



**NORTHERN  
LAND COUNCIL**

**Submission to the Joint Standing Committee on Aboriginal  
and Torres Strait Islander Affairs**

***Inquiry into community safety, support services and job  
opportunities in the Northern Territory***

**January 2023**

## About the Northern Land Council

The Northern Land Council (NLC) was established in 1973. Following the enactment of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth), the NLC became an independent statutory authority responsible for assisting Aboriginal people in the northern region of the NT to acquire and manage their traditional lands and seas.

The Land Rights Act combines concepts of traditional Aboriginal law and Australian property law and sets out the functions and responsibilities of the Land Councils. A key function of the NLC under the Act is to express the wishes and protect the interests of Aboriginal people throughout its region.

The NLC is also a Native Title Representative Body under the *Native Title Act 1993* (Cth) (Native Title Act).

The NLC represents more than 51,000 Aboriginal people. Within its jurisdiction, it assists Traditional Owners by providing services in its key output areas of land, sea and water management; land acquisition; minerals and petroleum; community development; Aboriginal land trust administration; native title services; advocacy; information and policy advice.

The NLC's vision is for a Territory in which the rights and responsibilities of every Traditional Owner are recognised and in which Aboriginal people benefit economically, socially and culturally from the secure possession of their lands, seas, waters and intellectual property. Our mission is to ensure Aboriginal people in the NLC's region acquire and manage their traditional lands, seas and waters, through strong leadership, advocacy and management.

## 1. Introduction

The Northern Land Council (NLC) welcomes the opportunity to provide a submission to this inquiry. We note the broad-ranging terms of reference; however, given the inquiry's short timeframe, this submission restricts comments to discussion of the sunseting of the *Stronger Futures in the Northern Territory Act 2012* (Stronger Futures Act) and related matters.

The NLC supported the sunseting of the Stronger Futures legislation, recognising it was viewed by our constituents as one of the last remnants of the Northern Territory Emergency Response (NTER), commonly known as 'the Intervention' – a political act that had significant negative effects on the NT, with ramifications that are still palpable 15 years on.

However, the NLC is greatly concerned that the Australian and NT Governments failed to adequately plan for the legislation's sunseting and to consult those communities likely to be most affected by the changed arrangements, despite knowing since 2012 that the legislation would sunset in 2022. Both levels of government had the opportunity to reflect, build evidence, evaluate and plan for new arrangements for a decade. The NLC hopes this inquiry reaches an understanding of how and why this did not occur.

Further, the NLC looks to the inquiry to remind both the Australian and NT Governments of best practice arrangements that put Aboriginal people at the centre of the design and implementation of policies that affect them.

From the NTER to Stronger Futures and mandatory income management, successive Australian Governments have been responsible for continuing proscriptive policies that remove control from Aboriginal people and are applied indiscriminately and without consultation, solely on the basis of Aboriginality. Not only are these 'Intervention-style' policies racist and in clear contravention of the rights of Aboriginal people,<sup>1</sup> but – as suggested at this inquiry's public hearings<sup>2</sup> – there is also no evidence they have produced the outcomes they set out to achieve.

There now appears to be broad acknowledgement that Commonwealth intervention into Aboriginal policy in the NT should never be repeated, and that approaches to address alcohol misuse, family violence and disadvantage must be driven by Aboriginal communities. Recognition of this fundamental principle is at the core of the National Agreement on Closing the Gap.

The Australian Government has a responsibility to learn from the errors of past policies and to do better in the future, by enacting policy approaches that are evidence based, community-led and strategic.

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<sup>1</sup> Including the rights under the *United Nations Declaration on the Rights of Indigenous Peoples* to self-determination (Article 3), autonomy in local affairs (Article 4), participation in decision-making affecting their rights (Article 18), free prior and informed consent before the adoption of legislative/administrative measures affecting them (Article 19), control of their lands (Article 26), and consultation prior to military activities being undertaken (Article 30).

