

# STOP THE INTERVENTION

STOP THE INTERVENTION COLLECTIVE BULLETIN, APRIL 2010

## macklin's new laws are designed to entrench the intervention

### ▶ THE RDA WILL NOT BE REINSTATED

Minister Jenny Macklin claims the new Intervention legislation, set to be debated in the Senate in early June, will restore the Racial Discrimination Act. It's a lie.

The Australian Human Rights Commission's submission to the Senate inquiry on the laws revealed that Aboriginal people will not be able to use the RDA to challenge the Intervention. Without inserting a specific clause into the new laws that stipulates they are subject to the RDA, there is no legal basis for any challenge. Intervention measures have been branded as if they are "Special Measures" under the RDA, which are supposed to be for the benefit of a particular racial or ethnic group. But no court can test the claim because the RDA is excluded. The draconian powers of the Government Business Managers over communities, compulsory five year leases over Aboriginal township land, blanket bans on alcohol and pornography—all these things will remain in place.

### ▶ INCOME MANAGEMENT WILL SPREAD TO MORE ABORIGINAL PEOPLE

In an effort to make the hated Income Management compatible with the RDA, the government is expanding it to cover certain welfare recipients throughout the Northern Territory. The government has categorised several groups of recipients to be quarantined—"disengaged youth", "long term welfare recipients" and "vulnerable welfare recipients".

The government will have the power to label a region as a "declared income management area". Within these areas anyone who falls into one of the above categories automatically has their welfare quarantined.

This will start in July 2010 and will blow out the cost of income management from \$5 million to \$105 million per year, or \$4400 per person quarantined (approximately a third of an average yearly Centrelink payment). The purpose of this expansion is to maintain the quarantining of Aboriginal people in the NT. The entire NT has been categorised as a "declared income management area".

### ▶ AS THE LAWS APPROACH THE SENATE...

# rally against racism

FRIDAY MAY 28th, 5:30pm TOWN HALL, SYDNEY

[www.stoptheintervention.org](http://www.stoptheintervention.org)

call jean on 0449646593 for more info endorsed by the MVA Sydney Branch



**"the bill is a sham... it is a graphic demonstration of the lengths this government is prepared to go to protect this central measure of the intervention (income management)... I urge you all to continue the fight against this legislation and to continue that fight even if it is passed."**

FORMER FAMILY COURT JUSTICE, ALASTAIR NICHOLSON

It will still be Indigenous people who are most affected by welfare quarantining. Anywhere in the NT, the burden will fall overwhelmingly on Aboriginal people. In Central Australia, Indigenous unemployment is more than 70 per cent while it is only 4 per cent for the general population.

An opt-out system will be set up but this will not come into effect as individual communities are transitioned to the new system. For some this may mean they have no legal right to claim exemption until July 2011.

Macklin claims the laws come out of "consultations" with those affected by the Intervention. But those consultations were a sham (see the back page).

make the intervention laws  
subject to the rda  
stop compulsory income  
management  
land rights, not leases  
real jobs not ration cards  
no to the new intervention laws!

# it's back to the ration days



Richard Downs talks with a Gurrindji elder who walked-off Wave Hill and went on strike against rations and for Land Rights in 1966 working for rations

Until the 1960s, Aboriginal people across Australia frequently received food rations and clothing instead of wages. This rations system kept Aboriginal people firmly under the control of their employers and the government on the stations, missions and reserves. While small cash wages were introduced after the Second World War, many were not paid the full amount with money 'held in trust' by the State. For example, in Queensland all employers since 1901 could be directed to pay wages directly to 'protectors' or police officers where they would be administered on the Aboriginal person's behalf. The Protector had the right to manage all Aboriginal property.

## working for the BasicsCard

The Community Development Employment Program (CDEP) provided important employment opportunities for Aboriginal people. Under Howard's Intervention, the program was abolished in the NT. Rudd partially reinstated CDEP, but now people are no longer paid through the organisation they work for, such as a local council. Instead, Centrelink administers the remuneration through the Income Management system. Wages are thus quarantined and restricted through the BasicsCards. Effectively, Aboriginal people are working for rations again.

The Rudd government has talked about converting CDEP roles into award-paid positions. If this had happened it would have strengthened communities and alleviated poverty. But the jobs that have been created are a drop in the ocean.

For example, the Australian Education Union called for 500 full-time jobs to replace the education assistants, translators, bus drivers, cleaners and nutrition program workers who were part of CDEP. The government provided a mere 16 full-time jobs in schools Territory wide. All 16 jobs are in communities that have been dubbed 'hub-towns' under the Intervention. The hundreds of other communities and smaller homelands are being starved of services, and shutting CDEP is a key way government is trying to drive people off their communities.

