

**NORTHERN TERRITORY
EMERGENCY RESPONSE (NTER)**

MONITORING REPORT

Measuring progress of NTER activities

JULY 2008 TO DECEMBER 2008

PART ONE

Office of Indigenous Policy Coordination (OIPC)
Families, Housing, Community Services and Indigenous Affairs (FaHCSIA)

INDEX

Northern Territory	1
Emergency Response (NTER)	1
Monitoring Report	1
Measuring progress of NTER activities	1
Report Structure	2
1. Background	3
Data Sources	4
Evaluation and Monitoring	4
2. Executive Summary	6
3. Overview of Monitoring Data	12
Health.....	12
Enhancing Education	13
Supporting Families	13
Promoting Law and Order.....	14
Housing and Land Reform	17
Welfare Reform and Employment.....	18
Coordination.....	20
4. Perceptions of the NTER	21

Report Structure

This Northern Territory Emergency Response (NTER) Monitoring Report provides an analysis of data captured between 1 July 2007 and 31 December 2008. The last Monitoring Report provided information to the end of June 2008. This report focuses on the period from 1 July 2008 to 31 December 2008, however, in many instances information is provided for the entire period 1 July 2007 to 31 December 2008. In a small number of instances information is provided for 2009. The report does not provide comprehensive information on the 2009-10 Commonwealth Budget.¹ This monitoring report brings together information against each measure and includes:

- achievements and progress to date against targets and/or milestones
- what has not been achieved
- any 'lessons learned' or impacts.

The report has four parts:

- 1. Background** – information on the NTER and the data provided for this report.
- 2. Executive summary** – summary of key findings of the performance information for the first year of the NTER.
- 3. Overview of monitoring data** – overview of the analysis of indicators by measure.
- 4. Perceptions of the NTER** – community views on the NTER.

¹ <http://www.budget.gov.au/>

1. Background

The NTER was announced by the former Australian Government in June 2007 in response to reports of abuse and neglect of children outlined in the Little Children are Sacred report. The report made it clear that child abuse in Indigenous communities throughout the Northern Territory (NT) was at crisis levels. The present Government takes the view that Indigenous children are entitled to the same level of protection and support as other children in our society.

The NTER has a wide range of measures designed to:

- protect children and make communities safe, and
- create a better future for Aboriginal people in the Northern Territory.

The Australian Commonwealth Government has publicly committed to continuing and strengthening the Northern Territory Emergency Response (NTER) to ensure the protection of women and children, reduce alcohol fuelled violence and promote personal responsibility and community norms in Indigenous communities. The legislated period of the NTER is five years. The Australian Government will continue comprehensive, compulsory income management as a key measure of the NTER because of its demonstrated benefits for women and children.

In October 2008, the Government released the report of the independent Review of the NTER which found that the situation in remote NT communities and town camps remained sufficiently acute to be described as a national emergency. For this reason, the current stabilisation phase of the NTER will continue for the next twelve months before transitioning to a long-term, development phase.

The Australian Government provided its interim response to the Review Board's Report on 23 October 2008, accepting the Review Board's three overarching recommendations that:

- the Australian and Northern Territory Governments recognise as a matter of urgent national significance the continuing need to address the unacceptably high levels of disadvantage and social dislocation experienced by remote communities and town camps in the Northern Territory;
- Governments reset their relationship with Indigenous people based on genuine consultation, engagement and partnership; and
- Government actions respect Australian human rights obligations and conform with the *Racial Discrimination Act 1975* (RDA).

On 21 May 2009, the Australian and Northern Territory Governments released a joint response to the recommendations of the NTER Review Board, providing a more detailed summary of the actions agreed by governments on each of the seven NTER measures. The NTER will continue to be closely monitored by both governments and there will be a full evaluation in 2011-12.

Legislative amendments to bring existing NTER legislation within the scope of the *Racial Discrimination Act 1975* will be introduced in the Spring 2009 Parliamentary

sittings. As part of the legislation drafting process, there will extensive consultation with Indigenous people to encourage their input into the legislation.

The broadest NTER measures are:

Measure	Lead Commonwealth Portfolio
Improving child and family health	Health and Ageing
Enhancing education	Education, Employment and Workplace Relations
Supporting families	Families, Housing, Community Services and Indigenous Affairs Education, Employment and Workplace Relations
Promoting law and order	Attorney-General's Department
Housing and land reform	Families, Housing, Community Services and Indigenous Affairs
Welfare reform and employment	Education, Employment and Workplace Relations Human Services Families, Housing, Community Services and Indigenous Affairs
Coordination	Families, Housing, Community Services and Indigenous Affairs

The full suite of NTER measures have been implemented progressively in the prescribed areas specified in the *Northern Territory National Emergency Response Act 2007* (NTER Act). These areas generally have more than 100 residents and are known as the NTER communities². Some of the critical and sensitive measures, such as the introduction of income management under the Welfare and Employment Reform measure, will also apply to smaller communities such as outstations and town camps in the prescribed areas. Prescribed areas include all Aboriginal land granted under the *Aboriginal Land Rights (Northern Territory) Act 1976*.

The measures initiated under the NTER have continued through 2008-09 and include: further welfare and employment reform, ongoing and strengthened health services, community engagement, early childhood, family support packages, income management, additional playgroups, youth alcohol diversion, and promoting law and order.

Data Sources

Relevant monitoring data and analysis on each measure and sub-measure is provided by the responsible Australian and Northern Territory Government (NTG) agencies.

Evaluation and Monitoring

² The term 'community' is commonly used to refer to the Indigenous communities in the Northern Territory that are located within the NTER areas in which the NTER measures apply.