<sup>2</sup> For example, NIAA advised the Inquiry "both reviews found it's very difficult to pinpoint any positive results of the Stronger Futures legislation" and "there's no evidence with regard to [a significant reduction in social or medically related alcohol problems]". (Hansard, hearing of 19 October 2022)

## 1.1. Key recommendations.

- The Australian and NT Governments should have a shared policy approach to remote NT and commit to long term funding for housing, essential services and social services in remote communities.
- Self-determination and community led solutions are vital for changes to policy directed at Aboriginal people, particularly policies that restrict agency.
- Monitoring and evaluation must be built into the design of any government program aimed at addressing Aboriginal disadvantage to allow Aboriginal communities and organisations to act where needed.
- Robust data on alcohol related harm should be obtained and monitored for at least the next two years, to ensure Aboriginal communities and organisations can work with government to take action where needed.
- Community store regulation schemes should continue with further work to be undertaken to improve the quality and price of food in remote areas.
- The Australian and NT Governments should consider better aligning property rights for community living areas and town camps with those provided under the Land Rights Act, including having an option to convert community living area land to land trust.
- The NT Government should immediately start working with Aboriginal communities that have interim APAs, to ensure community-led arrangements are in place prior to 16 July 2024, when interim APAs expire.

## 2. Background: NTER and Stronger Futures

With the election of the Howard Government in 1996, the Australian Government approach to Aboriginal policy shifted significantly, from an emphasis on self-determination and social justice, to increased government control and mainstreaming.<sup>3</sup> This included reducing funding and ultimately dismantling the Aboriginal and Torres Strait Islander Commission, with its responsibilities transferred to other agencies, and a strong push from the government – with limited success – to substantially water down the Native Title Act.

The shift away from an Aboriginal-led and consultative policy approach culminated in 2007 with the Intervention – a policy that saw Aboriginal people in the NT branded and subjected to controlling measures, by virtue of their ethnicity alone. The hurt and mistrust this caused across the NT's Aboriginal population cannot be overstated and are still strongly felt.

The NLC is reminded regularly by people living in remote areas of the restrictions they were subjected to under the NTER, and the shame that remains. That policy involved the application of blanket arrangements across Aboriginal communities that placed onerous control measures on the lives of Aboriginal people, without consultation, including controls on finances and movement. It

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<sup>3</sup> Parliament of Australia 2011, 'Overview of Indigenous Affairs: Part 2: 1992 to 2010', [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/BN/1011/Indigenou sAffairs2#\\_Toc295218057](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/1011/Indigenou sAffairs2#_Toc295218057)

was effectively a return to Australia's historic policies of legal discrimination against Aboriginal people and excessive control by government over their lives, as underscored by the suspension of the *Racial Discrimination Act 1975* (Cth) under the NTER legislation.

The Stronger Futures legislation was enacted in 2012 to align with the expiry of the primary NTER legislation, the *Northern Territory National Emergency Response Act 2007* (Cth). There is a public perception that Stronger Futures was a continuation of all elements of the Intervention. However, the NLC recognises Stronger Futures was an attempt by the government of the day to change the blunt approach of the NTER, by reinstating the Racial Discrimination Act and undertaking community consultations to inform the new approach (notwithstanding concerns raised about both Stronger Futures and the engagement of affected Aboriginal communities in its development, including by the Australian Human Rights Commission<sup>4</sup>, Amnesty International<sup>5</sup> and the University of Technology Sydney's Jumbunna Indigenous House of Learning<sup>6</sup>).

The legislative components that continued from the NTER to the Stronger Futures Act included the continuation of a remote store licensing scheme, the ability to make regulations for town camps and community living areas and control of alcohol access. Of these, the NLC suggests only the alcohol management provisions, which included blanket controls across Aboriginal communities, continued the Intervention-style approach, and are therefore a primary focus of this submission.

Beyond the Stronger Futures legislation, quarantining of welfare payments through the *Social Security (Administration) Act 1999* (Cth) (Social Security Act) and control of access to pornography through special measures under the *Classification (Publications, Films and Computer Games) Act 1995* (Cth) are also considered as an extension to the NTER, with the same policy style and intent. While the pornography measures, like the Stronger Futures Act, sunset in July 2022, mandated income management continues through the Basics Card and as such is briefly discussed below.

### 3. Alcohol management

#### 3.1. Alcohol protected areas

Under the NTER, all Aboriginal land, community living areas and town camps in the NT became 'prescribed areas', with bans on the possession, consumption or sale of alcohol without a licence. Prescribed areas were renamed alcohol protected areas (APAs) under the Stronger Futures Act Part 2, but the policy approach largely remained the same.

