**Northern Territory
Anti-Discrimination Commission**

Northern Territory
Anti-Discrimination Commission (ADC)

Submission to
The Northern Territory Emergency Response
(NTER) Review

August 2008

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1.   SUMMARY

In May 2008 ex-Minister Mal Brough told ABC Radio Darwin that the planning phase of the NTER had taken 48 hours. Even allowing another few days for the ex-Minister's bluster, his admission highlights the deficiencies of the NTER.

Under the guise of improving well-being and reducing child abuse in remote NT communities from June 2007 the Federal Government assumed control of the affairs of 73 prescribed NT communities. The take-over, or NTER, was conceived in Canberra without discussion with the NT Government or the affected communities. The NTER was coercive, heavy-handed, and designed on the run with limited planning as a short term response to enable the Commonwealth to obtain control, stabilise, normalise and exit. Although styled as an "emergency" government response to the 97 recommendations of the "Little Children are Sacred" report, NTER ignored those recommendations and it is common knowledge that government ignored the dysfunction, disadvantage and disorder prevailing in remote communities for the last 40 years.

The NTER has operated under the incorrect assumptions that the reasons for disadvantage in remote communities lie mainly within the Communities themselves and that externally imposed control and stabilisation and a willingness by communities to raise their own standards will deliver significant improvement in the long term. It will be argued in this submission that whilst overcoming local dysfunction, poor community governance and encouraging self improvement are worthy policy objectives in removing indigenous disadvantage, of far greater significance is the willingness of governments to constructively engage with remote communities in the long term.

This submission strongly supports the contention of Dillon and Westbury (Beyond Humbug 2007) that long term sustainability of remote communities depends on an ongoing structural engagement by government that is hitherto unknown in remote Australia. According to Dillon and Westbury the failure of governments to address fundamental structural issues has resulted in disadvantage by condemning indigenous communities to marginal states of existence and leaving them with fewer rights, entitlements and privileges than mainstream communities. Anderson and Wild (Little Children are Sacred 2007) also advocate permanent engagement with remote communities.

Similarly, the NTER suffers from the same deficiencies that have bedevilled "indigenous policy" for 40 years – the idea that "one size fits all" so that community variations in size, culture, language, climate and demographics make little difference, and that policy is appropriately imposed from afar without consultation.

Also, many of the NTER measures are clearly racially discriminatory. The government acknowledged this by suspending the operation of the *Racial Discrimination Act 1975 (Commonwealth)* and the *Anti-Discrimination Act (NT)*. The most glaring example is income management by quarantining of welfare payments. Child abuse, and the under reporting thereof, is a problem Australia-wide. Yet only indigenous people who reside in certain regions of the NT have their benefits quarantined, and this happens whether they are guilty of misspending or not.

The failure of various NTER measures is discussed elsewhere in this paper.

The successes of the NTER are that:

- It has drawn attention to the disadvantage in remote communities, and highlighted the need for long term reform, to such an extent that government can no longer ignore or deny responsibility.

- By intervening government has finally and actually accepted responsibility for ensuring safety and good order in remote communities.

- There has been an increase, albeit short term, in the numbers of government staff in remote communities.

- The NTER has demonstrated that government has the capacity to simultaneously launch a range of policy initiatives, even though many initiatives are presently misguided, to overcome remote disadvantage.

The overriding recommendation of this submission is that the NTER in its present form should be scrapped and transformed from a quick-fix, law and order plan into a range of long term initiatives aimed at overcoming remote indigenous disadvantage and raising indigenous quality of life. The initiatives are required in the broad areas of (locally delivered) housing, health and education, and may take generations to build and deliver. There is no indication yet that government is willing to commit to the level of sustained local engagement required to effect change.

Also, this submission contends that there is a compelling case for adequately resourced local government to play a central role in locally-based long term community engagement. The argument recognises that as local government already contains attributes such as whole of the NT coverage, ability to accommodate regional differences, existing administrative power, and representation of constituents through elections, it is strongly placed to significantly contribute to community stability and naturally link with other tiers of government.