The NTER Evaluation Strategy provides ongoing assessment to reflect the phases of the NTER and captures the whole of government effort. The NTER Evaluation Strategy has multiple elements to capture information relating to the short, medium and long term effects of the NTER. Each element provides an incremental evidence base to inform the ongoing implementation and maturation of the NTER. Elements of the strategy include monitoring reports and the NTER outcome evaluation in 2011. The NTER Evaluation Strategy is reviewed periodically to ensure it addresses emerging needs and issues.

Much of the data in this Monitoring Report necessarily focuses on output measures such as an increased police presence. The report also goes beyond this to look at incidences of reported crime. However these data are limited both because crime may be under-reported and because factors such as increasing the number of police can result in an increase in reported crime while the actual incidence of crime may have remained unchanged or have fallen.

The outcome data reported is limited as the NTER has only been in operation for less than two years - while policy interventions designed to improve the operation of communities can have a significant effect in this period, this is the exception rather than the rule. It will take a concerted multi-year effort to achieve significant lasting change. While it is generally difficult to report outcomes at this stage, some outcome data are available. Outcomes data include the number of 'real' jobs available in communities.

An important aspect of evaluation or assessment of the NTER is the systematic collection of community perceptions and experiences. This will form a key component of the NTER evaluation. Community members see the impacts of policy on a daily basis and it is therefore very important to seek their input. However, it is equally important that these views are collected rigorously.

This report summarises two research reports that have sought to systematically obtain community views. Both of these reports confirm that views are mixed - many of the NTER measures are seen as being positive while others elicit a much more mixed view.

2. Executive Summary

The Australian Government's response to the review of the NTER included a continuation until 30 June 2012 of measures commenced in 2007 under the NTER and relevant legislation. The ongoing measures will be managed under the Closing the Gap in the Northern Territory National Partnership Agreement to strengthen and consolidate existing investment made under the NTER within the framework of the Remote Service Delivery Strategy and the Northern Territory Government's *Working Future* plan.

The partnership transitions the NTER to a three year development phase that will maintain and strengthen core NTER measures, while placing a greater emphasis on community engagement and partnerships, building capability and leadership within indigenous communities. The partnership will also build the capacity of the Northern Territory Government in areas of the protection of vulnerable children, and provision of law and order, quality education and health services to residents of the prescribed communities.

Specific measures in the first year of the NTER were directly targeted to the stabilisation of communities. These include income management, licensing of stores, nutrition programs, community cleanup and housing repairs and additional law and order such as additional police, night patrols, safe houses, and alcohol and pornography restrictions. Most intermediate outcome indicators showed little change over the first year. However, in some areas reporting levels increased due to additional services, such as the 63 additional police officers, introduced as part of the NTER process. It is important to note that increases in reported incidents may not reflect a rise in crime, rather they are as a result of the additional police in the NTER communities.

Barriers to implementation of the measures were multifaceted but common to many was the interdependency between measures such as income management, store licensing and the School Nutrition Program. Also, lack of local infrastructure to support an increased workforce, constraints on workforce availability and logistical barriers such as distance to communities, weather and community business all had an effect on the rollout of the measures. Lack of expertise of government and non government organisation staff working in remote communities and time needed for community and service provider consultation also affected the rollout.

Key information to 31 December 2008:

Health

- A total of **10,292 Child health checks have been carried out** between July 2007 and December 2008.
 - Overall, 6,497 **children were referred to at least one specialist service** with a slightly higher proportion referred during July to December 2008 (74%) than during 2007-08 (61%). The number of referrals per referred child increased from 1.05 for 2007-08 to 1.4 for July to December 2008.
 - Of the 6,497 children referred, **56% were referred to additional primary health care**, 51% were referred to dental services, 20% were referred to tympanometry and audiology services, 17% were referred to paediatricians, 13% were referred to ear nose and throat services and 17% were referred to other services.
- Preliminary data suggest that follow-up in **primary health care has reached over 80% of children who have received CHCs.**

Enhancing Education

- As at December 2008, **71 schools across 73 communities are being supported by a School Nutrition Program** - almost an eight fold increase since February 2008.
- Data from the NT Department of Education and Training shows that at December 2007 there were 5,460 students enrolled in Primary School and 1,335 students enrolled in Secondary School with an average attendance rate of 66% for Primary School students and 53% for Secondary School students. At December 2008, there were 5,336 students enrolled in Primary School and 1,929 students enrolled in Secondary School with an average attendance rate of 63% for Primary students and 54% for Secondary School students.

Supporting Families

- By 20 May 2009, **17 out of 22 Safe Houses were operational.**
- Three of the nine new **crèches are operational.** Five crèches are in the final stages of establishment – these are expected to open end June 2009. One crèche has been held over to 2009-10. Upgrades to six existing Australian Government crèches have been completed. Completion of five upgrades is expected by end June 2009.
- **Fifty communities have been visited by the Mobile Child Protection Team** and 459 cases investigated.
- As at 20 May 2009, **three of the five new facilitated playgroups** are operational and delivering playgroup services to 264 children and 92 parents and caregivers in 11 locations
- As at 31 December 2008, **Indigenous Children Program services** expanded under the NTER provided support to 33 children and 26 parents and caregivers

- As at 31 December 2008, the **Invest to Grow Child Nutrition Program** that was expanded under the NTER delivered 37 prevention and intervention sessions to 307 participants and assisted 65 children and their families with essential food and health requirements in emergencies.

