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SNAICC Conference
Ngadluko Ngartunnaitya -
For Our Children

*Developing a just and
sustainable child protection
system in the Northern Territory*



Workshop Overview

- Workshop will cover:
 - Background and context to child protection in the NT and other states and territories
 - SNAICC's policy and advocacy - national and specific to the NT
 - Overview of Little Children are Sacred Report, Federal and NT Government Responses
 - SNAICC's response to NT interventions
 - What's happening on the ground - presentations from NT services
 - Questions/Comments from the floor
 - Where to from here

Historical Context

Aboriginal families and communities in the Northern Territory over a period of more than a hundred years had their role, capacity and responsibility for caring for their own children systematically eroded. The scale of intervention into the lives and functioning of Aboriginal families from the time of the 1909 Northern Territory Aboriginals Act through to the 1983 Community Welfare Act was enormous. All Aboriginal children were deemed wards of the state through the 1953 Welfare Act. The orthodoxy of the day was to break up Aboriginal families (Austin 1991)



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Historical Context

- Western Australian Aboriginal Child Health Survey has provided some useful analysis of the inter-generation impact of child removals.
- *Aboriginal children cared for by primary carers who were forcibly separated from their families are 2.34 times more likely to be at risk of clinically significant emotional or behavioural difficulties and had levels of alcohol and drug use twice of that children whose carers were not forcibly separated.* (Silburn 2006)



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Background and context

- Over the past two decades the Aboriginal population in remote communities has grown by 40%
- 72% of Aboriginal people in the NT live on Aboriginal land outside major towns
- 38% of the NT Aboriginal population under 15 years old
- Aboriginal population of appx 50,000 (30% of the NT total population and 12.5% of Australia's Indigenous population)
- NT has 641 discrete Aboriginal communities
 - 9 towns 1,000 - 2,000 people
 - 50 communities 200 - 999 people
 - 570 communities with less than 200 people
- 94% of remote communities have no preschool, 54% have no local health clinic



Child Protection Data

State/Territory	Indigenous population
New South Wales	106,300
Victoria	22,600
Queensland	100,500
South Australia	21,300
Western Australia	54,100
Tasmania	14,700
Northern Territory	49,600
Australian Capital Territory	3,000
Australia	372,100



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Child Protection Data

Substantiations - state/territory variations

Note: Change in NT rates from 2003-04

Table 2.9: Rates of Aboriginal and Torres Strait Islander children aged 0-16 years who were the subject of a substantiation, per 1,000 children, states and territories, 1998-99 to 2005-06

Year	NSW	Vic	Qld	WA	SA	Tas ⁽ⁱⁱⁱ⁾	ACT ⁽ⁱⁱ⁾	NT
1998-99	15.2	n.a. ⁽ⁱ⁾	9.3	10.9	25.6	1.1	14.3	n.a. ⁽ⁱⁱ⁾
1999-00	13.2	48.5	9.3	11.9	31.6	0.5	3.7	7.7
2000-01	14.9	50.9	12.4	12.6	29.4	0.3	12.1	6.8
2001-02	15.4	48.4	14.3	13.6	31.8	0.3	6.6	9.7
2002-03	31.9 ⁽ⁱⁱ⁾	55.3	15.6	9.6 ⁽ⁱⁱ⁾	32.0	2.5	19.4	8.6
2003-04	n.a. ⁽ⁱ⁾	57.7	20.8	11.2	39.9	1.6	25.3	16.2
2004-05	27.1	63.0	20.4	12.2	43.2	4.8	56.0	13.7
2005-06	44.2	67.7	23.0	10.9	32.3	4.4	56.8	15.2



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Child Protection Data

- note large variation in numbers & WA/NT figures

Table 2.8: Children aged 0–16 years who were the subjects of substantiations, number and rates per 1,000 children, by Indigenous status, states and territories, 2005–06

