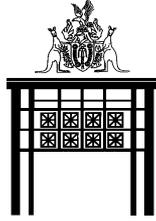


Final Report

May 2012

Presented and ordered
to be printed by the
Legislative Assembly of the
Northern Territory
May 2012



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

COUNCIL OF TERRITORY CO-OPERATION

FINAL REPORT

May 2012

Presented and
ordered to be printed
by the Legislative
Assembly of the
Northern Territory
May 2012

CONTENTS

CHAIR'S FOREWORD	iv
CTC MEMBERS	v
CTC SECRETARIAT	v
ABBREVIATIONS	vi
1. INTRODUCTION	1
Functions of the CTC	1
Self-references.....	2
Additional references	2
Members	2
Public Hearings	2
Reporting	3
Structure of the Report	4
2. CHILD PROTECTION REFORM	5
Issues raised	6
Monitoring and reporting	7
Backlog.....	8
Involvement of NGOs.....	10
Aboriginal child placement principle.....	12
Growth towns and outstations/homelands	13
Staff recruitment, retention and support, housing.....	16
Parenting and preventative measures	20
Residential care services	21
Carers.....	22
Legislative changes.....	24
Complaints handling process	24
Findings	25
Staffing	25
Housing	26
Monitoring and Reporting	26
Parenting programs.....	27
3. SIHIP	28
Issues raised	29
Refurbishments.....	30
New houses	33
SIHIP infrastructure.....	36
Land tenure.....	37
Indigenous employment and training	39
Remote housing reform.....	41
Monitoring and reporting	43
Alliance model	44
Addressing housing need backlog.....	45
Findings	47
Refurbishments.....	47
SIHIP infrastructure.....	47
Employment and training.....	47
Reporting.....	48
Addressing housing need	48

4. LOCAL GOVERNMENT	49
Issues raised	49
Reform implementation	50
Funding	52
Services.....	57
Employment.....	59
Coordination	62
Findings	63
Reform implementation	63
Funding and services	64
Employment.....	65
5. WORKING FUTURE	66
Issues raised	67
Territory growth towns.....	67
Outstations/homelands.....	72
Remote Service Delivery.....	76
Employment and Economic Delivery	78
Findings	79
Territory growth towns.....	80
Outstations/homelands.....	80
Employment and economic delivery	81
6. OTHER REFERENCES	82
Animal Welfare Governance	82
Power supply	83
Domestic violence statistics	84
7. GOVERNMENT RESPONSES	85
Recommendations and responses	85
SIHIP	86
APPENDIX A – Terms of Reference	90
APPENDIX B – All hearings	93
APPENDIX C – Public hearings since May 2011	95
APPENDIX D – Reports and responses	97
APPENDIX E – CTC Expenditure	98
APPENDIX F – Child protection hearings	99
APPENDIX G – Reform progress	101
APPENDIX H – SIHIP leasing	139
APPENDIX I – Local government reform progress	143
APPENDIX J – Recommendations and responses	145

CHAIR'S FOREWORD

This is the CTC's final report and includes information about all of the CTC inquiries to give people a bit of a report card on the CTC and its activities.

The CTC was established as a way to open-up government and to allow people to be more involved in how government's policies were being delivered. This report shows the CTC has held over 30 public meetings across the Territory and heard from a very broad range of people. In addition, Ministers have involved themselves in the CTC inquiries, either through giving evidence or by accompanying the CTC to see first-hand its concerns.

Looking at results from other parliamentary committees, that travel less and hold fewer public meetings, shows how successful the CTC has been in achieving its aims.

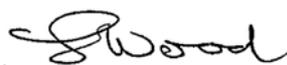
Another important difference is that the Territory Government was required to respond to CTC recommendations within three months. The CTC and its Animal Welfare Governance Sub-Committee have made over 70 recommendations. The government has responded to all and agreed to three quarters of the recommendations.

The level of public involvement in the CTC hearings and site visits and the government's responses to CTC recommendations are all examples of an increased level of participation in how the Territory is governed. The government's agreement with some CTC recommendations has led to welcome policy changes.