2. RECOMMENDATIONS

1 Restore the right of citizens to complaint about unfair discrimination arising out of the NTER by reinstating the safeguards contained in the *Anti-Discrimination Act* and the *Racial Discrimination Act 1975*.

2 Scrap the NTER and transform it from a quick-fix law and order plan into a range of long term initiatives designed to overcome remote disadvantage.

3 Secure the agreement of government to constructively engage with remote communities in the long term.

4 Adequately resource local government to enable it to play a central role in locally based long term community engagement.

5 Take heed of the recommendations contained in the "Little Children are Sacred" report (Anderson / Wild 2007).

6 Discontinue across the board, welfare quarantining and replace it with a voluntary, discretionary model.

7 Adopt a partnership approach to engagement with remote communities so that local people have input into policies that impact upon them.

8 Adopt flexible policy design and delivery to incorporate regional variation.

9 Long term engagement in remote NT should at least extend to housing, health, education and employment.

3. INTRODUCTION

The Anti-Discrimination Commission (ADC) is an independent NT statutory agency which is funded by the Territory government, and which reports to the NT Legislative Assembly through the Attorney-General.

Key statutory duties of ADC are promotion of equal opportunity, elimination of discrimination, investigation and resolution of complaints, examination of legislation to ascertain whether it is consistent with non-discriminatory principles, advising government and promoting public acceptance of the principles of the *Anti-Discrimination Act*.

Since June 2007 ADC has contended (see lead articles in ADC quarterly "Fair Go" newsletter dated July 2007 [Edition 14] and June 2008 [Edition 17], and at various public gatherings and seminars), like many others, that the NTER is discriminatory; and is a short term 'knee jerk' emergency approach to problems requiring long term (generational) local infrastructure enhancements and capacity building.

Perhaps the ultimate irony of the NTER is that whilst it is purportedly designed to improve the well-being and human rights of various NT communities, its enabling legislation [*Northern Territory National Emergency Response Act 2007*] removes the human right of community members to complain about unfair treatment by suspending the operation of the *Anti-Discrimination Act* and the Commonwealth *Racial Discrimination Act 1975*.

As will be seen, the long term measures favoured in this submission to alleviate indigenous disadvantage will cost a lot of money and take years (generations) to show dividends. However, the need for costly long term investment has also arisen because of gross under investment by government in the past, and the investment cost (and the cost of alleviating social problems resulting from disadvantage) will increase the longer it continues to be postponed.

4. THE NORTHERN TERRITORY EMERGENCY RESPONSE – WHAT HASN'T WORKED

4.1 Failure to heed recommendations in the "Little Children are Sacred" Report (Anderson/Wild 2007).

Anderson/Wild made 97 recommendations most of which were ignored by the Federal Government. The thrust of Anderson/Wild, endorsed by this submission, was to build over the long term strong and permanent core services permanently located in Aboriginal remote communities.

Key Anderson/Wild recommendations (also endorsed by ADC), which the writers readily acknowledge were in no way revolutionary and which were the subject of comment in past investigations of indigenous disadvantage, [1]were:

- Genuine consultation with local Aboriginal people in designing initiatives for indigenous communities, because centralised bureaucratic decision making had failed in the past;

- Locally based action and resources;

- Investment in local community workforce through education and training, professional development, mentoring, provision of appropriate accommodation;

- Government, indigenous organisations and non-government organisations to provide health training in sexual abuse, sexual health, personal safely for family and community, parenting skills;

- Upgrade remote mental health services for people with mental illness;

- Make non-local and/or non-indigenous additions to the workforce permanent residents through provision of attractive housing and remuneration packages (eg police, family workers, tradesman, construction workers, teachers, health workers);

- Construction of pre-schools, or if not, delivery of pre-school programs, to every child 3 years and over;

- Adopt remote teacher employment initiatives to encourage teachers to remain in communities long term, eg attractive housing, salary incentives, comprehensive cross-cultural training;

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[1] Report of Royal Commission into Black Deaths in Custody (1991); Bringing them Home Report; Enquiry into separation of ATSI Children from their Families (1997); Learning Lessons – an Independent Review of Indigenous Education in the Northern Territory (1999); Social Justice Report 2007 (HREOC), Aboriginal and Torres Strait Islander Social Justice Commissioner.