Promoting Law and Order

- As at 20 May 2009, **sixty three additional police have been deployed since the NTER** was announced in June 2007; 45 Australian Federal Police (AFP) and interstate police and 18 NT police.
- At 20 May 2009, **four permanent Police Stations have been upgraded and 18 temporary Themis Police Stations have been established** in the 18 Operation THEMIS communities (some of these communities did not have a police presence prior to the NTER).
- In March 2009 a new permanent police station was officially opened in Galiwinku.
- The **number of domestic violence related incidents in the NTER communities reported to police rose** from 902 in the last six months of 2007 to 1163 in the last six months of 2008.
- NT Department of Justice data records **33 actual convictions for breach of a restraining order** across the NTER communities in the second half of 2008 compared to 43 in the second half of 2007.
- In the 18 months to the end of December 2008 there were **480 convictions for assaults committed in the NTER communities**. The equivalent figure for the 18 months ended December 2006 was 466.
- Child protection data are not available at the NTER community level. However data are available for Indigenous children across the whole Northern Territory. In 2007-08, Indigenous children in the NT were six times as likely as other children to be the subject of a substantiation of a notification of abuse and neglect.
- The rate of substantiation of a notification of child abuse for Indigenous children aged 0-16 in the NT rose from 16.8 per 1,000 children in 2006-07 to 23.7 per 1,000 children in 2007-08.
- Substantiations for Indigenous children in the NT were most likely to reflect neglect (36.5%), followed by emotional (27.1%) and physical abuse (21.8).
- Sexual abuse accounted for 14.5% of substantiations for Indigenous children in the NT in 2007-08, which is an increase of 4.6 percentage points from 2006-07.

- The total number of **incidents of child abuse³ reported to police in the NTER communities rose**, from 74 in the last six months of 2007 to 124 in the last six months of 2008. Almost three quarters of these related to 'child welfare'⁴.
- There were **17 convictions for child sexual assaults** committed in the NTER communities from July 2007 to 31 December 2008. This compares to 8 convictions in the 18 months ended December 2006.
- As at 31 December there were **63 active Night Patrols** of the 73 NTER identified communities. The number has increased to 70 as at 20 May 2009 with three communities still in the consultation phase.
- Between 1 July 2008 and 31 December 2008 **legal service providers handled 398 NTER related matters** including 81 advices, 83 duty lawyer services and 234 cases on issues such as welfare rights, alcohol management and child welfare,
- Legal service providers undertook **196 outreach visits to communities** between July and December 2008.
- In the period 1 July 2008 to 31 December 2008, **2518 people sought access to an interpreter**, an increase of almost 40% from the corresponding period in 2007. The number of hours of interpreting provided for the NTER for the period totalled 2,387 hours.
- Alcohol Management Plans are being implemented in Alice Springs, Tennant Creek, Palmerston and Katherine.
- Alcohol Management Plans are being developed for Jabiru, West Arnhem, Darwin, Borrooloola, Timber Creek, Maningrida and Elliot

Housing and Land Reform

- **As at December 2008, 3185 buildings have been surveyed under the Community Clean Up.** Make Safe repairs have been completed on 85% of the buildings surveyed and 86% had Minor Vital works completed.
- **A cadastral survey project to review the boundaries of the 64 five-year lease communities** was completed in 2008. The boundaries were reduced in all 64 communities to more closely match the lease boundary with the town footprint and to leave out areas not essential for service delivery. The changes came into effect on 1 April 2009.

Welfare Reform and Employment

- The number of **communities participating in income management increased** from 52 communities and seven town camp regions, to 73 Communities and ten town camp regions at the end of 2008.

³ This includes, child abuse material, child welfare, child welfare – pregnancy, child welfare STI prohibited material, and unclassified adult material

⁴ Child Welfare relates to issues that would generally be considered to be child neglect.

- Since July 2007, **a total of almost \$124.5 million has been income managed** as part of the NTER.
- Over **\$91 million was income managed between July 2008 and December 2008**. Ninety six per cent of this money was spent or allocated to priority needs, primarily food items, with only \$3.6 million yet to be allocated.
- As at 2 January 2009 **the number of Income Management customers was 15,488** – a net increase of 16% since 27 June 2008.
- 86% of Income Management customers at 2 January 2009 had a **BasicsCard**.
- The proportion of ‘auto income-managed’⁵ customers was only 0.5% compared to 13% six months earlier.
- At 30 June 2008 the most common payments for income management customers were Newstart Allowance (35%) and Parenting Payment (23%)⁶.
- At 31 December 2008, there were enhanced **food security measures** in all communities where income management was in place. Specifically, there were 75 licensed stores and an additional three communities having access to Bush Food Order packages.
- The total number of **income support recipients** in NTER prescribed communities decreased by almost 550 between December 2007 and December 2008. Fewer customers were receiving Newstart Payment and Parenting Payment, while increases occurred for Disability Support Pension and Carer Pension customer numbers. A number of customers moved off income support through employment under the Jobs Package.
- A total of **1,907 jobs had been created through the Jobs Package program** to December 2008, with 600 being created during July and December 2008.
- All of the 1,907 jobs created to December 2008 have been filled by previous CDEP participants.
- Over **2000 people commenced in the Work for the Dole program** between 1 August 2007 to 31 December 2008 with 34 per cent of commencements occurring between July and December 2008.
- Over **200 Indigenous people have been employed in childcare services** through the Jobs Package.
- The CDEP program was reinstated in remote communities from 1 July 2008 and as at 31 December 2008 there were almost 5,500 CDEP participants in the Northern Territory.
- Between July and December 2008 **CDEP services were being delivered by 28 providers** in the ICC regions of Alice Springs, Darwin, Katherine, Nhulunbuy and Tennant Creek.

⁵ ‘Auto income managed’ customers are customers who have not entered into a formal agreement with Centrelink – 100% of their Centrelink payments are withheld until a formal agreement is in place.

⁶ The number of people on Income Support does not exclude the Income Management exemption customers so these percentages are slightly overstated.