State/territory	Number of children			Rate per 1,000 children			Rate ratio Indigenous/ other
	Indigenous	Other	All children	Indigenous	Other	All children	
New South Wales	2,696	9,931	12,627	44.2	6.9	8.4	6.4
Victoria	634	6,453	7,287	67.7	6.0	6.7	11.3
Queensland	1,340	6,737	10,077	23.0	10.1	10.9	2.3
Western Australia	316	803	919	10.9	1.4	2.0	7.8
South Australia	360	1,101	1,461	32.3	3.5	4.5	9.2
Tasmania ¹¹	34	635	669	4.4	6.2	6.1	0.7
Australian Capital Territory	99	754	853	56.8	10.9	12.0	5.2
Northern Territory	354	108	462	15.2	3.2	8.1	4.8
Australia	6,033	28,322	34,355	29.4	6.5	7.6	4.5



SNAICC's policy - national

- *Through Black Eyes – Responding to Domestic Violence in Aboriginal and Torres Strait Islander Communities 1991 & 1992*
- *1995 National Action Plan for the Prevention of Child Abuse in Aboriginal Communities*
- **Prime Minister's National Aboriginal Family Violence Roundtable July 2003**
- *Briefing to the Commonwealth, State and Territory Governments* published in 2006 and 2007 on the development of a national action plan and a national Indigenous children's wellbeing and development taskforce to prevent and respond to child abuse and neglect.



SNAICC's policy - Northern Territory

- *State of Denial – the Neglect and Abuse of Indigenous Children in the Northern Territory*

In 2003 SNAICC published *State of Denial* a comprehensive review of the Northern Territory (NT) child protection system, which documented a systemic failure to respond to child abuse and neglect.

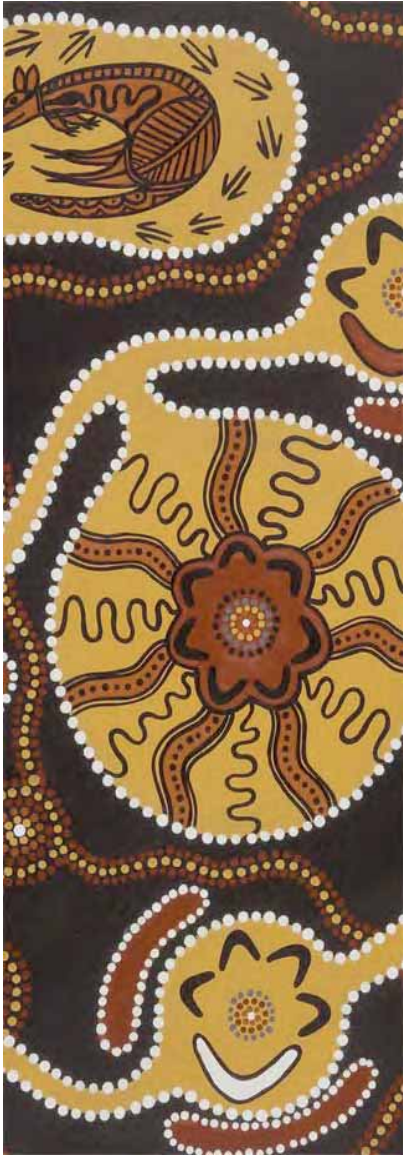
- *2006/07 submission to NT Inquiry into Sexual Abuse of Aboriginal children*

SNAICC provided a detailed submission to the inquiry with recommendations to develop a community based response to child protection issues.

State of Denial

- Key Findings

- the socio-economic factors which give rise to child abuse and neglect are highest in the Northern Territory
- non-reporting of child abuse and neglect is higher in the Northern Territory than in any other State or Territory
- to not report child abuse and neglect is a common practice of Aboriginal communities and non government agencies



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State of Denial

- Key Findings

- child protection system was not meeting its statutory obligations to protect children or provide for their welfare with chronic levels of poverty, homelessness and preventable diseases amongst children often viewed as 'normal' for Aboriginal children and therefore not requiring a child welfare response
- the narrow investigative approach of the system tends to blame Aboriginal parents and families for factors which are beyond their control – such as poverty and homelessness



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State of Denial

Non - reporting of abuse and neglect

- *A lot of it stems from I think - the whole discouragement to say anything to welfare - from breaking up families and Stolen gens. And a lot of our people as soon as they hear about welfare - they run.*
- *With workers in agencies they tend not to notify because of past experiences when they have notified and that nothing happened when they did notify. With the general public I think people feel overwhelmed and become apathetic.*