- Require remote teachers to engage with the community as part of core business so that education becomes part of the social fabric; develop culture of support for education and the local school;

- Use schools after hours as family/community centres, supervised homework rooms, adult education centres;

- Adult education and training;

- Develop local indigenous workforces in the health, construction, education and community development sectors;

- Develop a permanent public sector presence in remote communities;

- Mandatory cross cultural training for non-local government and non-government personnel employed in remote communities;

- Develop training for Aboriginal people on communities about the dominant culture.

4.2 Quarantining Welfare Benefits

Quarantining welfare benefits was purportedly introduced to prevent misspending and child neglect. This measure is unfair because responsible budgeters are penalised and because there is no evidence that a punitive response will reduce child abuse or neglect. The connection between quarantining and reducing child abuse is tenuous at best.

Also quarantining in this form is discriminatory. Abuse, neglect and misspending are problems Australia-wide, yet welfare payments for people who are not indigenous are not quarantined.

Moreover, the anecdotal evidence is that quarantining has created a range of other problems that would simply disappear if the measure was abandoned, for instance:

- Quarantining has caused widespread confusion and created unnecessary difficulties in budgeting. The guidelines make no provision for recipients obliged to meet loans, fines and other payments from benefits. Consequently the ability to pay outstanding fixed commitments depends on the flexibility of individual Centrelink case officers – which is inappropriate.

- Overworked organisations such as ASIC and Legal Aid waste precious time advocating for clients, and alerting bank and Centrelink officials to the risk of fixed loan defaults.

- Before quarantining Centrelink had a system (Centrepay Deductions) which allowed clients to voluntarily allocate a proportion of their fortnightly payments to meet fixed debts. This system was well-patronised, trusted by clients and demonstrated that many clients were responsible money managers. This system

has been removed and the replacement system is causing problems. Now people from remote communities across the NT have had their spending choices unnecessarily restricted (because store cards are now required), and they are forced to travel to regional centres for Centrelink interviews and access to their cards. Also, forcing people to spend out of towns tends to undermine fragile local economies.

- Unfairly, the regime is not administered universally. Centrelink has advised that quarantining may not apply to some outstations and community living areas.

- There is clear anecdotal evidence that income quarantining has contributed to the movement of people away from their preferred places of abode into regional centres to avoid being micro-managed.

Rather than continue to punish everybody and create even more budgeting difficulties for already vulnerable families, it is fairer and more cost effective to discontinue expensive quarantining, restore Centrepay deductions and extend assistance and training to those who misspend.

The restored system should allow those who favour quarantining because of the relief it provides from 'humbug' (pressure to 'donate' income to others) to opt for a continuation of quarantining in their particular cases.

4.3 Alcohol Prohibition

Prohibition has never worked in the past. Alcohol abuse is a Territory-wide, not just indigenous problem. In any event most NTER prescribed communities were already, at the behest of the communities, gazetted dry areas before NTER.

Restrictions on supply (currently enforced by the NT government), education, surveillance by police and alcohol rehabilitation clinics (especially in remote areas, with problem drinkers) are the ways forward. Continued expenditure on alcohol prohibition cannot be justified.

4.4 Health Checks

Compulsory "sexual assault" medical checks for children have been converted into overall health checks which are well-received in remote communities. However, medical checks were never going to prove child abuse, or reveal perpetrators. Even so, "one off" child health checks administered by "fly in – fly out" doctors are extremely costly and achieve very little long term.

Just like urban communities, remote communities require adequately resourced health clinics, doctors and health workers who are provided with sufficient incentive to persuade them to stay and work long term, regular follow-up health checks, and local access to drug and alcohol prevention and treatment programs.