While acknowledging these successes, it is important to recognise there is still room for improvement, particularly in the way some government departments respond to parliamentary committees like the CTC. There are examples of timely and fullsome public responses backed up with further useful information. Unfortunately, too many times the CTC was promised a lot, but away from the public hearing, received less than promised.

I want to thank all my fellow Members who participated in the CTC since 2009. Their involvement has helped to make the CTC the success it is at bringing about greater levels of collaboration in the Territory's governance.

My thanks also go to everyone who has worked in the CTC Secretariat. I know that the CTC was a different kind of committee that has meant the Secretariat's role demanded additional, sustained work and a great deal of patience.



Gerry Wood
Chair

CTC MEMBERS

Mr Gerry Wood, MLA Member for Nelson	Independent
Ms Marion Scrymgour, MLA Member for Arafura	Territory Labor
Ms Lynne Walker, MLA Member for Nhulunbuy	Territory Labor

CTC SECRETARIAT

Committee Secretary:	Ms Helen Campbell
Principal Research Officer:	Ms Jan Whitehead
Research Officer:	Ms Alison Stirrup (from 24 June 2011)
Administrative Assistants:	Ms Alison Stirrup (until 23 June 2011) Ms Robyn Appleby (4 July to 30 September 2011) Ms Amanda O'Donnell (22 August to 31 December 2011)
Contact Details:	GPO Box 3721 DARWIN NT 0801
	Tel: +61 8 8946 1464
	Fax: +61 8 8999 6603
	eMail: ctc.la@nt.gov.au
	Website: http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/

ABBREVIATIONS

AG	Australian Government
ALC	Anindilyakwa Land Council
AMSANT	Aboriginal Medical Services Alliance NT
ANAO	Australian National Audit Office
AO	Administrative Officer
Board of Inquiry	Board of Inquiry into the Child Protection System
CAT	Child Abuse Taskforce
CDEP	Community Development Employment Program
CDU	Charles Darwin University
CE	Chief Executive
CGRIS	Coordinator General for Remote Indigenous Services (Australian Government)
CHINS	Community Housing and Infrastructure Needs Survey
CLC	Central Land Council
Coord	Cabinet's whole of government coordination committee
CTC	Council of Territory Co-operation
DCF	Department of Children and Families
DCM	Department of the Chief Minister
DET	Department of Education and Training
DHLGRS	Department of Housing, Local Government and Regional Services
DLGH	Department of Local Government and Housing (former department to DHLGRS)
DLGHS	Department of Local Government, Housing and Sport (former department to DHLGRS and DLGH)
DOH	Department of Health
EDTL	Executive Director Township Leasing
FAGS	Financial Assistance Grants
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs (Australian Government)
GBM	Government Business Manager
GEBIE	Groote Eylandt Bickerton Island Enterprises
HOIL	Home Ownership on Indigenous Land
IBA	Indigenous Business Australia
LANT	Legislative Assembly of the Northern Territory
LGANT	Local Government Association of the Northern Territory
Menzies	Menzies School of Health Research

MLA	Member of the Legislative Assembly
MOU	Memorandum of Understanding
NAPCAN	National Association for the Prevention of Child Abuse and Neglect
NGOs	Non government organisations
NLC	Northern Land Council
NPA	National Partnership Agreement
NTA	Northern Territory of Australia
NTCGRS	Northern Territory Coordinator General for Remote Services
NTCOSS	Northern Territory Council of Social Services
NTFC	Northern Territory Families and Children (division of the former Department of Health and Families)
NTG	Northern Territory Government
NTGC	Northern Territory Grants Commission
OTL	Office of Township Leasing
Program Office	Remote Infrastructure Program Office
PWC	Power Water Corporation
RTA	<i>Residential Tenancies Act</i>
SAF,T	Strong Aboriginal Families Together
SDCU	Service Delivery Coordination Unit
SEAM	Student Attendance and Enrolment Measure
SIHIP	Strategic Indigenous Housing and Infrastructure Program
SLA	Service Level Agreement
TDC	Thamarrurr Development Corporation
UNICEF	United Nations Children's Fund
WHO	World Health Organisation

1. INTRODUCTION

On 14 August 2009 the Independent Member for Nelson, Mr Gerry Wood and the Chief Minister, the Hon Paul Henderson entered into a Parliamentary Agreement. Included in the Agreement was provision for the establishment of a Council of Territory Co-operation to examine government decision making, in consultation with opposition and other members of the Legislative Assembly.