Thousands of Aboriginal people who, before the Intervention, were employed working for their communities through CDEP, are today unemployed. Many continue their work receiving payment that amounts to rations. This is an affront to workers' rights and human rights in Australia and must end immediately.

## BasicsCard Rudds reforms have gutted CDEP and made conditions worse

Howard dismantled CDEP in order to control Aboriginal communities through "Income Management". Rudd has proved more concerned with maintaining this control than with providing real jobs in the community. It costs between \$4,000 and \$7,000 per person per year to administer this Income Management through Centrelink. This money is desperately needed for real jobs and services. Instead things are going backwards fast.

Under Rudd's new CDEP scheme, work hours are supposed to be capped at 16 hrs per week, but in reality many are working more than this. There is no 'banking' of hours workers put in over the 16 hours. CDEP providers can only pay the equivalent of the Newstart payment. These workers receive none of the benefits any ordinary fulltime worker is entitled to.

Those who work a fulltime 40-hour week are only getting



BasicsCard workers at Kalkaringi line up to join the union

A solidarity tour of unionists and supporters of Aboriginal rights helped build a house at Ampilatwatja in February. It took two weeks to build the house, funded by unions and donations. The government has only built four houses in two years, with a \$670 million program. This is a picture of the community at Ampilatwatja celebrating the victory.



paid the equivalent of their Newstart allowance through Centrelink. 50% of this meager and unfair pay is quarantined through the Income Management system. This money is put onto a BasicsCard that can only be used to buy certain items in certain shops.

Government Business Managers installed by the Northern Territory Emergency Response earn up to \$200,000 per year.

The government is currently planning to spend \$352 million on the expansion of Income Management. This money is desperately needed for creating employment, health, housing, education, and other basic services.

### Tennant Creek:

In Tennant Creek the number of CDEP participants has fallen from more than 370 before July 2009 down to 130. More than half of those remaining are working for the BasicsCard. This has had a devastating impact on the small town, particularly with the enormous influx of 'intervention refugees' that have come in from more remote areas over the past two years.

In Tennant, a number of organisations lost CDEP all together and their programs are threatened as a result. The Language Centre for example, has fantastic facilities for making media resources in local languages. They had up to 15 people working as trainees getting media and language skills, helping with the local school and other community events. Now they have one person.

The only CDEP provider left is Julalikari Council, who have BasicsCard workers doing municipal services work, as well as child care, health and community care and other services.

### What can be done?

In Central Australia Aboriginal communities have made contact with the trade union movement and are beginning to join unions to fight for better conditions and real jobs. In February the ACTU passed a motion to support Aboriginal people in these communities struggling with unions for proper wages and employment programs. In early April a bush tour by Intervention Rollback Action Group members signed up 50 workers to unions on the basis of fighting for real, properly paid jobs in the community.

If these appalling working conditions are tolerated in Aboriginal communities, it is only a matter of time before these conditions are imposed in other communities nation-wide. Its crucial that unionists support the fight of Aboriginal people for decent jobs in all communities. STICS is looking for trade union members who can help raise awareness inside the labour movement. Get in touch.

Do you want to come on the July convergence to Alice Springs? Contact STICS by emailing [stoptheintervention@gmail.com](mailto:stoptheintervention@gmail.com) or call Peter on 0429694083

STICS relies completely on donations to keep going. We are currently fund-raising to bring speakers from the NT to Sydney. Donations can be transferred to:  
 Account Name: Stop the Intervention Collective Sydney  
 BSB number: 06 2212  
 Account number: 10452725  
 ABN 56 162 064 644



# Join stics at may day

May Day is a traditional day of action for worker's rights. Union support is crucial to the campaign to stop the Intervention. STICS and other supporters of Aboriginal rights will have a contingent at May Day to show their support and to meet unionists interested in the campaign. Bring banners, community groups and signs and Join vs!