A failure to convert initial child health checks to a permanent properly funded long term health strategy will result in an acceptable continuation of the high infant

mortality rates and life expectancy gaps between indigenous and non-indigenous Australians, and a continuation in remote communities of the unacceptably high incidence of lifestyle diseases such as substance abuse, heart disease and diabetes.

4.5 Health Education

The short-term NTER health input also requires conversion into long term permanent community health education. For instance local clinic staff and teachers require training in the detection and reporting of child abuse. We know that child abuse is under-reported Australia-wide. Local workers are the most likely to gain the trust of vulnerable victims.

Also, perpetrators of abuse may not be adults. Young people, themselves the victims of child abuse, could be offenders. The development of long term education programs, aimed at children and parents, covering appropriate behaviour, self-protection and sexual safety is critical.

4.6 Demonisation of Remote Communities

Unfortunately the coercive and punitive style of the NTER has created negative impressions of remote area dwellers in the broader community. Anecdotal evidence is that remote dwellers are bewildered, ashamed and angry about the level of vilification directed at them from some quarters.

This is an entirely understandable reaction when it is remembered that child abuse and neglect, and the under-reporting thereof, are not just indigenous but Australia-wide problems.

Hopefully community sentiment generated by NTER will not exacerbate existing tensions between some indigenous and non-indigenous sections of the population.

Perhaps the easing of tension might result from effective transformation of the NTER from emergency measures to consultation and long term engagement/partnership between government and remote communities.

4.7 Community Business Managers

There is far too much power concentrated in the one official. The risk is that all-powerful managers create dependency and dampen local incentive. It is argued elsewhere in this submission that part of the process of long term government engagement in remote communities involves the placement of properly housed and remunerated and culturally educated government officials. So whilst the placement of business managers is a step in the right direction, officials from all levels of government and adequately funded support staff, are required long term. It is necessary to strike a balance between encouraging local indigenous enterprise, and effective overall management.

4.8 Bureaucratic Waste

Constructive long term engagement with remote communities will require the assistance of locally based and properly resourced trained and remunerated public servants for many years. So the problem is not the expenditure on the NTER bureaucracy as such, but the huge outlay (hundreds of millions of dollars) on the short term requirements (namely wages, travel, travel allowance, hotel accommodation, car hire, quarterly repatriation fares etc) of hundreds and hundreds of 'fly-in, fly out' bureaucrats, managers police, doctors, etc. This wasted resource would have been more appropriately deployed in securing the long term futures of permanent remotely based public servants.

4.9 Recruitment of Additional Police.

Before NTER there were more police per capita in the NT than any other state or Territory in Australia.

The infusion of interstate and federal police to bolster the ranks in the short term is designed to better secure and control remote locations and flush out child abusers. Predictably, this costly measure has failed – very few complaints (ten?) about child abuse have been received by imported police over the last 14 months (assuming that child abuse exists because allegations in the Anderson/Wild report were only anecdotal after all). This result is to be expected because imports have no cross cultural training, no experience of Territory conditions, and local people are unlikely to confide in strangers. Victims and/or whistleblowers nationwide are frightened to complain to police about child abuse for fear of retribution. The problem is exacerbated in the Territory because remote communities have small populations and the likelihood of exposure and isolation is increased.

If remote communities need more police (and the jury is still out on that issue), they are needed long term and locally-based so they can earn community trust.

4.10 Permit Dispensation

The federal decision to dispense with the requirement to obtain a permit to enter Aboriginal Land has thankfully been reversed. The justification for dispensation was that opening up communities to scrutiny by outsiders would somehow reduce child abuse. Unrestricted entry of journalists and other outsiders was never going to miraculously expose child abuse, nor was the abuse about to miraculously stop because of the presence of outsiders. Child abuse is an activity that takes place in private.

Moreover, preventing indigenous people from restricting access to their private land is discriminatory. Non-indigenous people are not forced to suffer unauthorised access to their private property.

In any event permits for outsiders are very rarely refused – except for the odd journalist who wants to report on a sensitive funeral. So the alleged prevalence of child abuse and the unacceptable level of disadvantage cannot be a failing of the permit system.

