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Subject: NATSIEC Newsletter June 2010
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Indigenous MAKE POVERTY HISTORY.

NATSIEC Newsletter

June 2010

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This is the newsletter of the National Aboriginal and Torres Strait Islander Ecumenical Commission (NATSIEC) which is a commission of the National Council of Churches in Australia (NCCA).

Death and Dying

In April 2010, with sponsorship from the Victorian Multicultural Commission and the Australian Catholic University, the Ecumenical and Interfaith Commission of the Catholic Archdiocese of Melbourne hosted a three day Interfaith Symposium on Death and Dying.

Indigenous art curator Djon Mundine OAM (and brother of NATSIEC's Executive Secretary), gave a very interesting talk on this topic from an Aboriginal perspective.

New Prime Minister

It's been an interesting morning with Australia being knocked out of the World Cup and Rudd being knocked out of office! We are hopeful that under Gillard's leadership the Government will be reinvigorated and refocus on strong leadership and good policy. There was little mention of Indigenous affairs in Gillard's first speech, other than to congratulate Rudd on his achievements with the Apology and in Closing the Gap. The Prime Minister did however make many comments about team work, about listening to people and about moving from consultation to negotiation with the Mining industry. We hope that Ms Gillard applies these same principles to Indigenous affairs. A move from "consultation" to proper negotiation with Aboriginal and Torres Strait Islander peoples is desperately needed. It is the only way to ensure that long term sustainable solutions are achieved, and it is the only way to ensure that "closing the gap" and the apology isn't relegated to history along with their champion Kevin Rudd.

Welfare Reform and RDA legislation passes in the Senate

This week the Government, with the support of the Opposition, finally passed its welfare reform bills which included the "reinstatement" of the RDA. Many of the measures of the NT Intervention continue to be called "special measures" which means they are exempt from the function of the RDA.

NATSIEC's position has always been that the RDA must be reinstated unequivocally. While the Government continues to claim this legislation was created as a result of "extensive consultations", we are critical of the consultation process and do not believe that it was an adequate or thorough process. Rather, it was a process designed to facilitate the outcome now achieved.

One question we had to consider was whether it was better to pass what we believe was faulty legislation and then "fix" it, or to fight against it as a whole. NATSIEC's position was that it was preferable to get it right before it became law. Others have taken a different approach. For example, in a press release, the Race Discrimination Commissioner, Graeme Innes said:

"the passage of the amendments will end much of the uncertainty, misinformation and conflict that communities have endured in relation to their rights."

"It is imperative that the government now provides clear and comprehensive information about these changes to the people in affected communities," said Commissioner Innes.

"People need information about their rights and protections - some of which were suspended during the course of the intervention - and they need to know what will be available to them again."

Noting that the amendments do not completely reinstate the RDA, Commissioner Innes and Aboriginal and Torres Strait Islander Social Justice

His talk was recorded and is available to download at:

Call for comments on draft Indigenous Economic Development Strategy

On Monday, 24 May 2010, Jenny Macklin, Minister for Families, Housing, Community Services and Indigenous Affairs released for consultation the draft Indigenous Economic Development Strategy (IEDS). The strategy is essentially a framework that will drive and guide both the development of new policy and programs as well as the way in which existing programs are targeted and rolled out.

Working collaboratively is a guiding principle shaping future action under the strategy. You are invited to review the strategy and provide your views and comments on the issues raised or any issues you feel have not been adequately covered. Comments on the draft strategy can be made anytime until 1 November 2010. [Click here to go to FACHSIA's page on the IEDS](#)

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Commissioner, Mick Gooda, emphasised that the passing of this legislation should only be seen as a first step in the restoration of full protections for the affected communities.

The Commissioners said they were particularly concerned about:

- continuation of the compulsory five-year lease arrangements and their exclusion from the protections against discrimination under the RDA;
- potential characterisation of some measures as 'special measures' under the RDA;
- the broad reach of some categories of the new income management measure, particularly where they could result in a disproportionate number of Aboriginal people being unnecessarily income-managed, and
- continuation of unnecessary and unreasonable business management areas powers.