The Legislative Assembly established a Sessional Committee to be known as 'The Council of Territory Co-operation' (CTC) in October 2009. See Appendix A for a copy of the Council's full terms of reference.

The CTC's purpose is to facilitate:

- (a) greater levels of collaboration in the governance of the Northern Territory;
- (b) enhance parliamentary democracy by providing a stronger role for members of the Legislative Assembly who are not members of the Executive – particularly on matters of common concern;
- (c) expand involvement in important Northern Territory initiatives and projects;
- (d) provide new avenues for Territorians to have input through the Legislative Assembly into the governance of the Northern Territory; and
- (e) provide a roadmap for tackling some specific issues currently facing the Northern Territory.

Functions of the CTC

The duties of the CTC are to inquire into, consider, make recommendations and report to the Assembly from time to time on:

- (a) the Strategic Indigenous Housing and Infrastructure Program (SIHIP);
- (b) local government reform;
- (c) the planning scheme and the establishment of Weddell;
- (d) *A Working Future* (including homelands policy);
- (e) any other matter of public importance referred to it by the Legislative Assembly; and
- (f) any matter of public importance concerned with the administration of matters of which ministers of the Territory have executive authority pursuant to the provisions of the *Northern Territory (Self-Government) Act* and Regulations (Commonwealth).

After initial meetings, the CTC agreed that its immediate priorities were to investigate SIHIP, local government and *Working Future*, which have common elements allowing them to be investigated together.¹

¹ Legislative Assembly of the Northern Territory (LANT), Council of Territory Co-operation (CTC), *Media Release*, 22 October 2009, <http://www.nt.gov.au/lant/parliament/committees/CTC/Media%20Releases.shtml>.

Self-references

In December 2009, using its self-referencing powers, the CTC resolved to inquire into the compilation of domestic violence statistics and the power generation network in respect of gas supply to determine what led to a significant power outage across parts of the Territory's Top End in late November 2009.

Late in 2010 the CTC resolved to look into the role of the Office of the Public Guardian and following the handing down of the *Growing them strong, together* report, the CTC resolved to monitor the progress of the reform of the child protection system in the Territory.

In May 2011 the CTC resolved to inquire into innovation, trade and industrial development opportunities for the Territory.

Additional references

In May 2011 Parliament made an additional reference to the CTC to inquire into the appropriateness and effectiveness of the Territory's animal welfare governance framework.

Members

The CTC can be comprised of up to six members including two government members, two opposition members and at least one independent member, with Mr Wood appointed as Chair. During its first year of operation the CTC was comprised of six members: two government members, two opposition members, and two independent members.²

Late in 2010 the two opposition members and one independent member resigned from the CTC. Following the additional reference to the CTC on animal welfare governance and a self-reference on innovation, trade and development the CTC is comprised of the following members:

- on the CTC, one independent member and two government members;
- on the Animal Welfare Governance Sub-Committee, one independent member, two government members and two opposition members;
- on the Innovation, Trade and Development Sub-Committee, one independent member, two government members and two opposition members.

Public Hearings

Following the establishment of the CTC as a Sessional Committee, newspaper advertisements were placed advising of a program of public hearings into SIHIP, local government reform and *Working Future* and seeking registration of interest to address the CTC on related issues.

² For full details see the CTC's *Annual Report Year Ended 30 June 2011*, available at: <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/reports.shtml>.

The CTC has conducted about 30 public hearings in Darwin, Tennant Creek, Alice Springs and Katherine and in about 10 Indigenous communities. In addition, the Chair, either travelling alone or with the CTC, has undertaken trips and site visits to about 20 communities. Appendix B provides a comprehensive list of the CTC's hearings and trips.

