



Secretariat of National Aboriginal and Islander Child Care

MEDIA RELEASE

9 February 2012

Stronger Futures legislation based on the same flaws as original emergency response in the NT

SNAICC has urged a parliamentary committee considering the Stronger Futures legislation for Northern Territory Aboriginal communities to reject the package of bills, recommending that it be redeveloped in accordance with international human rights laws to which Australia is bound.

In its submission to the Senate Community Affairs Legislation Committee, SNAICC argues that the proposed bills do not provide a coordinated response to the factors that were cited as the rationale for the 2007 Northern Territory Emergency Response (NTER): serious and complex issues around child protection, and underlying problems of alcoholism, violence, poverty and generational trauma.

As with the initial and amended response of the NTER, the proposed Stronger Futures package is a far cry from the holistic, integrated measures recommended in the 2007 *Children are Sacred* report which instigated the Australian Government's intervention.

While SNAICC believes the Government has tried to respond to a number of core concerns with the NTER, the fundamental flaws remain largely unchanged in the proposed legislation.

"SNAICC is adamant that solutions imposed on communities that continue to undermine their autonomy and strengths, and are in breach of their fundamental human rights, will not succeed. These are important issues: the wellbeing of Aboriginal children and thriving communities are matters of critical concern to us all," SNAICC wrote in its submission.

SNAICC strongly maintains that legislation redressing endemic issues of disadvantage in Aboriginal and Torres Strait Islander communities must be consistent with and also advance core human rights articulated in the 2007 *United Nations Declaration on the Rights of Indigenous Peoples*, endorsed by Australia in 2009.

This is not only required to comply with international legal obligations, but ensures that the proposed response redresses the causes underlying child

Suite 8, Level 1, 252 – 260 St. Georges Rd. North Fitzroy VIC 3068

PO Box 1445, North Fitzroy VIC 3068

Ph: 03 9489 8099 Fax: 03 9489 8044 snaicc@vicnet.net.au www.snaicc.asn.au

ABN 42 513 562 148

protection concerns, rather than the symptoms, and supports empowering strategies that build on community strengths.

Some of the key human rights principles that SNAICC considers are not fully reflected in the Stronger Futures package are:

- the right to self-determination — in short, the right of Aboriginal and Torres Strait Islander people to have control over their lives and future including their economic, social and cultural development
- the right for communities to participate in government decisions that impact on them, and to give their free, prior and informed consent to measures that may affect them
- the right not to be discriminated against, directly or indirectly
- the right to develop and maintain cultural institutions, norms and practices, and
- the right to education.

The proposed approach imposes responsibility without ensuring the presence of critical enabling factors, such as integrated children and family support services or adequate and appropriate housing and infrastructure, without which the concerns of positive child rearing, schooling and health cannot be addressed.

These services must provide the foundation of efforts to rebuild the fabric of communities that are impoverished and traumatised.

SNAICC calls for a genuine partnership approach and the development of Indigenous community-based systems for the prevention of, and intervention against, child abuse and neglect. This model has proved successful in countries such as Canada, the United States and New Zealand in providing the most sustainable and effective outcomes.

SNAICC remains hopeful of working with the Australian Government and committed non-governmental organisations to develop long-term, sustainable solutions to the persisting issues in the Northern Territory.

The SNAICC submission to the Senate Community Affairs Legislation Committee is available at: www.snaicc.asn.au/news-events

For more information: Frank Hytten, SNAICC CEO, on (0432) 345 652;
Emma Sydenham, SNAICC Policy and Research
Manager, on (0415) 188 990