



NATSICC Ltd



Introduction

The National Aboriginal and Torres Strait Islander Catholic Council (herein referred to as NATSICC) is the peak advisory body on Indigenous issues within the Catholic Church in Australia.

We welcome the opportunity to make this brief submission to the Senate Inquiry relating to the Stronger Futures in the Northern Territory Bill 2011 and two related bills.

NATSICC acknowledges the efforts the Government has made to improve the lives of Indigenous people in the Northern Territory. We remain concerned, however, about some of the punitive elements of the Northern Territory Emergency Response (NTER) and those aspects of the policy that have been implemented with little or no consultation with the Indigenous communities affected.

At the very outset of the then-named Northern Territory Intervention, the Australia Catholic Bishops Conference called for much more than a 'law and order' approach. The Bishops called for a community development focus in partnership with Indigenous communities, addressing such factors as inadequate social services and poor infrastructure, inadequate numeracy and literacy, poor employment opportunities, substance abuse and community breakdown.ⁱ

It is our duty as Australians to provide Social Justice to Indigenous Australians through creation of jobs, safe environments in which to live and raise children or access to appropriate education, schooling and health facilities. As Pope John Paul II said in his 1986 address to Indigenous people and all Australians,

*what has been done cannot be undone. But what can now be done to remedy the deeds of yesterday must not be put off till tomorrow.*ⁱⁱ

NATSICC places strong emphasis on promoting self determination, faith, dignity and consultation in planning and delivering our programs. It is from that perspective that we base our response to the bills in question.

Further, our strong foundation of Catholic faith and teachings provide the underlying principles and values for this submission.

The way in which the NTER, income management and SEAM programs have been implemented clash ideologically with our Catholic mission and organisational vision, at the centre of which is the primacy of human dignity. The reliance on punitive and paternalistic measures to regulate and control Indigenous people contrast with the consultative and community based processes that we have found to be most successful. Pope John XXIII wrote in 1963:

*A regime which governs solely or mainly by means of threats and intimidation or promises of reward, provides men with no effective incentive to work for the common good. And even if it did, it would certainly be offensive to the dignity of free and rational human beings.*ⁱⁱⁱ

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We offer the following items (that we consider to be **imperative** in the process rebuilding self empowerment and self determination in Indigenous communities) as a guide for the Senate Committee to assess the bills in question.

Meaningful work is vital for the dignity of the individual and family

The consultations with Aboriginal people carried out by the Government prior to and during the rollout of the Income Management program highlighted the need for and importance of providing employment opportunities in communities:

We demand the return of our rights, our freedom to live our traditional lives, support to develop our economic enterprises to develop jobs and to work towards a better future for our peoples.^{iv}

The Hon Jenny Macklin MP, Minister for Indigenous Affairs acknowledged this: “A very clear message ... was that Aboriginal people wanted to work in regular jobs in their communities, with proper wages and conditions.”

NATSICC believes many of the sociological problems suffered by Indigenous communities stem from a lack of self esteem, self determination and dignity due to the high levels of unemployment. The official rate of Indigenous unemployment in regional areas is 27%^v with estimates as high as 44% in Wadeye (Northern Territory). High unemployment undermines living conditions, drains communities of basic services and robs future generations of opportunities the majority of us take for granted.^{vi}

Scientific study reinforces the role work plays in psychological wellbeing:

....unemployment had an adverse impact on psychological function, with the unemployed becoming more anxious, depressed, and concerned with bodily symptoms than those who continued to work. Since groups did not differ initially regarding these psychological states, it seems likely that these symptoms were associated with job loss rather than pre existing psychological symptoms..... Not having work could limit the person's chances for feelings of achievement, accomplishment, and satisfaction and could increase guilt about failure to provide for one's family.^{vii}

We acknowledge that there is a mutual obligation for people to seek work. People who are denied work and are in receipt of income support have a responsibility to take up appropriate employment and training opportunities. The Government has a reciprocal obligation to create the conditions to make this participation possible. Many Church and community sector organisations have raised concerns about the Federal Government's welfare reforms based on the policy of Mutual Obligation which has often emphasised punitive, sanctions-based requirements.