The Animal Welfare Governance Sub-Committee conducted six public hearings and a trip to Katherine and Mataranka including Mataranka Station.³

In April 2011, Dr Chris Burns, Minister for Housing, accepted an invitation to travel to Milikapiti and Pirlangimpi with the CTC to see first hand some of the CTC's concerns about SIHIP housing construction.

The Hon Malarndirri McCarthy, Minister for Local Government, appeared at an Animal Welfare Governance Sub-Committee public hearing in August 2011.

Australian and Northern Territory Government officials appeared at the public hearings and elected members and administrative staff of local governments have attended relevant meetings. Numerous private citizens attended hearings and participated in public forums held as part of the hearings.

Detailed information on witnesses at hearings and briefings are included in earlier CTC reports. Information on hearings held since May 2011 are at Appendix C.

Reporting

The CTC wanted to find new ways to assist people to contribute, through the Legislative Assembly, in the government of the Territory. To help the flow of information to and from the public, the CTC regularly provided information on its activities and findings through the Legislative Assembly and as broadly as possible through the media.

It was always the CTC's preference that meetings be open to the public. All but eight hearings have been public hearings when people were encouraged to attend and hear witnesses' evidence. When it was decided to take evidence *in camera* or confidentially, the CTC did so to receive useful information to its inquiry and because the information was not available any other way.

The CTC has reported to the Legislative Assembly on the matters of public importance detailed in the terms of reference in four reports on its activities and in two annual reports. The Animal Welfare Governance Sub-Committee reported on its terms of reference in two reports.

The CTC's terms of reference require the Northern Territory Government to respond to a CTC report within three months from receipt of a report. Appendix D lists the CTC's reports and government responses.

³ For details of the Animal Welfare Governance Sub-Committee's meetings see its *Final Report*, <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/animal-welfare/reports.shtml>.

Structure of the Report

As a Sessional Committee the CTC's terms of reference cease with the proroguing of the Legislative Assembly in August 2012. Therefore this is the CTC's last report and includes information on most of its inquiries.

Due to priority given to the Animal Governance Sub-Committee's inquiry this is also the first report since the CTC last reported in May 2011. It incorporates progress on CTC priority areas of inquiry over the last year into SIHIP, local government, *Working Future* and child protection reform. Details of the CTC's expenditure for this financial year to the end of the March quarter are at Appendix E.

The first four chapters after this introduction detail the progress on those priority areas: chapter two discusses findings on child protection reform; chapter three looks at issues associated with SIHIP; chapter four covers local government including an assessment of reform progress; and chapter five details findings on *Working Future*.

Chapter six considers the CTC's findings on other references including the power supply, domestic violence statistics and provides a summary of the CTC's inquiry into animal welfare governance.

The final chapter provides the CTC's findings in relation to government responses to its recommendations.

2. CHILD PROTECTION REFORM

In December 2009 the Chief Minister appointed a Board of Inquiry into the Child Protection System in the Northern Territory. The inquiry followed other investigations, nationally and in the Territory into child protection-related issues. Recent inquiries in the Territory included:

- in 2006-07 the Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse in 2007 (which became known as *Little Children are Sacred*);¹
- in late 2007 a Community Services High Risk Audit to assess risk management strategies for client care in community services;² and
- in October 2009 an inquiry into the intake and response mechanisms to notifications and reports of harm to children.³

The Board of Inquiry into the Child Protection System (the Board of Inquiry) was asked to review the child protection system and make recommendations to improve the system so that it meets Territory children's needs.⁴ The Board of Inquiry, comprising Professor Muriel Bamblett, Dr Howard Bath and Dr Rob Roseby, made 147 recommendations, all of which were accepted by the Territory Government as 'a roadmap' for child protection in the Territory.⁵

The government established a three-tiered monitoring process as part of its response to the Board of Inquiry's report, *Growing them strong, together*. The process included:

- an External Monitoring and Report Committee chaired by Professor Graham Vimpani with expert members from child protection, child wellbeing and Aboriginal organisations to monitor the reform process and implementation;
- a Chief Executive's Child Protection Taskforce to address cross-government issues and coordinate a whole of government response; and
- a Strategic Reform and Accountability Team within the newly created Department of Children and Families (DCF) to oversee the reform's implementation.⁶

In late 2010 after the release of the *Growing them strong, together* report, the CTC resolved to monitor the progress of reforming the Territory's child protection system. The CTC held a confidential briefing session and four public hearings into child protection and heard from one member of the Board of Inquiry, members of the Chief

¹ Northern Territory Government (NTG), *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred'*, Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, April 2007.