The fact is that the operatives who could make a difference to the level of disadvantage in remote communities, namely public servants, have had blanket permits to enter communities on government business for the last 30 years. The problem is that government doesn't require its employees to visit communities because of official reluctance to engage at local level, and public servants don't want to go because they are uncomfortable with both the squalor and their belief that their efforts in the past have made little difference. Public servants prefer to fly in and fly out!

5.   WHAT WILL WORK

5.1 Long Term Engagement and Infrastructure Enhancement

Indigenous disadvantage is deeply ingrained, widespread and the statistics indicate that the gap between indigenous and non-indigenous disadvantage is widening.

The NTER is a short term emergency remedy for a crisis which requires long term community development and capacity building.

> "Suggestions that dysfunctional Indigenous communities, poor Indigenous governance practices, and poor community capacity are primarily responsible for the social crisis in remote Australia are ubiquitous, and form the rationale for the recent Australian Government intervention. Yet such suggestions ignore the long-standing and cumulative failure of governments to engage substantively with remote Australia, and are thus an apparition, highly distracting, but without enduring substance." (Dillon and Westbury page 47)

This is not to say, according to Dillon and Westbury, that governance and other problems within indigenous communities are not worthy of policy attention, but the "...incapacity or unwillingness of governments ... to address fundamental structural issues in remote Australia" (Dillon and Westbury page 46) is more profoundly significant.

Put simply, government hasn't performed and if the NTER is to be of benefit to indigenous people in the long term it must be transformed into sustained engagement.

In the NT there has been a long term under-investment in community infrastructure and facilities (public housing, schools, government offices, essential services, health clinics). Lack of infrastructure is both an indicator of remote disadvantage, and a contributor to disadvantage. If there is no infrastructure, communities derive no benefit from services that would ordinarily issue therefrom, and crucially, there is no convenient focus for service/program delivery. It is not feasible to deliver into a vacuum.

5.2 Flexible Approach to Policy Design and Delivery

Historically indigenous policy design by governments has been for general application. Whilst this may be acceptable in the planning stage, it has been demonstrated time and time again to be unacceptable at delivery. There has never been a culture within government of accommodating local needs and the NTER is a prime example. Indigenous communities are not homogenous. They differ in location, size, culture, language, and climate. The needs and priorities of children at Papunya do not match those of their counterparts from Gunbalanya.

Effective engagement involves, and depends upon, flexible policy design and delivery. Policies must be administered flexibly enough to incorporate regional variation.

5.3 Consultation

The NTER was mounted from Canberra without consultation with the NT Government or affected communities. Successful long term social advancement requires long term consultation with and input from indigenous communities.

Government needs to finally adopt a partnership approach to working with indigenous communities so that local people are involved in the development of policies that impact upon them.

5.4 Range of Long Term Policy Initiatives.

Long term, effective engagement depends upon the simultaneous implementation of a range of policy initiatives. The NTER planners recognised this, but unfortunately they pursued the wrong (short term) initiatives. It has been widely accepted for a long time that the removal of disadvantage depends on improvements to the interrelated areas of (say) housing, education, health, economic development and law and order. For instance, it is extremely difficult to engage with people who are illiterate because education policies have failed them, who are inadequately housed because of housing deficiencies, who are unwell because health outcomes are poor, who have no access to qualified quality remotely-located government staffers, and for whom access to law enforcement is inconsistent.

The pursuit of a range of long term policy initiatives will take generations. There is no quick fix.

6.   SCOPE OF LONG TERM POLICY INITIATIVES

The commitment to expanding infrastructure in remote NT should extend to at least the following areas – housing, health, education, and employment.

Government and policy makers should not be deterred by arguments that "unviable" remote communities should be closed down and their inhabitants relocated to mainstream urban areas.   There are many non-indigenous bush towns Australia-wide whose potential has diminished to such an extent that young people leave permanently after completing school. Yet government continues to provide essential infrastructure.   Interestingly according to Dillon and Westbury (2007, page 26), of the two million Australians who reside in settlements of less then 200 persons, only 3% are indigenous.   Yet School of the Air, Flying Doctor, essential services and other infrastructure is invariably maintained in non-indigenous communities.