It is important to note that prior to the NTER, the majority of remote communities in the NT were already dry communities, with general restricted areas (GRAs) in place under the *Liquor Act 1978* (NT), and subsequently the *Liquor Act 2019* (NT) (Liquor Act). APAs sat over those existing alcohol restrictions. Following the sunset of the Stronger Futures Act on 16 July 2022, GRA communities returned to being regulated under the Liquor Act.

The NLC was first involved in discussions about the sunset of Stronger Futures from late 2021. At that stage the suggestion was that an 'opt out' system would be likely, whereby Stronger Futures

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<sup>4</sup> Australian Human Rights Commission, 'Promotion and protection of human rights on the ground – Equality before the law and non-discrimination', <https://humanrights.gov.au/our-work/3-promotion-and-protection-human-rights-ground#fn24>

<sup>5</sup> See, for example, their submission on the 'Stronger Futures in the Northern Territory Discussion Paper', <https://www.amnesty.org.au/wp-content/uploads/2016/09/IPR-submission-Oct2011.pdf>

<sup>6</sup> Nicholson A. et. al. 2012, *Listening but not hearing – A response to the NTER Stronger Futures consultations June to August 2011*, Jumbunna Indigenous House of Learning, University of Technology Sydney.

alcohol restrictions would remain in place while community-led approaches to alcohol access and use were determined to guide alcohol access in each affected community.

The NT Government advised in March 2022 that they would instead be implementing an 'opt in' system. To that effect, by the end of that month amendments to the Liquor Act were introduced, and subsequently passed, enabling APA only communities to apply for an interim APA to extend alcohol restrictions in their community.

### **3.1.1. Concerns about consultation**

The NLC unreservedly opposes Intervention-style policies and supports self-determination for Aboriginal communities, and as such supported the removal of mandatory alcohol restrictions. However, we had serious concerns about the timing of the removal and inadequate consultation. The Intervention was implemented without consultation – removing alcohol restrictions without appropriately consulting Aboriginal communities was insulting at best and potentially dangerous at worst.

The National Agreement on Closing the Gap, signed by all levels of Government in 2020, signalled a commitment to a future where policy making that impacts the lives of Aboriginal people is done in full and genuine partnership. Given the Australian and NT Governments were aware of the sunset of Stronger Futures well in advance, there was ample opportunity to implement an approach consistent with this commitment; that clearly did not occur.

Hence the NLC called on the NT Government in May 2022 to withdraw the proposed Liquor Act amendments and proceed in consultation with Aboriginal organisations and health experts. The NLC's Chairman, Samuel Bush-Blanasi, said: 'The government has to take time to listen to the concerns of our health professionals and community leaders when they are making these important decisions that affect our mob out bush.'<sup>7</sup>

Although the NT Government made some effort to consult across all communities, town camps and some homelands in the weeks leading up to the sunset date, this was done belatedly and without time for people to have deep discussions and build consensus. The NLC understands the initial plan was for areas to decide quickly whether or not to continue alcohol restrictions.

It is disappointing the process undertaken by both governments lacked any insight into the benefits of deep, thorough or respectful engagement with Aboriginal communities. Those with responsibility for Aboriginal affairs policy showed little understanding or appreciation of the depth of interest in alcohol control, the deliberative process of making decisions on alcohol, or the harm that can be caused by alcohol misuse.

The NLC would not normally expect to have a role in alcohol access arrangements at a community level. However, under the 2022 Liquor Act amendments, an interim APA must be supported by the written consent of the registered landowner (section 170A). In practice, for Aboriginal land this means the relevant land council. To comply with land council functions under the Land Rights Act, this placed an obligation on land councils to consult with communities and ascertain their views, if an application for an interim APA was made. As a result of this requirement, the NLC has to date consulted with the community of Peppimenarti and seven small communities / homelands that

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<sup>7</sup> 19 May 2022, <https://www.sbs.com.au/nitv/article/nt-law-replacing-remote-booze-ban-slammed/4j9ytblar>

sought to apply for an interim APA, and subsequently assisted these eight communities in making an interim APA application.