² H.Bath, *Northern Territory Community Services High Risk Audit*, Prepared for the Northern Territory Department of Health and Community Services, The Thomas Wright Institute, November 2007.

³ Office of the Children's Commissioner, *Report into Northern Territory Families and Children Intake and Response Processes*, February 2010.

⁴ NTG, *Growing them strong, together: Promoting the safety and wellbeing of the Northern Territory's children*, Report of the Board of Inquiry into the child protection system in the Northern Territory, 2010, Executive Summary, p.15, <http://www.childprotectioninquiry.nt.gov.au>, accessed 11 November 2010.

⁵ NTG, *Media Release*, 'Major Reforms in the NT Child Protection System', 18 October 2010, <http://www.newsroom.nt.gov.au>, accessed 11 November 2010.

⁶ LANT, CTC, 'Transcript of Proceedings', 13 December 2010, pp.43-46.

Executive's Child Protection Taskforce, the External Monitoring and Report Committee and DCF's Chief Executive.⁷

An adviser to the CTC, Ms Lesley Taylor, provided expert assistance on child protection-related matters. Questions on notice sent anonymously to the CTC were asked of witnesses and answers provided.

Excerpts of the *Growing them strong, together* report are used in this chapter to provide the context for the reforms. The Board of Inquiry's recommendations and progress in addressing them is at Appendix G.

Issues raised

Like *Little Children are Sacred*, *Growing them strong, together* makes strong statements about the need to address the long-standing disadvantage experienced by many people in remote Indigenous communities.

Neighbourhood disadvantage has been characterised as the absence of settings that provide opportunities for healthy child development, such as the absence of libraries and other settings for learning, social and recreational activities such as parks, child care, quality schools, health care services and employment opportunities. In a number of communities visited by the Inquiry, these indicators would be viewed as unrealistic, given the levels of poverty and disadvantage witnessed. Income security, stable and secure housing in safe neighbourhoods, accessible and affordable health care, food security and opportunities for social care are a fundamental basis for a preventative approach to child protection in the Northern Territory.⁸

Issues related to SIHIP, remote housing and the implementation of *Working Future* are therefore common in considering the reform of the Territory's child protection system. The CTC wanted to hear what changes are being made to ensure more housing was available for foster carers and departmental staff in communities. There was also a focus on seeking acknowledgement and action to address the long-standing inequity for local recruits, who are currently denied government employee housing.⁹ The CTC raised a range of issues with witnesses, including:

- progress in addressing the backlog of cases, including any new backlogs forming;
- how DCF is working with non government organisations (NGOs) to increase the capacity of the child protection sector;
- the department's actions in working with the Aboriginal Child Placement Principle and the Board of Inquiry's related recommendations;
- monitoring the reform's progress;
- how child protection reform is being included in the development of growth towns and community aspirations in local implementation plans; and

⁷ See Appendix F for full details of hearings and witnesses.

⁸ NTG, *Growing them strong, together*, p.24.

⁹ The 'local recruit policy' describes the government's practice of not providing government employee housing to locally recruited government employees in remote communities. The practice developed from historic practice of not offering government housing to locally recruited staff in the Territory centres as it was assumed they were already adequately housed.

- addressing the considerable issues surrounding staff recruitment, retention, training and development which are important in themselves, but also affect addressing issues like case loads.

The reform process commenced immediately after the Board of Inquiry handed down its report in late 2010, and so is just starting. While there is still much that needs to change, it is also important to acknowledge the considerable work that has already occurred and the continuing persistence of all involved.