Coordination

- **20 Indigenous Engagement Officers (IEO) and three IEO Project Managers were recruited between July 2008 and 31 December 2008.**
- **As at 26 March 2009 approximately 700 complaints relating to the NTER had been received by the Ombudsman's office – 103 of these between July and December 2008.**
- **Between July and December 2008 the Ombudsman's office visited 19 communities and 24 town camps.**
- **There were 53 GBMs in place servicing 73 communities and town camps in the Darwin, Alice Springs, Katherine and Tennant Creek regions as at December 2008. As of May 2009, there were 60 GBMs in place servicing 73 prescribed communities, Borroloola and town camps in Darwin, Tennant Creek, Katherine and Alice Springs.**

3. Overview of Monitoring Data

Health

The main focus of the **Child Health Check Initiative** during the period 1 July to 31 December 2008 was the provision of follow-up care to children who had referrals from checks in earlier time periods. While preliminary data suggest that follow-up in primary health care has reached over 80% of children, follow-up in more specialised areas which requires the deployment of special facilities and staff is progressing more slowly.

The delivery of the new **Sexual Assault Referral Centre Mobile Outreach Service (MOS)** commenced in April 2008. During the period 1 July to 31 December 2008, service delivery continued at the same time as new policy, planning and infrastructure was established to support the implementation of the service with four years of funding across all remote areas of the Northern Territory. In addition, the Central Australian Aboriginal Congress (Congress) were funded to undertake the scoping phase of a Healing Model for Adolescent Sex Offenders and to facilitate the Male Health Summit 'Taking Care of Our Children', held in Central Australia in July 2008.

Key elements of the **Alcohol and other Drugs Response** introduced in 2007-08 are being continued in 2008-09 under the Closing the Gap – NT – Follow Up Care measure. This includes the deployment of 28 outreach workers

In the period January - June 2008 a wide range of measures to support expanded service delivery and workforce capacity were undertaken. In addition to the deployment of 28 outreach workers an Alcohol and Other Drug Clinical Director was engaged and workforce training and community education commenced.

From 1 July 2008, implementation of the \$99.7m **Expanding Health Service Delivery Initiative (EHSDI)** commenced. These funds are available in 2008-09 and 2009-10 and aim to increase primary health care service delivery in remote locations; deliver more regionally-based primary health care services in remote NT communities and recruit and deploy health professionals through the Remote Area Health Corp (RAHC). During the period July to December 2008, governance under the NT Aboriginal Health Forum was established and an investment plan with funding for \$38.9m in 2008-09 was agreed. An agreed list of core primary health care services was developed and plans for regional reform of health services established. The RAHC commenced operation following the engagement of ASPEN Medical and the first seven health professionals were deployed in December 2008.

Enhancing Education

As at December 2008, 71 schools across 73 communities were being supported by a **School Nutrition Program**. This is around a 30% increase since June 2008. The program is now in place in all prescribed communities.

The NTER does not directly address school attendance but the School Nutrition program, classrooms, staff and housing, aims to provide incentives for school attendance and well as increased supply of educational facilities.

Data from the NT Department of Education and Training shows that at December 2007 there were 5,460 students enrolled in Primary School and 1,335 students enrolled in Secondary School with an average attendance rate of 66% for Primary School students and 53% for Secondary School students. At December 2008, there were 5,336 students enrolled in Primary School and 1,929 students enrolled in Secondary School with an average attendance rate of 63% for Primary students and 54% for Secondary School students.

NT Department of Education and Training introduced Middle Years schooling in 2007/2008, which means from 2008 Year 7 students are counted as secondary students instead of primary students. This means care is required when comparing attendance rates for Primary and Secondary students from 2007 to 2008.

Supporting Families

Children's services and family support funding was provided for five new **facilitated playgroups** and the expansion of existing **Early Childhood Services** under the Indigenous Children Program (ICP) and Invest to Grow (ItG) Program.

As at 20 May 2009, one playgroup is operating in two sites in Yuendumu and two mobile playgroups based in Tennant Creek and Katherine are delivering playgroup services to families in nine surrounding community outstations. Two more playgroups will shortly begin operations in Milingimbi and Numbulwar.

The Council for Aboriginal Alcohol Program Services Inc (CAAPS) received additional funding in January 2008 under the NTER to expand their existing ICP services to support more families in the Northern Territory.

Three ItG projects also expanded their services in January 2008 under the NTER: the Child Nutrition Program which provides intensive family support and nutrition rehabilitation, the Core of Life program that provides information about pregnancy, breastfeeding and early parenting and the Let's Start Project that aims to develop a preschool program in communities that includes support for parents.

There is a significant lead time required for the effective implementation of

children and family services in Indigenous communities. This includes site selection, selection of appropriate service providers, recruitment of experienced and qualified staff and community and family engagement. These processes become even more time-consuming and resource-intensive when the communities are located in isolated parts of the Northern Territory and have limited existing services and infrastructure.

Twenty one of the planned twenty two **safe houses** have been established and as at 20 May 2009, 17 were operational.

As at 31 December 2008 only two child protection workers and an administrative assistant are employed on the **Mobile Child Protection Team**. The levels of staff on this team have been fluctuating with a high turnover of staff due to; the level of qualifications sought, the remoteness of the work and the short term contracts. In total 50 remote and regional communities have been visited and 459 cases had been investigated.

As at end January 2009 the **Remote Aboriginal Family and Community Workers (RAFCWs)** team comprised of eight RAFCWS staff, a team leader, a project officer and an acting Manager to providing liaison between families, local and regional services.

Promoting Law and Order

The discussion and analysis in this section is based on data supplied by the Australian Government Attorney-General's Department, the Northern Territory Police and the Northern Territory Department of Justice.