For communities that have opted in, interim APAs will expire on 16 July 2024 unless cancelled earlier. Those wanting to continue alcohol restrictions will need to be designated as GRAs prior to that date. The NT Government has indicated they support a community led approach. Detailed community consultations on alcohol are complicated and can take an extended period of time. There are diverse views within communities, with some favouring prohibition, some wanting open access consistent with non-Aboriginal communities, and others seeking varied access. To support informed consent, communities should be given information about their options and the likely ramifications of each of those options, including providing any available data. The NLC urges the NT Government to start working with communities immediately to build community led arrangements.

### 3.2. Minimising harm

NLC acknowledges that alcohol misuse is a symptom of wider community breakdown. Protective factors which can reduce alcohol misuse are community cohesion, access to appropriate housing, education, and good health care. In the case where alcohol related harm exists, a range of community safety initiatives are required to support people into better choices. Governments must acknowledge support Aboriginal communities is a foundational aspect to reducing the symptom of alcohol misuse.

There are also mechanisms which specifically target the supply and demand of alcohol. The Stronger Futures Act allowed for APAs to be revoked and replaced with community-developed alcohol management plans (AMPs), where these had been approved by the Minister. The NT Government's NT Health website describes an AMP as 'an agreement to tackle the harm caused by alcohol abuse in a way that works for the community. It must have a strong focus on reducing alcohol-related harm and improving community safety, particularly for women and children.'<sup>8</sup>

The website states 35 communities have undertaken alcohol management planning processes, most of which have resulted in AMPs being developed and endorsed by communities and service providers. At this inquiry's public hearing on 19 October, the NT Government indicated that despite significant work being done with communities to develop AMPs, it appears only one plan had been approved by the Commonwealth Minister.<sup>9</sup>

The 2016 Parliamentary Joint Committee on Human Rights Review of Stronger Futures measures found: 'It is difficult for the committee to establish that the existing legislative alcohol restrictions are rationally connected or proportionate to the stated objective of reducing alcohol related harm' and recommended that existing blanket alcohol restrictions on Aboriginal land be transitioned to locally developed AMPs.<sup>10</sup>

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<sup>8</sup> NT Health 2022, <https://health.nt.gov.au/professionals/alcohol-and-other-drugs-health-professionals/alcohol-for-health-professionals/alcohol-management-plans>

<sup>9</sup> Hansard 19 October 2022, JSC on Aboriginal and Torres Strait Islander Affairs, Inquiry into Community Safety, Support Services and Job Opportunities in the Northern Territory, [https://parlinfo.aph.gov.au/parlinfo/download/committees/commjnt/26206/toc\\_pdf/Aboriginal%20and%20Torres%20Strait%20Islander%20Affairs%20Joint%20Committee\\_2022\\_10\\_19.pdf;fileType=application%2Fpdf](https://parlinfo.aph.gov.au/parlinfo/download/committees/commjnt/26206/toc_pdf/Aboriginal%20and%20Torres%20Strait%20Islander%20Affairs%20Joint%20Committee_2022_10_19.pdf;fileType=application%2Fpdf)

<sup>10</sup> Commonwealth of Australia 2016, *Final report: 2016 Review of Stronger Futures measures*, Parliamentary Joint Committee on Human Rights.

The NLC supports evidence-based, community-developed measures to address alcohol-related harm. This should include government working with communities through local Aboriginal organisations to review or develop AMPs (or similar approaches), where the community is interested in doing so.

The NT Government has advised its agencies have been working together to minimise harm in communities where alcohol restrictions were lifted. It is important to have transparency regarding what this includes. Community engagement and place-based community-led approaches should be at the forefront of this work.

However, as the architect of the Intervention and Stronger Futures, the Commonwealth must recognise it has a responsibility to ensure community safety and reduce negative impacts as its detrimental policies are removed. Where the NT's budget does not allow for appropriate services to be provided to citizens in remote areas, the Australian Government should provide support to meet these needs. A shared policy approach by both governments would ensure roles, responsibilities and outcomes are agreed.

### 3.3. Monitoring and evaluation

Part 2 of the Stronger Futures Act was 'aimed at reducing alcohol-related harm' (section 6).