In order to overcome indigenous disadvantage, it is essential that government acquire the political will to sustain its engagement in the long term.

6.1 Housing

Housing is a good place to commence the closure of the disadvantage gap. There is an obvious and direct link between raising housing stock and quality, and improved health, education and social outcomes.

The task is monumental.   In June 2006 the NT Government (Minister for Housing Hansard June 2006) indicated that at the construction of new remote housing is falling further and further behind demand.   Moreover, the remote population in the NT is expected to double over the next 25 years meaning that a continuation of existing housing policy will condemn the next generation of remote area dwellers to not only the loss of well-being associated with house overcrowding (30 people per house is not uncommon), but the further compromising of basic human rights such as the right to family life, privacy, freedom of movement and a healthy lifestyle.

The current NT government estimate of unmet housing need is 4000 dwellings to achieve an occupancy rate of 7 per dwelling (see previously quoted ministerial statement).   The estimated cost of construction on that scale is $1.6 billion now, of which the NT and Federal Governments have pledged $700 million over the next 5 years. It's a start, but clearly nowhere near enough.

The plan includes, as it must, public and private housing and appropriate design; analysis of unit construction cost; education in landlord/tenant rights and responsibilities, and home maintenance; training and employment of local people in management, construction and renovation of homes; and, development of housing repair and maintenance regimes which are fair, regular and systematic rather than ad hoc and dependant upon representations at local level.

6.2 Education

Education outcomes in remote NT are appalling.

According to the Australian Education Union (April 2008):

- 7500 indigenous children from early childhood to senior secondary are missing out on schooling in the NT.

- There are insufficient classrooms for the current enrolment in remote communities.

- There are insufficient qualified and experienced staff to provide quality learning, and turnover of teachers is high due to lack of job satisfaction, lack of housing and stress.

- 94% of indigenous NT communities have no pre-school, 56% have no secondary school, and 27% have a local primary school more than 50km distant.

- Low attendance rates and illiteracy prevail.

Anderson and Wild (2007) advocated for considerable sustained investment in education to overcome disadvantage (see this submission, page 5). Anderson and Wild also recounted some distressing testimonials from students and teachers about the unsatisfactory state of education affairs.

Other recommendations for improving remote education include immediate construction of pre-schools (the NT government has offered to provide only three mobile pre-schools for the whole of the NT), effective training and improved career structures for teachers, access for students to education based on their own language, English as a second language for students and the introduction of a universal school meals program.

Incidentally, there is no evidence that penalising parents by quarantining welfare payments if children do not attend school will meet with success. Incredibly, the Federal government has recently announced its intention to pilot "truancy quarantining" in six remote NT communities before the conclusion of this Review!

"Truancy quarantining" is unfair because it is discriminatory and because this punitive measure for parents is clearly inappropriate when the school environment offered to children by government is unsupportive, uninspiring and deficient.

It is preferable to examine the reasons why families may not encourage their children to attend school. Also, it is preferable to offer families incentives suggested by Anderson and Wild (2007), and to involve families in the education of their children, to improve school attendance.

6.3 Health

The AMA estimates that an investment of $460 million in extra funding for Aboriginal Health Service is required nationwide. Improvements to housing and essential services such as sewerage and water will have undoubted health impacts.

Anderson and Wild (2007) emphasised the need for health education and training for families and health workers.

Other worthwhile health investment proposals are contained in the "Preliminary Response" to NTER by the Combined Aboriginal Organisations of the NT (2007).

6.4 Employment

Employment levels are very low for indigenous remote area dwellers, and this is a major element of poverty and disadvantage.

However, lack of employment is a problem for rural and remote area dwellers Australia-wide. There is no evidence to support the contention of some commentators that moving unemployed indigenous people into larger, more urbanized communities would improve job prospects. No matter where prospective indigenous recruits reside, they are still hampered by deficiencies in education and training.