The NTER was principally addressed to the safety and well-being of children. It is particularly difficult to collect and report outcomes for this objective; however, some data are available and are reported below. Of course, the short-term impact of the NTER may be to increase reported crime and it is important to 'see through' such a short-term effect. If people in the NTER areas are more able to report crimes, then in the long run this is likely to have a positive effect as perpetrators will be more likely to be apprehended.

While data on assault and violent crime largely reflects crimes committed against adults, a general normalisation of violence is not good for children or adults and creates an environment in which crimes against children are more likely to occur. There is significant evidence that violence is normalised in many remote Indigenous communities⁷. Much violence remains unreported in official data and this needs to be kept in mind in interpreting the data provided below.

The level of crime incidents reported in the Themis communities is high. However it is difficult to establish to what extent the number of incidents reported to police is related to an increased police presence. One way to do this is to establish the extent to which increased reporting is concentrated in

⁷ ABSTRACT Address by the CEO of the Australian Crime Commission, Alastair Milroy, to the 2008 Bennelong Society Conference - 20 June 2008

Themis communities. While this analysis can provide a broad guide it is important to note that increased reporting has not just occurred in Themis stations. In some instances an increased willingness to report incidents will have resulted in increased reporting to existing police stations. As an example one of the Themis Police Stations is in Peppimenarti which is located in the Daly Police Station District. The NT Police report that majority of the incidents in communities located near Peppimenarti be reported to this Themis Police Station but also to Daly River Police Station and Wadeye Police Station (which is not a Themis Station).

We have obtained unpublished data from the ABS on the estimated residential population from the 2006 Census for the Census Collection Districts that surround the 18 **Themis Police Stations**⁸. Comparing these data with the number of domestic violence incidents reported in 2007/08 for the Themis communities suggests a domestic violence rate per 100,000 of population of 3,524. This is a very high level particularly when you consider that the Themis stations were not fully operational for all of 2007-08.

There was a small increase in the number of alcohol-related incidents reported to the police across the NTER region from 1,994 in the last six months of 2007 to 2,180 in the last six months of 2008. It is worth noting that all of this increase (100%) was accounted for by the Themis communities.

The level of **domestic violence** reported to police across the NTER area remains high. The number of domestic violence related incidents reported to police rose from 902 in the last six months of 2007 to 1,163 in the last six months of 2008. In the 18 Themis communities, the level of reported domestic violence incidents increased significantly, from 120 in the last six months of 2007 to 266 in the last six months of 2008. The Themis communities accounted for 55% of the increase in the total number of domestic violence incidents from the last six months of 2007 to the last six months of 2008.

NT Department of Justice data records 33 actual convictions for breach of a restraining order across the NTER communities in the second half of 2008 compared to 43 in the second half of 2007.

There is a high level of assault (relative to population size) across the NTER communities but there is little evidence of any increase in the number of cases lodged in court or convictions since the introduction of the NTER. For example in the 18 months to the end of December 2008 there were 776 assault cases lodged in court for hearing that related to alleged offences committed in the NTER communities. The equivalent figure in the 18 months ended December 2006 was 774. It is true that the number of assault cases lodged in court that related to alleged offences committed in the NTER communities was considerably higher in the 6 months to the end of December 2008 (290) than in the equivalent period of 2007 (246) but it is worth noting that in the equivalent

⁸ According to these estimates the estimated residential population of the CDs that surround the Themis communities was 9648. There would have been population growth since this time but the domestic violence rate is relatively insensitive to this as population changes over a short period would be small.

period of 2006 the number was 295. In other words the higher number in the six months to the end of December 2008 may simply reflect normal variability. More time is required to reach any firm conclusions.

In the 18 months to the end of December 2008 there were 480 convictions for assault offences committed in the NTER communities. The equivalent figure for the 18 months ended December 2006 was 466⁹.

There may appear, at face value, to be an apparent contradiction between the strong increase in domestic violence incidents reported to police since the commencement of the NTER and uncertainty over whether the actual number of assault cases lodged in court has increased. However, there is no real contradiction for a number reasons. First, the Northern Territory Police Violent Crime Reduction Strategy guides a strict reporting regime so that all disturbances (including assault offences) involving domestic participants are recorded as 'Domestic Incidents'. One objective of the strategy is to increase the rate of reporting of what is widely understood to be an under-reported category of crime. Any increase in reporting then, may reflect increased confidence or capability to report to Police rather than an increase in the underlying offending.

Another factor that has particular impact for domestic violence relates to the Police intervention once a report of domestic violence is made. Often the circumstances involve a situation where the parties are intoxicated and sometimes there is an absence of witnesses to the event. This presents obstacles to a successful prosecution. Additionally, victims are often reluctant to disclose to Police details of what occurred and there is limited or no ongoing support capacity within the communities to encourage and equip the victim with the support necessary to either disclose to police the details of the assault or to sustain the complaint once made. Again, this impacts the ability to successfully prosecute offenders.

Intervention in circumstances where a criminal prosecution is not viable involves Police obtaining the protection of a Domestic Violence Order for the victim where sufficient grounds exist.

There has been a significant increase in the number of reports collectively referred to as 'child abuse' made to police from across the NTER communities since the NTER commenced. This was reported in the last Monitoring Report. More recent data confirm this trend. There has been a significant increase in the reported number of incidents of abuse relating to child welfare from the last six months of 2007 to the last six months of 2008. The category child welfare relates to issues that would be generally considered to be child neglect.

The total number of **incidents of child abuse**¹⁰ in the NTER communities rose,

⁹ It takes some time for incidents reported to police to make their way to court.

¹⁰ This includes, child abuse material, child welfare, child welfare – pregnancy, child welfare STI prohibited material, and unclassified adult material

from 74 in the last six months of 2007 to 124 in the last six months of 2008. The 18 Themis communities accounted for around 36% of the increase in the number of child abuse reports made to police from 2006-07 to 2007-08.