The NLC understands no comprehensive evaluation of the Stronger Futures measures was undertaken, and will therefore refrain from commenting on its effectiveness or otherwise. However, as early as 2013, the Parliamentary Joint Committee on Human Rights asked whether there was any clear evidence that the measures had had an impact on reducing alcohol consumption and the harms linked to abuse of alcohol. The Committee's report on Stronger Futures noted: 'studies have shown that the systems of alcohol restriction likely to be effective are those decided on by the community rather than ones which are imposed from outside'.<sup>11</sup> This was clearly not the case for Stronger Futures.

Certainly, while prohibition was the policy framework, the reality was that almost every community at times felt the effects of alcohol misuse or had to deal with unintended consequences of alcohol misuse throughout both the NTER and Stronger Futures.

Identifying key indicators and building in monitoring and evaluation from the outset should be a fundamental element of all government programs, and is essential for those aimed at addressing Aboriginal disadvantage. It remains unclear whether this occurred with Stronger Futures – and if not, why not.<sup>12</sup>

With the sunset of Stronger Futures, the NT Government committed to closely monitoring for changes in alcohol related harm across a number of indicators and agencies from 17 July 2022, when alcohol restrictions were lifted. At the time of writing, no data has been made public, nor has it been shared with the NLC. This data is critical to ensuring communities, government and Aboriginal organisations can take action where needed. It should also be noted that for some indicators,

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<sup>11</sup> Commonwealth of Australia 2013, *Examination of legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011: Eleventh Report of 2013 – Stronger Futures in the Northern Territory Act 2012 and related legislation*, [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Human\\_Rights/Scrutiny\\_reports/2013/2013/112013/index](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/Scrutiny_reports/2013/2013/112013/index), p39.

<sup>12</sup> For example, the NIAA told this Inquiry: "The evidence that we've collected hasn't looked specifically at the impact of the Stronger Futures in the NT program". (Hansard, hearing of 19 October 2022)



increases in alcohol related harm are unlikely to be instantly obvious. Monitoring should continue for two to three years to assess the impact of sunseting arrangements and inform future arrangements.

## 4. Food security

Part 4 of the Stronger Futures Act related to food security and established a licensing regime for remote community stores.

Concerns are regularly raised about the high cost (and often lower quality) of food in remote community stores. A 2015 study found products in remote stores were on average 60% more expensive than in Darwin.<sup>13</sup>

The objective of the Stronger Futures licensing scheme was to enhance the contribution made by community stores in the NT to achieving food security in Aboriginal communities.<sup>14</sup> A 2016 KPMG review of the scheme for the Department of Prime Minister and Cabinet stated: 'While it is not possible for this review to quantify the extent of the contribution made by recent store licensing measures to health and well-being outcomes in communities, the review finds that the response of stakeholders to the reforms has been broadly positive.'<sup>15</sup>

The NLC understands the NT Government plans to roll out a similar scheme, and the Commonwealth Government allocated \$7.5 million over two years from 2021-22 to support transition of remote stores licensing to the NT.<sup>16</sup>

The NLC strongly supports the continuation of community store regulatory mechanisms that provide for improved food pricing, food quality, and store management. The inclusion of compliance measures should be a key component.

In addition to continuing store licensing, the NLC suggests the Commonwealth and NT Governments look more generally at ways to improve food affordability in remote communities.

In 2021, the Aboriginal Medical Services Alliance Northern Territory (AMSANT) released a report on food security in the NT that included a broad range of recommendations based on community led solutions. The NLC notes the Australian Government is currently working with state and territory governments and Aboriginal groups on a national strategy for food security in remote communities.

## 5. Land elements

Part 3 of the Stronger Futures Act enabled the Commonwealth to make regulations to modify NT laws with regard to land use in town camps and community living areas. The NLC understands these powers were only used once, in 2013, to make regulations that allowed community living area land

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<sup>13</sup> Ferguson et. al. 2015, 'The comparative cost of food and beverages at remote Indigenous communities, Northern Territory, Australia', *Australian and New Zealand Journal of Public Health*, 40 (s1).

<sup>14</sup> Commonwealth of Australia 2016, *Review of the Stronger Futures in the Northern Territory Act (2012)*, p30, [https://www.niaa.gov.au/resource-centre/indigenous-affairs/stronger-futures-northern-territory#publication\\_content\\_type\\_view-block\\_2-4](https://www.niaa.gov.au/resource-centre/indigenous-affairs/stronger-futures-northern-territory#publication_content_type_view-block_2-4).