The Church has consistently argued that the relationship between individuals and civil authorities and public policies must be grounded in the dignity of individuals - for the good of individuals and of all society.^{viii}

The first step to rebuilding the pride, dignity and self determination of Indigenous communities should be to create a situation where Indigenous men and women can gain **meaningful** employment to allow them to provide for our families and in doing so reconnect with our traditional roles as providers. Whilst applauding the proposed \$19.1m pledged to the creation of new ranger positions, the council believes much more is needed over a vast range of areas to close the gap in Indigenous employment.

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The funding of Micro Enterprise support is a step in the right direction and we would encourage the government to continue down this path. We believe that initiatives driven by Indigenous people have the potential to create meaningful jobs.

We feel that underemployment is an issue that must also be dealt with. The crisis of underemployment is not captured in unemployment statistics or aggregate job creation figures. Indeed, it can be maintained that the large amount of part-time and irregular employment has effectively bolstered employment statistics and covered the failings of weak labour markets and the inadequate creation of real jobs by both the private sector and government for decades. People need to be fulfilled in their work and have the opportunity to work to their capacity - whatever that may be.

A 'circular approach to empowerment' should provide the framework to create a situation where:

- The creation of meaningful jobs will improve the (appropriate) infrastructure in communities
- Provision of training that will allow Indigenous people to gain skill sets to effectively manage our own affairs
- The building of networks between Government and private institutions will increase the capacity and self sufficiency of communities (see Bushlight community power system installation in Arnhem Land means residents of Mapuru finally have access to 24 hour power - <http://www.bushlight.org.au>)

Enrolment and Attendance through Welfare Reform Measures

An evaluation of the School Enrolment and Attendance through Welfare Reform Measures (SEAM) project in 2009 found that there has been no noticeable improvement in school attendance amongst SEAM children. Alternatively, other studies have found that well-designed, implemented, and rigorously evaluated programs can produce significant returns.^{ix} We are concerned about the impact of punitive measures such as the suspension of income support for impoverished and vulnerable families. This impact is all the more a concern given the reported ineffectiveness of the SEAM project.

NATSICC feels that it is more important to engage children and provide parents and guardians with a sense of ownership over the educational process than to punish non attendance.

The Stronger Futures Consultation report contained alternative measures from Aboriginal people. Some key suggestions:

- More Language and culture in schooling
- Incorporation of local elders in teaching programs
- Excursions and incentives to attendance
- Community activities to bring children and parents together

NATSICC has found that utilising sport as part of the educational process to be beneficial. In planning our Cross Cultural Sporting program (aimed at 14-18 year olds), we have consulted widely with the local community and Rostrevor College (home of the Indigenous Sports Academy) and found that we would receive higher participation if we paired the educational aspect with a sporting background.

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Another aspect that NATSICC sees as important to improving the experience of schooling is the incorporating traditional languages and faith systems with English studies.

There is solid evidence that children with two or more languages have a better ability to focus in the face of distraction, decide between competing alternatives, and disregard irrelevant information.^x Where Indigenous children face the hurdle of transitioning between English, traditional language and mixtures of both, the classroom situation is an ideal setting to increase the confidence of using and determining where to use each dialect - bidialectal education. Such English teaching aims not to correct or replace the children's Aboriginal English, but to show them how it differs from Standard English and teach them fluency in mainstream uses of Standard English."^{xi}

The concept of Bilingual education mirrors the attempts of the Australian Catholic Bishops Conference and NATSICC to inculturate the liturgy to make Indigenous people feel at home in the Church. The words of Pope John Paul II to Aboriginal people in Alice Springs (1986) were the encouragement for this:

"The Gospel of Jesus Christ speaks all languages. It esteems and embraces all cultures"^{xii}

Earlier, on his 1970 visit to Australia, Pope Paul VI insisted that:

"far from smothering what is good and original in every form of human culture, Catholicism accepts, respects and puts to use the genius of each people, endowing with variety and beauty the one, seamless garment of the Church of Christ".^{xiii}

From our discussions with Indigenous Education Workers at various Catholic Education Offices from across Australia, the following measures to combat non attendance are successfully utilised:

- A proactive approach in identifying issues that may result in non attendance
- Incorporation of family members in the delivery of curriculum
- A degree of flexibility in managing non attendance to allow scope to treat each student individually with individual issues and needs
- Encouraging use of traditional language
- Empowering young people to share their culture in a safe environment

From a technical perspective, NATSICC feels that students would be more inclined to attend school regularly if more focus was placed on the pedagogical aspect of teaching and aligning methodology with Indigenous learning approaches.

According to Warren and De Vries in **The role of oral language and representations in the negotiation of mathematical understanding** an oral approach to teaching has proved successful in teaching Maths to students whose first language is not English.^{xiv}

NATSICC would like to see a more holistic approach to schooling that values the knowledge, language and faith aspects of traditional culture. By utilising the knowledge of Elders and the inherent links that Indigenous people have with the land, school would be a more inviting place for young people to attend. It has been found that Instilling a sense of pride in the students' Indigenous identity and culture has encouraged attendance and highlighted the capacity of Indigenous students to succeed in Maths.^{xv}

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Income Management

NATSICC feels that the management and withholding of income from individuals is problematic in that it erodes the sense of self empowerment and dignity that is an inherent right of every human being. Additionally, the proposed legislation aims to expand compulsory income management without independent evaluation of its success.^{xvi}

The Equality Rights Alliance Report^{xvii}, upon surveying 168 women on income management found:

- 85% said they had not changed what they buy because they have BasicsCard.
- Only 22% said they save money with BasicsCard. 75% said that BasicsCard makes no difference to their spending, and 2% said that it costs them more.
- 53% said that it is often difficult to shop with BasicsCard.
- 74% said that BasicsCard does not make it easier to look after their family.

We accept that while in some cases the BasicsCard ensures provision of essential items, a bigger issue that needs to be addressed – one that is not addressed by the Basics Card system – is the disproportionately high prices that Indigenous people must pay for basic items. A large amount of income must be withheld to cover the costs of staple items such as fruits and vegetables (when/if available) leaving little in reserve when you consider the inflated prices endured by remote communities for other essentials such as fuel.

Whilst income management provides a safety net and is important in the case of Child Protection cases it does not provide an 'upside' or long term benefit to those whose lives are regulated by the BasicsCard. We certainly support voluntary income management and there are examples of this operating successfully in Aboriginal communities in Queensland.

NATSICC firmly believes that the long term answer to ensuring that food staples are provided to people lies in the empowering of communities to grow our own produce through market gardens and the creation community built distribution networks.

There is technology available^{xviii} that allows year round production of many varieties of fruits and vegetables in arid areas. This again raises the 'circle of empowerment' premise that addresses the problem via the utilisation of community skills, knowledge and labour.

Additionally, NATSICC would prefer that funds be redirected from administration and regulation of people's lives and instead be directed towards:

- Establishing local enterprises and developing skills (e.g fruit and vegetable gardens) to ensure affordable food supply and other essential services
- Educating people on management of income
- Subsidising freight and distribution networks

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Summary

NATSICC asks the committee to place strong emphasis on the following points when assessing the Stronger Futures in the Northern Territory Bill 2011 and two related bills:

- Was the approach to Indigenous people done in a way that respects the deeply cultural and faithful lives of our nation's first people?
- Do the bills provide avenues for creation of meaningful jobs to give people back a sense of dignity and worth?
- Is the issue of underemployment being addressed?
- Is self determination of Indigenous people through the resourcing of self managed projects a key aspect of the proposed change?
- Will the bills address the strong spiritual needs of Indigenous people?