The vast bulk of these confirmed reports across the NTER communities were accounted for by the category 'child welfare' (73% in 2008). There has been a significant increase in reported incidents of abuse relating to child welfare across the NTER communities, from 58 incidents in the second half of 2007 to 91 in the second half of 2008.

The Night Patrol consultation phase ranges from service providers initiating primary contact with community members, to the establishment of a night patrol base and recruitment of patrollers. The Attorney General's Department (AGD) recently conducted a review of the implementation of the night patrol services in the Northern Territory. The recommendations related to strengthening program administration through workshops, visits and further relationship building, and program enhancement through the revision of funding for salaries and reconsideration of performance indicators. AGD is working towards implementing the recommendations of the review.

The Attorney-General's Department received additional funding of \$2 million for **Aboriginal and Torres Strait Islander Legal Services (ATSILS)** and Community Legal Centres (CLCs) in the NT and the Northern Territory Legal Aid Commission (NTLAC) to provide legal assistance to Indigenous Australians for matters arising under the NTER.

Services report that the work arising from the intervention, and the number of court sitting days, is increasing. Many of the matter arising, such as alcohol management issues, and demand for legal assistance in the area of welfare rights issues as a result of the new income management, are labour intensive, placing additional demand on the services.

Recruitment of new staff has been a consistent issue. Uncertainty around continued funding meant that services had only been able to offer one year contracts, which decreased the attractiveness of the position to potential applicants¹¹. A significant period of time was required at the beginning of the NTER to find staff for these legal service positions, and to build up new networks and relationships of trust in the communities.

Housing and Land Reform

To 30 December 2008, 3185 buildings had been surveyed with 2718 Make Safe and 2732 Minor Vital repairs completed as part of the **Community Clean Up program**.

The Australian Government, in partnership with the Northern Territory Government, is delivering a substantial investment in capital works in the 73 prescribed communities and urban living areas throughout the Northern

¹¹ The 2009-10 federal budget provided three years of funding for the continuation of this program.

Territory. The **Strategic Indigenous Housing and Infrastructure Program (SIHIP)** falls outside the scope of the NTER, it has been included in this report because improved housing outcomes have a material impact on the wellbeing of indigenous people in the NTER prescribed areas.

As part of SIHIP, appropriate land tenure arrangements must be in place before construction can commence. Leases are already in place at Nguiu, the Tennant Creek Town Camps, and the three Groote Eylandt region communities of Angurugu, Umbakumba and Milyakburra. Housing precinct leases have also recently been agreed for Maningrida, Galiwinku, Gunbalanya and Wadeye.

Following the agreement of leases, design and community consultation activities are now proceeding in 48 communities across the Northern Territory. These communities will comprise up to 60% of the funds allocated to SIHIP.

In April 2009, Alliance Partners presented Package Development Reports for the first three packages of work (which includes Nguiu, the Tennant Creek Town Camps and the Groote Eylandt communities). Early works have already commenced on Groote Eylandt and in the Tennant Creek Town Camps ahead of the major capital works activities.

Welfare Reform and Employment

Income Management affects people (Indigenous and non-Indigenous) living in the 73 prescribed communities, their associated outstations or the 10 town camp regions of the Northern Territory, who receive income support payments.

Every community member who receives a relevant Centrelink payment is paid 50% of the total amount in the usual way, while the other 50% is reserved to pay for priority needs, such as food, clothing, housing, transport and utilities.

The number of communities participating in income management has increased from 52 communities and seven town camp regions, to 73 communities and ten town camp regions at the end of 2008. On 23 October 2008 the Australian Government made a commitment to continue compulsory income management in the Northern Territory for a further twelve months as a tool to reduce alcohol related violence, protect children, guard against humbugging and promote personal responsibility.

Since July 2007, almost \$124.5 million has been income managed as part of the NTER. Of this, \$119.9 million was allocated to priority goods and services. Most money was allocated to food (62%), rent (10%), store cards (9%) and clothing and footwear (5%).

At the start of July 2008, 12% of income managed funds had been unallocated¹² and remained in the Income Management Special Account. From August 2008 to the start of December 2008, unallocated funds as a proportion of all IM funds dropped significantly. At 5 December 2008, unallocated funds only accounted for 4% of all Income Management funds. However, on 12 December 2008, the proportion of unallocated funds had increased to 10%. This increase coincided with Economic Security Strategy (ESS) payments that were paid to most income management customers between 8 and 19 December 2008 and were income managed at 100%. To enable the spending of ESS payments, the daily transaction limit of the BasicsCard was raised from \$800 to \$1500.

During the first year of the NTER there was a focus on moving individuals from CDEP into jobs, **increasing participation in the Labour Force** and development of work-ready skills (including literacy and numeracy).

Individuals applying for income support, including those being transitioned from CDEP, were assessed by Centrelink and placed on an appropriate income support payment. These individuals were referred to appropriate employment services where they were assessed as being able to participate in the labour force. Where appropriate this assessment was undertaken by a Job Capacity Assessor.

At December 2008 there were 12,642 people on working age income support payments in prescribed communities, a drop of 1,364 since December 2007.

There were also around 700 people considered unable to participate in the labour force, who are now receiving the Disability Support Pension (DSP). Approximately 1,300 jobs were created by the **Jobs Package program** between February and December 2008 bringing the total number of created jobs to 1,907 since August 2007. Over 1,000 **Job Placements** were successfully undertaken during February to December 2008, bringing the total to 1,565 since August 2007.

Seasonal factors (eg the wet) and the re-introduction of CDEP in communities are considered to have had only a minor influence on the numbers on Income Support.

Under the current compliance arrangements, an eight week **non-payment period (NPP)** is applied by Centrelink in instances where a job seeker has committed three participation failures within a 12 month period or has committed a serious failure, without a reasonable excuse.