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State of Denial

- Key Recommendations
 - Indigenous child welfare summit
 - Indigenous child and family welfare council
 - Review the role of the northern territory police in child protection
 - Review of mandatory reporting
 - Compliance with the Aboriginal child placement principle
 - Community education and awareness
 - Developing a needs based approach to child welfare
 - Focus on child neglect
 - Expand Indigenous family support services
 - Child welfare reform funding package
 - Indigenous child welfare policy statement
 - Long term planning
 - National reforms



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Little Children are Sacred

- Report of the Board of Inquiry into Protecting Aboriginal children from sexual abuse
- Report provided to NT Government in April 2007
- Contained 97 recommendations covering a broad range of areas including, education, child protection, law reform, family services, sexual assault services, policing, alcohol and substance abuse, parenting education and government coordination of child protection policy
- Used by/prompted Federal intervention on June 21st
- NT Government formally responded in August



Little Children are Sacred

Important points made by the Inquiry included:

- Child sexual abuse is serious, widespread and often unreported
- Most Aboriginal people are willing and committed to solving problems and helping their children
- Aboriginal people are not the only victims and not the only perpetrators of sexual abuse
- Perpetrators include adult men and women as well as children and adolescents
- Loss of parenting capacity is impacting on children's behaviour
- Children have high exposure to sexual activity
- Chronic levels of poverty and housing shortage fuel family dysfunction, abuse and neglect

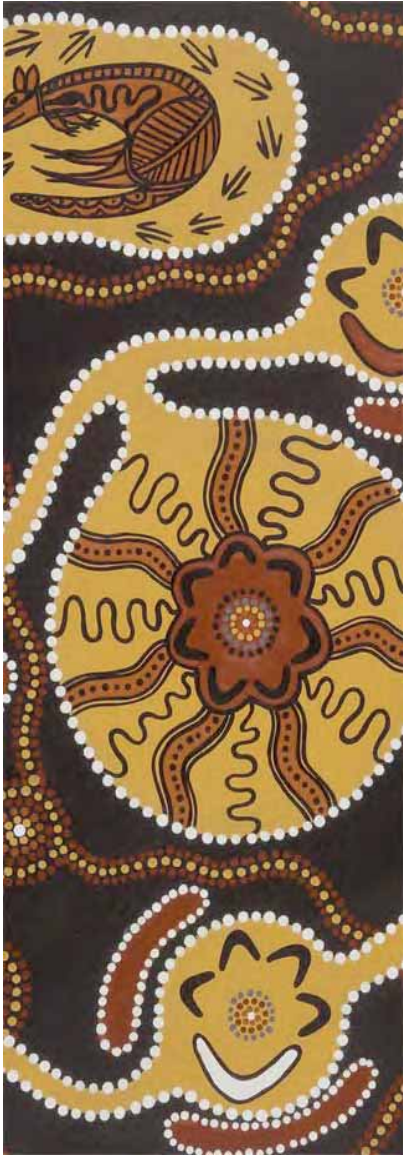


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Little Children are Sacred

Important points made by the Inquiry included:

- Combined effects of poor health, alcohol and drug abuse, unemployment, gambling, pornography, poor education and housing, and a general loss of identity and control have contributed to violence and to sexual abuse in many forms
- Much of the violence and sexual abuse occurring in Territory communities is a reflection of past, current and continuing social problems which have developed over many decades
- Programs need to have enough funds and resources and be a long-term commitment.



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Little Children are Sacred

- Recommendations did not include:
 - Federal intervention of the type we have seen
 - Reforms to land permit and land tenure systems
 - Appointment of administrators to over 70 Aboriginal communities
 - Welfare reforms to remove parent/carer control over their disposable income



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Federal Intervention

- Federal Intervention - key elements
 - Reforms to the land permit and land tenure systems (5 year leases over communities)
 - Welfare reforms to restrict/redirect use of welfare income where deemed appropriate by child protection workers, Queensland Commission or Secretary of FaCSIA (and their delegates) - applies to all persons on prescribed areas
 - Licensing of Community Stores
 - Banning of pornographic material in prescribed areas
 - Town Camps - compulsory acquisition