<sup>15</sup> Ibid.

<sup>16</sup> Commonwealth of Australia 2022, *Budget 2022-23: Budget Measures: Budget Paper No. 2*, p156.

owners to grant leases and licences for expanded purposes, and increased the threshold requirement for Ministerial consent relating to those grants.

The 2016 KPMG review noted: ‘Removing restrictions in NT legislation that prevent commercial leasing and leasing for certain public infrastructure and services creates the opportunity for individual leases for business or home ownership purposes, and offers greater equity of opportunity for land holders to pursue their development aspirations where favourable financial and economic circumstances allow.’<sup>17</sup>

The *NT Associations Act 2003* (NT) was amended in 2022 to ensure continuation of these provisions after the sunseting of the Stronger Futures Act.

The NLC was engaged in the 2011 community living area reform process that led to the inclusion of the provisions in the Stronger Futures Act, and supported the reforms. However, the reforms did not fully address the concerns raised at the time by land councils – which called for comprehensive reform – and some of these issues remain.

While the reforms have strengthened property rights, community living areas and town camps still don’t have the same rights as provided under the Land Rights Act. The NLC recommends the Australian Government give consideration to better aligning these rights.

This includes establishing the option to convert community living area land to land trust, with the consent of the Aboriginal association or corporation that holds the title. This would also address the significant compliance challenges faced by Aboriginal associations and corporations that are incorporated solely for the purpose of holding community living area title.<sup>18</sup>

The NT Government is now considering whether further changes to land use planning, land tenure and ownership arrangements for community living areas could aid in facilitating investment and community development. The NLC looks forward to working with the NT Government to develop options that will support Aboriginal-led development. It is essential land councils continue to be involved in any future reforms concerning community living areas.

## 6. Mandatory income management

While not part of the Stronger Futures Act, mandatory income management was introduced in the NT under the NTER and continued (and was expanded to other jurisdictions) as part of the Stronger Futures package under amendments to the Social Security Act. Those provisions remain in place, with no sunset date.

Under the NTER, income management initially involved quarantining 50% of all Australian Government welfare and CDEP payments, and was applied to all recipients across the 73

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<sup>17</sup> Commonwealth of Australia 2016, op. cit, p19.

<sup>18</sup> This issue is outlined in the submissions made in 2012 by the NLC and the Central Land Council to the Senate Standing Committee on Community Affairs ‘Inquiry into the Stronger Futures in the Northern Territory Bill 2011 and two related bills’. The submissions are published at: [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Community\\_Affairs/Completed\\_inquiries/2010-13/strongfuturent11/submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Completed_inquiries/2010-13/strongfuturent11/submissions)

communities, outstations, and 10 town camps within NTER prescribed areas.<sup>19</sup> The intention was to ‘stem the flow of cash’ spent on substance abuse and gambling.

In 2010, a new approach was adopted that saw income quarantining extended across the remainder of the NT, with non-Aboriginal welfare recipients also included so as to comply with the reinstated Racial Discrimination Act.

This approach also narrowed application of the policy to those considered to be ‘at risk’. However, the definition of at risk was still – and continues to be – very broad, applied in the NT to entire categories (such as long-term Newstart and Youth Allowance recipients), unless they have an exemption, instead of risk being assessed on a case-by-case basis.

The NLC welcomed the repeal of the Cashless Debit Card in 2022. However, the impact of this for people in the NT was minimal, as mandatory income management remains in place under the Social Security Act, with NT residents on the Cashless Debit Card transitioning back to the pre-existing Basics Card.

In removing the cashless debit card, the current Federal Government described the card as discriminatory, arbitrary and diminishing self-worth. The same can be said for any mandatory income management applied in a broad-brush way.

Further, as the NLC observed in our submission on the 2020 bill to continue the Cashless Debit Card:

Compulsory income management has not proven to be effective in ameliorating poverty for welfare participants or reducing substance abuse. Deloitte’s 2015 report on place-based income management found no positive outcomes for people on compulsory income management<sup>20</sup>. Income management in the Northern Territory has reported no positive benefits to those on the Basics Card<sup>21</sup>. In 2014, an evaluation of the Basics Card revealed that the desired outcomes were not achieved, despite \$AU410.5 million spent on the project<sup>22</sup>.