The proportion of applied **Participation Reports (PRs)** resulting in NPPs has decreased from 8% between August to October 2007 to 2% between July and December 2008. The proportion of NPPs as a percentage of all applied PRs is also lower for NTER communities than nationally. For example during the

¹² It would be expected that some funds will remain unallocated over the fortnightly payment cycle, and because income managed customers are able to save funds for larger and less regular expenses, and for major purchases.

period 1 January 2008 to 31 December 2008, at the national level, 8.4% of PRs applied resulted in a NPP.

Coordination

During the first 12 months the NTER was led by a Taskforce of eminent Australians, chaired by Dr Sue Gordon, Chair of the National Indigenous Council and a Magistrate in the Children's Court in Western Australia. Major General David Chalmers was appointed as the full-time operational commander of the Operational Group and continued in this role until February 2009. Mr. Michael Zissler was recently appointed to continue in this role.

As intended, in July 2008, the Taskforce was discontinued at the end of the first year and responsibility for the emergency response is coordinated through the NTER Operations Centre and State Office of FaHCSIA in Darwin. The NTER Operations Centre, based in Darwin, continues to be responsible for the planning, management and roll out of measures on the ground, under the leadership of Mr Mike Zissler.

Recognising that local input was crucial to the success of the NTER, the 2008-09 Budget included \$3.8m as part of a **new Community Engagement measure**, in order to facilitate greater engagement with and involvement of Indigenous people involved in the rollout of the NTER.

The measure provided funding for Indigenous community members to act as full-time **Indigenous Engagement Officers (IEOs)**. Their role is to provide feedback about NTER measures to communities and government; promote the community's role in defining needs, setting goals, and formulating policies and plans; and work with community groups to bring about greater community input into Government decision-making.

A common theme of **complaints received by the Ombudsman's office** is the issue of communication, consultation and general provision of information. Complaints received by the Ombudsman's office cover; the Basics Card, Income Management (IM), access to Centrelink and service delivery, housing and, the School Nutrition Program (SNP).

Complaints received by the Ombudsman's office are conveyed to the relevant agencies. Agencies have been very responsive to the Ombudsman's approaches and many of the issues are already known to the agencies who are already working hard to address the matters.

4. Perceptions of the NTER

A significant proportion of the public commentary of the NTER and on Indigenous policy in general involves discussion of the views of Indigenous people affected. Despite this focus there is only a limited amount of research that entails the systematic and rigorous collection of the views of Indigenous Australians about policy and its impact.

There are two significant reports available that provide information on the views of Indigenous Australians on the NTER – a research report undertaken by CIRCA on behalf of the NTER Review Board and a report commissioned by the Central Land Council. Both reports show that views are mixed and do not lend themselves to simple conclusions. It is worth noting, in this context, that just like any community the views of Indigenous communities cannot be validly obtained by simply asking either a select number of community leaders or by simply holding a large public meeting as many people will not express their personal views in front of others.

CIRCA - Community Feedback on the NTER - Research Report

The CIRCA report which was commissioned by the NTER Review Board is available on the FAHCSIA website. The CIRCA research used a qualitative approach. While qualitative approaches do not necessarily provide an accurate representation of views they allow for a rich exploration of opinions and the factors that shape them. Systematic qualitative methods are also more reliable than less structured approaches.

Consultations were conducted in four communities, namely Ali Curung, Hermannsburg, Nguiu and Galiwinku between August and September 2008. The methodology used in each location varied and was developed in consultation with local partners. In all four locations there was a range of meetings (there was not just one large meeting). In Ali Curung most people were reluctant to be interviewed in large groups.

The report examines what is working, what is not working, unintended consequences and recommendations as to how the measures could be taken forward including getting people's views on a voluntary model of income management.

In most community consultations there were many that supported the NTER and many that did not. CIRCA concluded that in some communities there is a significant group that support the positive outcomes of the intervention (Nguui, and Hermannsburg) while in other communities (Ali Curung and Galiwinku) a significant number of people were upset with the nature of the NTER. However, CIRCA also concluded that in most of the community consultations many people talked about the positive impact of the NTER. There were also varied views indeed in some instances women spoke up in opposition to men and elders who opposed the NTER in community meetings.

People caring for others were the most positive about income management, especially women who were caring for young children (older and younger women), larger families and/or people with disabilities. Generally women tended to be more positive than men; however most people (even some who opposed the NTER) recognised the positive impact of income management on children. Single men tended to be the least positive about income management, especially where they did not have child care responsibilities.

Perceptions of the NTER were driven by only a few of the NTER initiatives, and in many cases the overall perception of the NTER seemed to relate to income management. Positive perceptions of income management were mainly related to increases in food consumption, with children being the main beneficiaries, increased saving which has enabled greater purchasing of household goods, ease in paying bills and a reduction in family tension through reductions in humbergging (this was only mentioned by a minority of people). Apart from positive comments about income management, positive feedback was also provided on school nutrition program (Hermannsburg) and improved stock in the community store (Ali Curung).

Negative perceptions of the NTER included the lack of consultation and communication and subsequent uncertainty about what initiatives entailed. There was also negative comment about expectations being raised and not being realised (housing was mentioned). Significant negative perceptions also surround the compulsory nature of income management, There were also complaints about a lack of information and resulting understanding of the system. Other negative perceptions of income management included additional difficulties when travelling, perceived exploitation of older people by carers or nominees as these older people did not understand the system and difficulties in paying large bills and in managing debts. CIRCA noted that there was less consistency when discussing negative impacts of income management as the criticisms identified tended to have effects on small segments of the community, rather than being felt across the board.