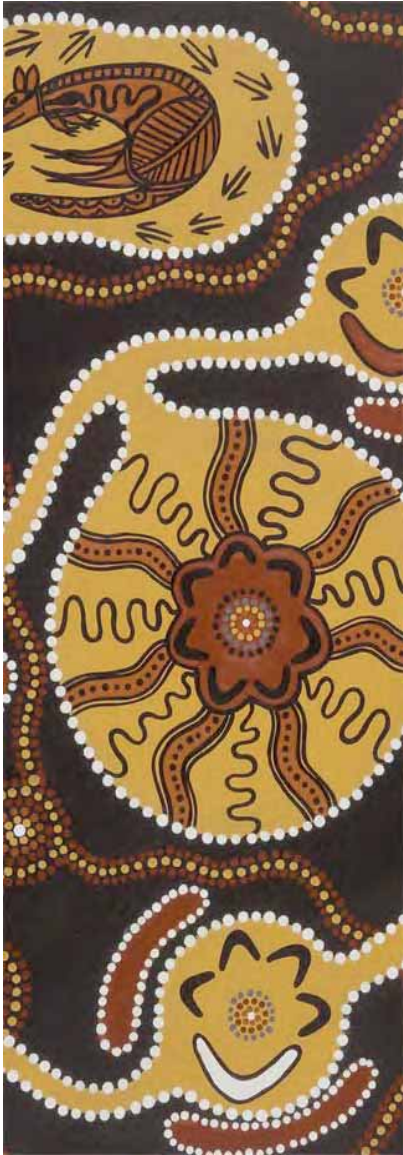


NT Government Response

- NT Government responded in August with Close the Gap - Generational Plan
- The Northern Territory Government has committed \$286.43 million over 5 years to implement *Closing the Gap*. Includes
 - \$79.36 million for child protection
 - \$38.61 million to implement the Remote Area Policing Strategy, community justice and other safety measure
 - \$10.11 million for alcohol and drug management
 - \$23.4 million to achieve better health outcomes
 - \$42.32 million for housing in Indigenous communities

NT Government Response

- Closing the Gap commitment (con't)
 - \$70.68 million towards education
 - \$13 million to improve Indigenous employment and economic development
 - \$8.95 million towards better cross-cultural understanding and engagement in service delivery.



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NT Government Response

- Highlights:
 - Establishment of **Children's Commissioner**
 - Funding to support establishment of a network of **Aboriginal Child Protection and Care Services**, at a cost of **\$10.15m**
 - **Early Childhood and Family Service Centres.** Establishment of integrated early childhood and family service centres in remote communities at a **cost of \$9.6m**
 - **Legislative reform** in relation to child protection, evidence act, alcohol restrictions, domestic violence
 - **Governance** - establish local community boards and an Indigenous Affairs Advisory Council reporting to Chief Minister

Child Protection - SNAICC's core principles

- **An effective child well-being and protection system is one in which the following features are present:**
 - 1. Children's rights and self-determination for Aboriginal and Torres Strait Islander people are the core drivers of legislation, policy, program and practice.**
 - 2. The Aboriginal and Torres Strait Islander Placement Principle is rigorously implemented and monitored**
 - 3. Families are recognised as the most important and sustainable support system for raising children.**



Child Protection - SNAICC's core principles

4. **Primary, secondary and tertiary support services are available to support families to raise their children and ensure that all Aboriginal and Torres Strait Islander children are safe and connected to family community and culture.**
5. **Local Aboriginal and Torres Strait Islander community based agencies are the supported and trusted by governments to identify and respond to the needs within their communities.**
6. **Communities and governments state clearly why they value Aboriginal and Torres Strait Islander children and their place within Australia.**
7. **Principles which underpin child welfare and protection have been formally agreed between governments and community**





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Where to from here ?

- SNAICC will continue to capitalise on the opportunities presented by the focus on the NT. Our priorities will be to:
 - Monitor welfare reforms for their impact on families and children
 - Lobby to have welfare measures amended
 - Support NT government in further reforming child protection system
 - Separate out issues of land tenure from child protection - children have a right to land and child protection - it is not an either/or
 - Continue push for a National Action Plan
 - Use our resources/publications to do what can be done now - regardless of what government's do

NT organisations/presenters

- Stephanie Bell - CEO of the Central Australian Aboriginal Congress
- Natalie Hunter - CEO Karu Aboriginal Family Support Service
- John Adams - Tangentyere Council Safe Families Program
- Christine Armstrong -Waltja Tjutangu Palyapayi



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More information

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