The various measures that have been imposed on Indigenous people through the NTER means our lives have become more mechanised and regulated in ways that our culture and faith systems were never equipped to deal with.

NATSICC holds that alternatives need to be found to the Stronger Futures in the Northern Territory Bill 2011 and the two related bills. These alternatives would guarantee essential public services and improved standards of living for vulnerable communities. The promotion of education, support of local enterprise and creation of jobs would be based on true consultation and involve genuine partnership in policy development and implementation. All of this would be based on respect for Indigenous culture and identity and a thorough understanding of the particular needs of each community.

NOTES

- ⁱ A Statement from the Catholic Bishops of Australia on dignity and justice for Indigenous Australians, July 5 2007
- ⁱⁱ Address to Aboriginal Peoples, Alice Springs (29 November 1986), 12: AAS 79 (1987), 977.
- ⁱⁱⁱ Encyclical Letter of Pope John XXIII. (1963, n.48). *Pacem in terris* ('Peace on Earth').
- ^{iv} Message of Rosalie Kunoth-Monks of Utopia, Rev Dr Djiniyini Gondarra of Galiwin'ku, Harry Nelson of Yuendumu, Mirium Rose Ungunmerr-Baumann of Nauiyu, Djapirri Mununggirritj & Dhanggal Gurruwiwi of Yirrkala, & George Gaymarani Pascoe of Milingimbi, 7/2/2011, 'To the People of Australia'.
- ^v <http://www.abs.gov.au/ausstats/abs@.nsf/Products/6287.0~2010~Chapter~Unemployment>
- ^{vi} Most Rev. Bishop Christopher Saunders DD 2011: 'Indigenous employment: the most basic form of social justice' A Pastoral Letter for the Feast of St Joseph the Worker
- ^{vii} Linn M, S. R. (1985). Effects of unemployment on mental and physical health. *Am J Public Health* , 502-506.
- ^{viii} Catholic Welfare, National Aboriginal and Torres Strait Islander Catholic Council, Australian Catholic Social Justice Council (2005). *Joint Response to 'Building on Success: CDEP Discussion Paper'*
- ^{ix} G. Hall, H A Patrinos; Indigenous Peoples, Poverty and Human Development in Latin America: 1994-2004
- ^x Schwartz, C. (2011, April 11). *Newsweek Magazine*. Retrieved January 27, 2012, from The Daily Beast: <http://www.thedailybeast.com/newsweek/2011/08/07/why-it-s-smart-to-be-bilingual.htm>
- ^{xi} Eades, Diana (1993). *Aboriginal English*, PEN 93. Primary Teaching Association, Newtown
- ^{xii} Address to Aboriginal Peoples, Alice Springs (29 November 1986), 12: AAS 79 (1987), 977.
- ^{xiii} Address to the Bishops of Oceania, Sydney (1 December 1970): AAS 63 (1971), 56.
- ^{xiv} Warren, E. & de Vries, E. (2007) Australian Indigenous students: The role of oral language and representations in the negotiation of mathematical understanding. In J. Watson & K. Beswick (Eds) *Proceedings of the 30th Annual Conference of the Mathematics Educational Research Group of Australia*, Victoria: MERGA Inc.
- ^{xv} Klenowski, V. Gertz, T (2009) *Culture-fair assessment: Addressing equity issues in the context of Primary Mathematics Teaching and Learning*
- ^{xvi} Cox, E. 'Evidence-free policy Making: The Case of Income Management' *Journal of Indigenous Policy – Issue 12 (Sept 2011)*. University of Technology Sydney.
- ^{xvii} Women's Experience of Income Management in the Northern Territory pg. 40
- ^{xviii} <http://www.remoteindigenousgardens.net/about/>