Feedback from community members as to how income management could be improved included greater flexibility such as being able to use managed funds in smaller outlets like roadhouses when travelling, a simplification of the process for requesting the movement of funds and for accessing money in an emergency, greater education and assistance and consideration of existing debt contracts.

Responses to a proposed voluntary income management model were mixed. There was support in Ali Curung and Galiwinku but this idea has little appeal in Hermannsburg. While there was some support for a voluntary model In Nguiu most supported the existing compulsory approach. Those who opposed a voluntary model argued that with that approach those who needed it most would be the first to opt out. The notion that communities themselves should decide who should be on income management was usually rejected.

Regarding community safety, the researchers found it was much more difficult to talk about and many participants found it difficult to identify initiatives of the NTER that had had an impact on community safety. This is partly related to the fact in most of the communities chosen there were few new initiatives to directly enhance community safety (of the 4 communities only Galiwinku experienced an increase in police numbers). Despite this a number of community members suggested their community 'felt safer' with the main reason being the departure of perceived 'trouble makers'. CIRCA concluded that given the range of views expressed and the limited visibility of safety initiatives it is too early to be definitive on the impact of community safety measures.

Central Land Council – NTER: Perspectives from Six Communities

The CLC undertook this research to document the experiences and opinions of Aboriginal people in Central Australia in relation to the NTER. The research was undertaken from February to June 2008 with the assistance of local Aboriginal researchers. The research focussed on the main measures implemented in the first year of the NTER including: income management, housing repairs and maintenance, the abolition of the Community Development Employment Project (CDEP), introduction of store licensing, voluntary child health checks, increased allocation of police resources, the introduction of five year leases, the roll out of Government Business Managers (GBMs) into communities and changes to the operation of the permit system.

This report presents the perspectives of Aboriginal men and women on the NTER measures from six case study communities in Central Australia: Titjikala, Papunya, Yuendumu, Ali Curung, Kintore and Hermannsburg. It is based on a detailed participatory evaluation survey of 141 Aboriginal residents in these communities. The survey questioned participants' awareness of the NTER measures, feelings on the measures and effect of the measures on them and their community. The survey included a self assessment scale. The community surveys were augmented by 51 semi-structured interviews with other community-based employees or agencies, government agencies and GBMs in survey communities. Additional data was provided by the NTER Operations Centre, Department of Education, Employment and Workplace Relations, and Centrelink.

The research conducted demonstrates clearly the diversity of opinion around the NTER measures across communities, as well as amongst community members resident in a community.

Responses across survey participants were almost evenly divided between people in favour (51%) and opposed (46%) to income management. Gender and age were not significant factors in influencing people's level of support. However, income type influenced people's support for income management: people on a wage were most supportive of income management.

Perceived advantages associated with income management included increased household expenditure on food and children, young men contributing to family shopping, and reductions in gambling and drinking. Disadvantages associated with income management included less discretionary cash and restrictions on the use of managed money, blanket coverage being discriminatory, problems with accessing managed money, incompatibility with population mobility, difficulties for aged and disabled people, and perceived cost shifting to Aboriginal people and community staff to deal with the new arrangements.

People reported improved quality of stock in their community stores following the NTER licensing processes. However, in almost all survey communities (except Kintore) the licensing of stores has been perceived to have been associated with increases in store prices.

A large majority (76%) of people expressed support for CDEP while 22% of people supported the abolition of CDEP. People reported that participation has fallen under Work for the Dole arrangements compared with CDEP.

No case study communities had additional police deployed from the NTER. Overall, a large majority of survey respondents (74.8%) reported that they were happy with the current police numbers. However, in Titjikala, the only survey community with no permanent police presence, almost 60 % of people wanted an increased police presence in the community.

A slight majority of people (57%) felt that there was less alcohol consumption in their communities than prior to the NTER with a significant portion (37%) stating that alcohol consumption was about the same on their communities. Reasons given by people surveyed for reduced alcohol consumption include: the introduction of income management, grog running laws and increased policing.

The overwhelming majority of survey respondents (86.4%) reported that they needed better housing in their community. Community support for the NTER Community Clean Up (CCU) program was closely linked to the perceived quality and efficacy of the repairs and maintenance undertaken in communities. At Kintore and Hermannsburg where housing audits have been completed in a timely and consistent way, communities were supportive of the programs.

After some initial concern and uncertainty, most people were supportive of health checks. In some communities clinic staff reported that the NTER health checks were an unnecessary duplication of resources. In other communities, the checks picked up children previously not screened by the clinic. It took more than 11 months for health checks to be undertaken at Ali Curung.

There was little awareness of the 5 year leases in the survey communities. The overwhelming majority of respondents (85%) were opposed to 5 year leases. Reasons for opposition to 5 year leases included: the leases gave government more control over communities, there was no certainty about what would happen at the end of the five years, the leases overrode the rights of traditional landowners, the leases were put in place without any consultation and the boundaries of the leases were perceived to be inappropriate.

In communities on Aboriginal land the overwhelming majority of respondents were opposed to the changes to the permit system (94%). Reasons for maintaining the permit system in its original form included: maintaining the safety of children, stopping unrestricted photography and media access, stopping strangers and unsavoury people entering communities, respect for privacy of people in communities and respect for Aboriginal law.

Nearly all people surveyed were critical of the processes followed in the first year of the NTER. People reported that they were dissatisfied for the following reasons: the lack of information flow, particularly to younger and older people, no consultation on changes, initial fear about what would happen (including use of the army). Slowly, however, a clearer picture has emerged of the shape and extent of different measures on the ground. Generally, the service-based measures, such as health checks, received solid support. People could see the benefits from increased servicing and increased focus on their communities. On the other hand, where rights have been affected or the autonomy of the community challenged, such as the introduction of 5 year leases there has been significant reservation about the intent of such measures and they have received little support.