chalmers, is responsible for: coordination and implementation of NTER stabilisation phase measures in prescribed communities, including required logistical and field support; NTER planning and reporting; and liaising with Australian Government agencies regarding NTER related policy and program development.'

' Got that? "The Operations Centre reports to the Prime Minister and the Minister for Families, Community Services and Indigenous Affairs [Mal Brough] through the [NTER] Taskforce (NTERT). "The Operations Centre structure consists of a Commander and Deputy Commander, a Chief-of-Staff (responsible for overarching management of Operations Centre staff), and senior liaison officers from relevant Government agencies. "In recognition of the complexity and magnitude of the NTER a sub-group of the Australian Government Secretaries' Group on Indigenous Affairs has been established to provide strategic whole- of-government oversight of the NTER policy framework and implementation.

"This group reports to the Prime Minister and [Mal Brough] and is chaired by the Secretary of [PM&C], Dr Peter Shergold. "The Secretary (Jeff Harmer) and Associate Secretary (Wayne Gibbons) represent [FACSIA] on the Secretaries' sub-group. FACSIA has the lead role in supporting and coordinating NTER policy development and implementation across Australian Government agencies for all NTER measures. "Day-to-day management of specific NTER measures is the responsibility of relevant Australian Government agencies as follows: housing and land (FACSIA); employment and CDEP transition (DEWR); health checks (DOHA); welfare reform and income management (FACSIA and Centrelink); pornography (FACSIA, AGD, DCITA); and alcohol management (FACSIA). "The Northern Territory Government is also responsible for assisting with the implementation of a number of measures and has taken lead responsibilities on the implementation of police in remote Northern Territory communities". Yes.

But how will we know whether this bureaucrats' picnic is achieving anything? I asked Mal Brough to "articulate a mission" for the intervention, which was capable of being judged by performance on June 30 next year, and by measurable, quantifiable and qualitative standards of performance on matters such as prosecutions, housing standards, children in classes, etc, in five years time. How would we know in short whether the intervention had worked? Too early to know just what it is intended to achieve, it seems. Here's the draft response from the Minister: "The Australian Government has a long-term, commitment to ongoing monitoring and reporting on the [NTER]. Baseline data on the affected communities is being collected and compiled. Progress will be closely monitored and an evaluation methodology established and implemented".

Yes, but no doubt the task force on equine flu could say the same thing. Is there any detail? Of course.

"The Government's strategy has several components including: stabilisation the current phase to protect children and make communities safe; normalisation of services and infrastructure; and longer term

***support based on the same norms and choices that other Australians enjoy.*** "In the initial ... phase, monitoring will focus on the implementation of the emergency measures and securing the safety of communities.

It is important to note that in the absence of a permanent police presence before now in many of the affected communities, the existing indicators on such things as reported offences and other measures of community safety may be understated. "Further, for other indicators such as children's health and school attendance, there will be intermediate and longer term impacts, reflecting the staged approach to the emergency response and to particular components such as welfare reform."

Heaven knows what exactly the caveats in the last sentence mean, if anything.

But I think I detect in them the Year Zero approach of the Minister, by which it is to be assumed that nothing whatever had happened until he turned the show around. If this proves to be the case, one can take it that everything capable of being positive will be triumphed as being new, while everything which is negative can be dismissed as a hangover of the past, with great care taken to make sure that no new statistics are capable of being compared with old ones. The Defence Department seems to have much the same problem in defining its mission, or standards by which we will know, ultimately, whether they had a famous victory or an ignominious defeat.

I asked the Chief of the Defence Force, Air Chief Marshal Angus Houston, for a brief statement of "explanation of what the ADF was doing in the Northern Territory and in Aboriginal affairs generally, to what purpose, within what brief from government, with what budget and under what rules of engagement". In response, I was given four A4 pages of complete guff to the broad effect that the ADF loved Aborigines, employed lots of them, and had a long and proud history of working with them. But it was a bit vague on detail, apart from saying that its NTER work was termed by it Operation Outreach, began on June 27, and that Colonel Mark Shephard had been made commander of Operation Outreach's Joint Task Force 641.

"ADF support to the [NTERT] currently includes mobility, communications and sustainment assistance to police and civilian health teams, inter-agency liaison and assistance with the procurement and provision of medical stores and contracted trade services."

Ah! Now I get it. Think back to the Raj.

The invading army is actually the army of clerks, there to liberate the blacks by bringing them into the mainstream. This is to be achieved by means of controlling their income, what they can read and see, and closely supervising all aspects of their lives. The ADF is merely acting in the honourable, if not entirely military, capacity of camp-followers: basewallahs, junglewallahs, oontwallahs, biltiwallahs, goowallahs, chawallahs, boxwallahs, paniwallahs and punkahwallahs. No such people have ever been defeated in combat. Not by blackfellas. Not by whitefellas either.

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The Canberra Times.