Commissioner Gooda said the focus should now be on getting services delivered on the ground. "There is a continued need for services in these communities, particularly in relation to housing, health and education," Commissioner Gooda said. "The government must engage with affected communities to ensure that funding is correctly targeted and that services are delivered and developed appropriately."

Despite the doggedness with which the Minister for Indigenous Affairs has pursued this legislation and deflected critics of its limited nature, the Prime Minister in question time on the 22nd June seemed to recognise its limits and noted that this legislation was indeed only a "step":

"The overall strategy we are seeking to pursue is to get the balance of rights and responsibilities correct and to make sure that we break the cycle of long-term, chronic welfare dependency. I believe that all members of this House share that ambition for both Indigenous and non-Indigenous residents of the Northern Territory. It is for that reason that the legislation last night also represents an important step in restoring the fairness of the Racial Discrimination Act. We have ensured that welfare reform applies to both Indigenous Australians in the Territory and to non-Indigenous Australians in the Territory, putting all Australians on an equal footing" (Hansard, 22/06/10).

The onus is now on the government to ensure that further necessary steps are developed and implemented. Rudd's comments also highlight a fundamental problem that we see with the so called "welfare reform", given that Aboriginal people in the NT are disproportionately represented in welfare receipts, it stands to reason that the welfare reforms will have a disproportionate affect on Indigenous people. Hardly an equal footing!

3rd anniversary of the NTER marked by release of progress report.

The Government has released its NTER progress report for the last half of 2009. The reports are becoming more comprehensive as time goes by. However, they are still lacking in meaningful targets and benchmarks. The list of additional resources placed in NT communities certainly looks impressive, but having read the report, we are still left questioning what has been the real outcomes all these programs and how are they impacting on the lives of those people who are intended to benefit?

'RDA not fully reinstated': Peak Aboriginal organisations of the NT

The following is a media release about the 'reinstatement' of the RDA from the

Northern and Central Land Councils
North Australian Aboriginal Justice Agency
Aboriginal Medical Services Alliance NT

22 June 2010

Key peak Aboriginal organisations in the Northern Territory today expressed disappointment that the Rudd Government has failed to fulfil its commitment to fully reinstate the Racial Discrimination Act 1975 (RDA) in relation to the Northern Territory Emergency Response (NTER).

The Aboriginal Medical Services Alliance of the NT (AMSANT), Central and Northern Land Councils (CLC and NLC) and the North Australia Aboriginal Justice Agency (NAAJA) said that the Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of the Racial Discrimination Act) Bill 2009, passed last night, goes some way to rectify discriminatory aspects of the NTER, but falls well short of expectation.

We strongly disagree with the Minister's assurances that the Bill fully reinstates the RDA.

However, we call on the Minister to ensure that the Government's clearly stated intention that the RDA will apply to all the NTER measures and to the NTER legislation itself, is backed by swift rectification of any instances where this is found not to be the case.

We believe that NTER measures that will remain immune from challenge under the RDA in spite of the Government's Bill, include the compulsory five-year leases, the retention of unreasonable Business Management Area powers, the creation of a public right of access to Aboriginal land, and the retention of the Australian Crime Commission's additional powers.

We are also disappointed that many concerns raised by communities during the Government's consultation process have not resulted in positive, evidence-based improvements to the NTER.

For example, the introduction of an extended regime of compulsory income management across the NT will see it applied to increased numbers of Aboriginal people, despite a lack of evidence as to its effectiveness. The new IM system will give unprecedented discretion to Centrelink workers to decide who should be income managed and does nothing to guarantee that people suffering family violence, financial or other hardships will be provided with appropriate ongoing case management support to assist them to change their circumstances. Millions of dollars will continue to be spent on a system which punishes welfare recipients without providing urgently needed access to social and support services.