The review of CDEP by the Federal Government is supported by the Anti-Discrimination Commission. Other employment initiatives that are needed include creation of employment services for remote communities, training and mentoring for local people in local government, housing and construction, and tourism.

6.5 Tied Investment Grants

In order to avoid the seemingly interminable inter-government allegations about under spending and/or misspending in remote areas, it may be necessary to investigate the feasibility of tying investment grants for particular infrastructure projects to regional partnership agreements

6.6 Quality Staff

Effective engagement and effective local service delivery depend upon both actual government presence in the community and the quality of local ground staff both indigenous and non-indigenous. As far as possible appointments should be based on merit, and the unqualified, the incompetent and the corrupt should be removed. Remote communities require skilled, capable staffers to build administrative and professional capacity.

Government also needs to address the remuneration levels of all staff, and conditions of employment such as housing, professional support, mentoring and on-the-job training. In this way government can minimise disruptive staff turnover.

6.7 Indigenous Investment Fund

Short term government funding cycles and government electoral cycles have destabilised investment in remote areas in the past. We need to devise a means of separating the funding of remote area development from the vagaries of the election cycle so that long term investment is not interrupted by party politics.

One possible means of achieving such an outcome is to establish an Indigenous Investment Fund which receives bipartisan support from the major political parties of the day, which is "topped up" to a pre-determined maximum level from time to time, and from which the long term investment required to remove disadvantage in remote communities is supplied.

Investment decisions made by the Fund would emanate from a bipartisan representative committee, and once the fund is exhausted there can be no other source of remote area investment funding until the time for periodical "top-up" of the Fund.

7.   THE ROLE OF LOCAL GOVERNMENT

Local government in the NT is undergoing major reform Briefly, traditional local government is comprised of an elected arm coupled with an administrative wing headed by a CEO responsible for essential services and corporate services.

Under the NT reforms there will be four municipal councils and eight or nine amalgamated shires which conform to the traditional model, and 73 service centres Territory-wide which will employ a local manager and staff, and which will ensure that there is a shire presence in every centre.

In the past NT Local Government bodies (which have now been replaced by service centres) have failed to deliver services and have sometimes employed unqualified and sometimes incapable staff. Also because of the absence of government from remote NT, there has been pressure on local government in the past to provide non-council services such as CDEP and Centerlink. In effect local government has been subsidising government services in remote NT.
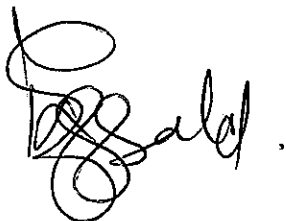
After amalgamation, local government service centres will be expected to deliver traditional council services such as roads, rubbish, waste, animal control, and sewerage. Non-core services delivered by councils, such as night patrols, child care centres, and school bus service to outstations must be within resources and cost neutral. Post-amalgamation, the activities of local government regional managers will be strictly audited, so that opportunities for local government to engage in wasteful non-core activities will be limited.

If the NT local government reforms are successful in enabling local government to effectively deliver remote community services, then it is submitted that local government can do much more Territory-wide to contribute to order and stability and the removal of disadvantage.

The ability of local government to perform at a sustainable, higher level is of course dependent upon the commitment of the NT and Federal governments to deliver appropriate funding, training and support.

As noted elsewhere in this submission one of the most debilitating deficiencies of remote communities is the lack of an actual government presence. Local government offers a ready-made opportunity to partially fill the void created by long term government absence, and the opportunity to link with other tiers of government. Other potential advantages of local government in the consolidation of long term community engagement by government are that its elected officials are representatives of the people, it has reasonably effective coverage across the whole of the NT, and it is already invested with statutory administrative power. Also, as local government is (subject to satisfactory audit) guaranteed funding according to a Grants Commission formula, its activities are not interrupted by the political cycle.

Local government has the opportunity to become a "solid core" agency in remote communities. Its potential to contribute positively to stability and good government in remote communities should not be underestimated.

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