For info call Cathy: 0422 385 852

**SAT MAY 1st, 11am St James Station Elizabeth St, City**

# the consultations were a sham

The new Intervention laws are being justified by government "consultations" carried out last year. But the consultations were a travesty. Consultations implies an interest in the views of those consulted. Yet the government made no secret of being committed to continuing the Intervention before the consultations started. The consultation process was riddled with pro-Intervention biases. It was shrouded in secrecy – the public evidence on the record raises grave concerns that in fact, communities consulted opposed the Intervention. Rather than a process of genuine consultations, Macklin delivered a vulgarly rigged public opinion survey. Here is a summary of the consultations:

## They were procedurally biased

1. Their facilitators were public servants, and sometimes the very authorities imposed by the intervention
2. These authorities then had to write reports on what those consulted thought, despite the obvious conflict of interest
3. In some instances, facilitators were seen being openly supportive of the Intervention
4. The facilitators delivered a pro-Intervention message to those consulted, and told them the Government wanted to continue the Intervention

## Government reports on them are unreliable and lack transparency

1. CIRCA – who the Government contracted to independently monitor the consultations – found that the reports by the public servants on public meetings sometimes distorted the views of those consulted in a pro-Intervention manner.
2. The private (Tier 1) meetings that the Government crucially relies on were completely unmonitored.
3. The Government claims that public (tier 2) meetings also showed majority support for key intervention measures, such as income management. This is not substantiated by any evidence on the public record.
  - a. CIRCA monitored 15 of 109 Tier 2 meetings. They found that "participants spoke very passionately about not wanting income management to stay", that Government reports failed to register the levels of "anger and frustration" with these measures, that the "extent of negativity" towards these measures was high (etc).
  - b. *The Will they be heard?* report was based on the transcripts of three public meetings. These showed strong objections to the Intervention, including income management.
4. According to Alastair Nicholson, those who have requested reports on their Tier 1 and 2 meetings have been ignored. When the Greens urged these reports be released onto the public record, Labor and the Liberals combined in the Senate to vote this motion down.

## They're not consultations if the Government doesn't care what those consulted have to say

1. The Government organised four types (Tiers) of meetings. Tiers 3 and 4 were meetings with Indigenous leaders and peak Indigenous organisations. The Government found these

meetings showed opposition to key Intervention measures, such as income management and five year leases. Macklin has not explained why she has ignored what she was told in these meetings.

2. By her own admission, a third of public meetings didn't have interpreters. We don't know about how many interpreters were available in other meetings.
3. According to CIRCA, the reports by facilitators on the consultations did not include feedback on grievances raised outside of questions asked, or understated these grievances. This includes housing, despite the Government's housing program being a major measure of the Intervention.
4. In the Government's report on the consultations, some of the "common themes and messages" showed strong opposition to the Intervention, yet does not explain why these feelings were not seriously addressed.
  - a. There was a "pervasive feeling amongst Aboriginal people in the Northern Territory that different standards have been applied to them, compared with other Australians"
  - b. "Many people" said that they "had felt hurt, humiliated and confused by the way the NTER had initially been implemented" – even though the NTER has not changed, and its key measures will continue unchanged for years to come
  - c. Those consulted were "very critical" of the "lack of initial consultation, the blanket approach to measures, the embarrassment caused by the introduction of income management" and other issues: none of this has been rectified, or shows signs of changing in the future
5. The facilitators explained to those consulted that the Government thought the Intervention was going well, and wanted to continue it. The consultations were to seek feedback on possible changes: not abolishing the Intervention altogether
6. According to the Government's *Future Directions* report, the Government announced its budget for 2009-10 on 12 May 2009. This is a month before it began its "consultations" in the NT. Macklin claims her policies are based on what communities said in the consultations: why did she increase funding for it a month before the consultations started?

## Looking at the evidence?

Macklin says it is "important to look at the evidence". Yet she has ignored the repeated criticisms by UN special rapporteurs, by Amnesty International, by the authors of the *Little Children are Sacred* report. She has ignored her own Government's progress report on January-June 2009, released only a few weeks before the consultations report, which found that assault, domestic violence and child abuse had increased. Alcohol and drug related crimes have also increased. The Government ombudsman found people "often" complained about the high prices of healthy food in community stores, which were imposed by the Intervention. The progress report also reveals gross underfunding of crucial services. From a budget of hundreds of millions, the government spends \$2.6 on drug and alcohol treatment services, funding 2 nurses and 14 community support workers across 73 NT communities. They're funding only 5 child protection workers.

# do something! join stics!



STICS (Stop the Intervention Collective Sydney) is an open collective of Aboriginal and non-Aboriginal committed to campaigning against the Intervention. But if we're going to be able to do that, we need you! Join us. We meet Mondays at 6pm, level 1, Federation House, 23 - 33 Mary Street, Surry Hills

Call Jean on 0449 646 593 for more info or visit [www.stoptheintervention.org](http://www.stoptheintervention.org)

**special stics may day organising meeting with richard downs: tues 27th april 6pm**

Due to the ANZAC Day holiday STICS next meeting will be Tuesday April 27th 6pm, Level 4 meeting room, Federation House, 22-33 Mary Street Surry Hills. Following meetings will be on Monday nights.