



**Office of the Hon Jenny Macklin MP
Minister for Families, Housing, Community Services
and Indigenous Affairs**

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Ms Heather McLaren
Chair
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Dear Ms McLaren

Thank you for your letter of 15 October 2010 to the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP, about the Northern Territory Emergency Response (NTER). The Minister has asked me to reply to you on her behalf.

The Minister appreciates the interest of your group and of the National Aboriginal and Torres Strait Islander Ecumenical Council (NATSIEC) in developments under the NTER. Clearly, there is a range of strong views on this issue.

Since coming to office in 2007, the Australian Government has paid close and critical attention to the NTER, which was introduced by the former government. The Government commissioned an independent review of the NTER in 2008, after its first 12 months of operation, and accepted in full the three overarching recommendations of the Review Board. This included a commitment to introduce legislation to restore the operation of the *Racial Discrimination Act 1975* (RDA) to the NTER.

During 2009, the Government undertook an extensive consultation process with Indigenous people in the Northern Territory on future directions for the NTER. This was possibly the most comprehensive engagement ever undertaken by government with Indigenous people in Australia.

The Government was influenced significantly by what it heard in the consultations and by the feedback from individuals and communities. For example, a common theme expressed through these consultations was that children, the elderly and women were now feeling safer, were better fed and clothed, were getting a better night's sleep, and there was less pressure on vulnerable people in the community to hand over money to others for alcohol, drugs and gambling. This was attributed to the combined effects of various NTER measures, including income management, alcohol restrictions, community stores licensing and an increased police presence in remote communities.

The details of the Government's consultation on the NTER, what people said, and the Government's decisions have all been made public and are available at www.fahcsia.gov.au/sa/indigenous/progserv/ntresponse/Pages/default.aspx.

In November 2009, following this consultation process, the Government introduced legislation to reinstate the RDA and redesign a number of NTER measures to improve them and make them sustainable in the long term. The legislation was passed in June 2010.

Under this legislation, all of the provisions in the NTER legislation that suspended the operation of the RDA have been removed. In addition, all of the provisions in the NTER legislation that deem certain measures to be special measures, such as income management, five-year leases, and alcohol and pornography restrictions, have also been repealed. These repeals will take effect from 31 December 2010. From this date, people will have their full rights under the RDA in relation to all of the measures under the NTER legislation.

In the same legislation, the Government introduced a new non-discriminatory income management scheme that applies to targeted categories of disengaged and disadvantaged welfare recipients in urban and regional as well as remote areas of the Northern Territory.

The Government understands the importance of these changes for Indigenous people. The previous suspension of the RDA, combined with a lack of consultation in the original implementation of the NTER, had left Indigenous people feeling hurt, betrayed and less worthy than other Australians. The latest reforms to the NTER remove what had been a blight on Australia's reputation as the land of a fair go. Australians want to live in a place where laws affect everybody equally and are not based on race.

While much of the commentary about the NTER is generally critical of the overall initiative, it is important to acknowledge the significant improvements that have been achieved in the three years since the NTER commenced.

The Government has so far invested over \$1.2 billion in programs and services under the NTER. This has enabled, for example, the provision of over 60 additional police, 18 additional police stations, night patrols in 80 communities, 22 safe houses, more than 7,000 meals a day for school children in remote communities, and a comprehensive program of over 10,600 child health checks and over 19,000 follow-up specialist services.

The NTER has also seen a considerable number of new jobs generated for Indigenous people in remote communities – for example, over 350 in night patrols, 95 in safe houses, over 200 in childcare services, over 160 through the School Nutrition program, and over 100 new health, family and community workers.

The Minister looks forward to receiving the full Living Letter report when it is released by NATSIEC.

Thank you again for writing.

Yours sincerely



Caroline Edwards
Senior Adviser