The NLC looks forward to the Australian Government addressing the discrepancy that sees NT residents still subject to broadly applied mandatory income management, in contrast to other parts of Australia. We hope this will occur in 2023, with new arrangements that are targeted to the needs of individuals, support independence, and are easy to navigate in places of intermittent internet.

As we have noted with regard to alcohol, it is essential that when Intervention-style restrictions imposed on communities are removed, this is done with a transition plan in place. For income management, this must include providing appropriate supports, particularly for vulnerable people. Planning must consider the wider environment which, at present, also includes changes to alcohol access.

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<sup>19</sup> Parliament of Australia 2012, ‘Income management: an overview’, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/BN/2011-2012/IncomeManagementOverview#\\_Toc328056490](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/2011-2012/IncomeManagementOverview#_Toc328056490)

<sup>20</sup> Deloitte Access Economics 2014, *Place Based Income Management*.

<sup>21</sup> Bray, J.R. 2020, *Measuring the social impact of income management in the Northern Territory: An updated analysis*, Working Paper 136; Bray, J. R. 2016, *Income management evaluations - what do we now know? Placing the findings of the evaluation of New Income Management in the Northern Territory in context*, Working Paper 111.

<sup>22</sup> Bray, J. R., Gray, M., Hand, K., & Katz, I. (2014), *Evaluating New Income Management in the Northern Territory: Final Evaluation Report*.

## 7. Financial implications

In the NLC's view, Commonwealth, NT and local governments should have a shared strategic plan for investment in remote communities, to provide appropriate schooling, health services and policing, and a range of accommodation options that suit the spectrum of family structures. This requires a common understanding of the level and quality of services to be provided, to meet the essential needs of remote communities and be equitable to people in regional and urban areas. It is essential that the policy and funding environments align to ensure citizens in remote areas have equitable access, options and opportunities. The Intervention and Stronger Futures did not progress toward this vision.

The Stronger Futures legislation was partnered with a funding envelope of \$1.5 billion over 10 years under the National Partnership Agreement on Stronger Futures in the Northern Territory (SFNT NPA). The Agreement recognised the under servicing of remote communities and the inability of the NT Government to provide services in remote areas to the same level as urban centres within the jurisdiction given the extent of Aboriginal disadvantage in the NT. The funding included service provision across health and wellbeing, school readiness, remote community safety (including policing), family support services, Aboriginal interpreter services, and municipal and essential services, as well as building Aboriginal community-controlled organisations and upgrading of public housing.<sup>23</sup>

The SFNT NPA was intended to continue to 2022, but in 2016 was interrupted and reshaped into the NTRAI. Most elements under the SFNT NPA were continued through the NTRAI agreement. The NTRAI was set to end in July 2022, but was extended for two years to 2024. There have been no concrete commitments from the Australian Government to extend this funding beyond 2024, despite the NT Government advising that ceasing the funding would mean a withdrawal of services. For example, in 2020 the NT Police Commissioner stated remote communities would be left without police if the funding was not continued beyond 2022.<sup>24</sup>

It is clear the NT Government's revenue cannot meet the needs for either urban or remote areas. However, remote areas continue to have lower servicing levels which result in heavy reliance on services in urban areas and poor living conditions, and ultimately contribute to poor life outcomes. The NT Government continues to make financial decisions that preference urban areas to the loss of remote areas. The Australian Government contributes to the financial needs with no regard to the full cost of making sustainable change in remote areas. For example, last year's commitment of \$100 million for NT homelands barely scratches the surface of the estimated \$1 billion required to bring homelands housing and infrastructure to standard.

Remote communities need long term investment in housing, essential services and social services. The NLC calls on both the Australian and NT Governments to recognise the value of supporting Aboriginal people to live in remote areas and acknowledge the full cost of support by committing to long term funding.

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<sup>23</sup> Council of Australian Governments 2012, *National Partnership Agreement on stronger futures in the Northern Territory*.

<sup>24</sup> ABC News 2020, 'NT Government calls on Commonwealth not to defund remote policing', 14 August 2020, <https://www.abc.net.au/radio/programs/pm/commonwealth-plans-to-cut-remote-northern-territory-police-funds/12560904>