Monitoring and reporting

The government's response to the Board of Inquiry included the establishment of an External Monitoring and Reporting Committee (External Monitoring Committee) to oversee action to address the *Growing them strong, together* recommendations. The External Monitoring Committee's Chair, Professor Graham Vimpani, said the committee's objectivity is illustrated by its majority of members being from outside the Territory. He felt there had been significant progress made during the first six months.¹⁰

In relation to how the External Monitoring Committee would evaluate progress, Professor Vimpani said he thought key performance indicators have a role but they are not enough and qualitative information is also very important. He raised the possibility of assessing improvement in the number of vulnerable children on two or more aspects of the Australian Early Development Index, as a tool that may be sensitive enough to reflect changes in providing safer environments for children.¹¹

The CTC asked Professor Vimpani if there is a need for the committee he chairs to keep an eye on what is happening within government. Professor Vimpani said he thinks there is value in having an independent body monitor the effectiveness of human services departments' service delivery, but it doesn't necessarily mean the External Monitoring Committee. He stressed that the committee will monitor that DCF has the right accountability systems in place to oversee the delivery of services by the non-government sector, but that the committee will not be monitoring the sector itself.¹²

The CTC asked how all the different reporting requirements (the Board of Inquiry, *Little Children are Sacred* and *Closing the Gap* to name a few) were going to be coordinated. DCF's Chief Executive (CE), Ms Clare Gardiner-Barnes, said the department is trying to link similar issues in an overarching 'action document' that reports on all actions related to child protection reform.

Ms Gardiner-Barnes said the requirement that action was commenced on the 34 urgent recommendations within six months was met and a monthly update is provided online. In May 2011 the progress on the less urgent categories was:

Urgency 2	56 commenced, 2 completed (Recommendations 19 and 138)
Urgency 3	3 commenced, 4 completed (Recommendations 147, 136, 137, 68) ¹³

¹⁰ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.4-5.

¹¹ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.9-10.

¹² LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.14, 17.

¹³ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.26-28.

The Board of Management for Remote Service Delivery shares some members with the Chief Executive's Child Protection Taskforce and some Aboriginal advisors to the Board also provide information to DCF through the development of local implementation plans. Ms Gardiner-Barnes also provides regular updates on child protection reform to the Board of Management. Mr Mike Burgess, Department of Chief Minister CE, said DCF can directly access a full range of data as part of its membership of two Coord subcommittees.¹⁴

The CTC saw significant growth in the number of advisory committees and queried if the process was going to end up being top-heavy and not really make a difference. Ms Gardiner-Barnes said it was important in the initial stage that everyone was clear about the policy framework across all agencies so that everyone's understanding was the same. As departments move into later stages of implementation, the critical part will be ensuring the right people are on the ground in communities to then adapt the model to local community needs.¹⁵

DCF has developed memorandums of understanding (MOUs) with other agencies to assist in sharing information and has signed MOUs with Police on information sharing around the child abuse taskforce, and with Centrelink to share information around Australian Government clients. An MOU is also being looked at on child safety wellbeing teams with agencies like the Departments of Education and Training (DET) and Health.¹⁶

A strategic reform and accountability team has been established with responsibility for governance arrangements, coordination, accountability, planning and reporting to the Board of Inquiry. The team is embedded within the department and it has a coordinating role and ensures there's linkages across all the projects.¹⁷

Noting that the External Monitoring Committee had met in Darwin and Alice Springs, the CTC asked if the committee had plans to travel to remote communities. Professor Vimpani said meeting people in Alice Springs town camps and meeting and talking to NGO and department staff was significant for the committee and it planned to travel to other communities in 2012.¹⁸ In March 2012 Professor Vimpani said the External Monitoring Committee had visited Kalkarindji and plans to visit the Tiwi Islands and Nhulunbuy later in 2012.¹⁹

Ms Gardiner-Barnes told the CTC that the department inherited inadequate business reporting systems and while useful changes have been made that is improving data; the department was still trying to build a reliable information system with the Department of Health as the service provider.²⁰

Backlog

Relevant Board of Inquiry recommendations include:

¹⁴ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.3-4. Coord is Cabinet's whole of government coordination committee.

¹⁵ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.5-6.

¹⁶ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.30.

¹⁷ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.31.

¹⁸ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.4-5.

¹⁹ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.11-12.

²⁰ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.31-6.