The \$400 million allocated for the expansion of the income management program should be used to provide urgently needed opportunities and resources to welfare recipients instead of undermining their ability to exercise responsibility and sustaining dependence.

The Government must revisit reform of the NTER and significantly improve its engagement with Aboriginal communities and organisations if real progress is to be made on addressing Aboriginal

disadvantage in the NT.

Government Business Managers have their say on the Intervention.

The Government has also just released results of survey of Government Business Managers (GBM) in the NT. This survey records the GBMs perceptions and views of the Intervention.

This is from the press release: *"The GBMs reported that, in their view, women are the most favourably disposed towards income management (women with children 82 per cent and other women 64 per cent), followed by men with children (27 per cent).*

The survey also shows that GBMs believed that 49 per cent of people had a favourable attitude towards income management, and 63 per cent of GBMs reported that food is available on a more regular basis.

It also found that 78 per cent of GBMs reported a positive change to shopping patterns and budgets.

The survey reveals that the majority of people believe the NTER has had a positive impact on community awareness of nutrition, health, child abuse, education and drug and alcohol related violence.

The GBMs were asked to consider the level of change in the NTER communities since 2008. The survey found:

- 32 per cent believe the level of violence has decreased;*
- 24 per cent believe there has been a decrease in petrol sniffing;*
- 65 per cent perceived a positive impact in accessing health and nutrition programs;*
- 55 per cent perceived a positive impact in accessing police; and*
- 52 per cent believed the NTER has had a positive impact on the provision of training opportunities".*

Recognising that this is a survey of those people employed to implement the Government's policy and so they would, perhaps, be more inclined to see the positives in the intervention, it is nevertheless interesting that they report only a 49% favourable attitude to income quarantining. Yet, the Minister, Jenny Macklin, in a "doorstop" interview on the 22nd June said: "The majority, not everybody, but the majority are certainly of the view that income management has been helpful to their family".

49% does not generally constitute a majority. It's these kind of inconsistencies between rhetoric and "evidence" that cause us so much concern. Another issue to consider is why the GBMs are being surveyed? Would it not be more useful to survey those directly experiencing the intervention?

Racism in sport

In the past few weeks the racism in sport has been on display thanks to several comments by well regarded sports identities. These incidents occurred just after reconciliation week, when we were asked by Reconciliation Australia to look with "fresh eyes". Tom Calma, a Reconciliation Australia Board member, commented that these racist comments were a cause for concern, particularly when both the NRL and the ARL have in place Reconciliation Action Plans.

Interestingly, in all cases friends and supporters of those who made the racist remarks were reported to comment along the lines of "the person is not a racist" or there was no malice or intention to cause hurt. The fact is their behaviour was racist, the lack of "intent" does not mitigate the inherent racism in such comments and indicates that more work needs to be done on educating people about what is racism and racist behaviours. If it looks like a duck, quacks like a duck...

From the news wire...

Did you know that NATSIEC now has a blog. You can go there for more regular updates.

[NATSIEC Blog](#)

Martung Upah Appeal



The Make *Indigenous Poverty* History Campaign is an initiative of the National Aboriginal and Torres Strait Islander Ecumenical Commission (NATSIEC). Other projects run by NATSIEC include the Indigenous Theology project and a development fund.

NATSIEC receives significant funding from *Act of Peace* and the *Uniting Church (NSW) 2% fund*, however the rest of our funding comes from donations by Churches and Individuals to its annual appeal Martung Upah*.

By supporting the Martung Upah appeal you are joining us in a partnership to engage Churches and the wider community in fostering a deeper understanding of Aboriginal and Torres Strait Islander peoples. Together we can work towards healing the hurts of the past and building a better tomorrow for all our children so that injustice and discrimination will not be part of Australia's future.

We thank you for your support.

To download go to the Martung Upah Appeal webpage [click here](#).
To go direct to the online donation page [click here](#)

* Martung Upah is from Western Australia and means partnership.



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