NTFC immediately develops and implements a strategy to clear up the backlog of unallocated child protection investigations whilst ensuring all notified children are safe. Furthermore, that NTFC develop a longer term sustainable approach based on a resource allocation model to ensure that such backlogs do not re-emerge.²¹

NTFC and NT Police review the large numbers of apparently incomplete investigations from CAT North to determine the accuracy of the data and whether action needs to be taken to address the apparent backlog in completing investigations.²²

In an early confidential briefing the CTC was advised the original backlog of cases identified by the Board of Inquiry was 870 cases. By February 2011 there were less than 300 remaining and they were assessed as having the lowest priority. However, with the new cases and uncommenced investigations it was estimated at that time about 688 cases comprised a new backlog. DCF's CE, Ms Clare Gardiner-Barnes, said the department had recruited nine people from New Zealand who were primarily employed to reduce the backlog.²³

In its first public hearing on child protection reform, the CTC asked about progress in addressing the backlog of investigations and the effectiveness of the strategies put in place to address it. Professor Vimpani said that on 25 February 2011 there was a backlog of 250 'legacy' cases, but on 12 May that was down to 31.²⁴

In June 2011 the CTC was told all of the original 870 backlog of cases had been dealt with. But since the Board of Inquiry handed down its recommendations a new backlog had accumulated of 255 cases that had met the threshold for investigation but no investigation had commenced. Most of the cases were in the Casuarina office (85) with some in Palmerston (83) and in Alice Springs (50). This backlog was comprised of the lowest priority cases. All high priority cases were usually dealt with in the required timeframe of one to three days.²⁵

The CTC asked how many Child Abuse Taskforce (CAT) cases were included in the current backlog of cases. Ms Gardiner-Barnes said some of the 255 cases will be CAT cases waiting on police information to determine if they meet the threshold.²⁶ Ms Gardiner-Barnes said the difficulty in addressing the backlog is getting the appropriate staff. She said staff from New Zealand cleared the 870 backlog identified by the Board of Inquiry but they have returned to New Zealand with only a few returning to do further work on the current backlog.²⁷

²¹ NTG, *Growing them strong, together*, p.70, Recommendation 14, urgency rating 1.

²² NTG, *Growing them strong, together*, p.70, Recommendation 19, urgency rating 1.

²³ LANT, CTC, Confidential briefing, 21 February 2011.

²⁴ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.19-20.

²⁵ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.13-14.

²⁶ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.14-15.

²⁷ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.15-16.

Table 1. Total uninvestigated child protection reports²⁸

Region	26/9/11	31/10/11	28/11/11	26/12/11	30/1/12	20/2/12
Central Australia	7	3	9	9	9	24
After hours Territory-wide	11	25	9	12	10	23
Greater Darwin	142	120	94	113	122	83
Katherine and Northern	12	18	9	27	19	23
TOTAL	172	166	121	161	160	153

Table 1 shows the backlog was decreasing in 2011 but appears to have stayed at about 150. In early December 2011 Ms Gardiner-Barnes said there were then about 113 uninvestigated cases, mostly in the Casuarina office, which would be addressed by a specific team. It was hoped to have that backlog gone by April 2012.²⁹

Involvement of NGOs

Relevant Board of Inquiry recommendations include:

Planning processes around the development of integrated child and family centres in remote areas...promote collaborative practice amongst government and non-government service providers relating to...target groups.³⁰

NTFC undertakes or commissions a comprehensive review of its residential care services...The review should also: consider, in particular, the demand for and approaches to the provision of out of home care for Aboriginal children in remote areas to include safe houses and multi-service approaches...established in other jurisdictions...³¹

The NTG makes a clear policy commitment to the progressive implementation of the outsourcing of significant elements of the out of home care program.³²

NTFC develops a plan which determines which parts of the out of home care system would benefit from outsourcing...³³

The Act be amended to: 1. provide a workable framework that permits and encourages the exchange of information between public sector organisations, between these organisations, the non-government sector and where appropriate, individual community members...³⁴

Agencies work with the non-government sector to jointly develop information sharing principles to guide the development of legislative amendments and inform practice changes.³⁵

Government agencies and non-government organisations work jointly to develop cross sector operational guidelines around collaborative practice and information sharing...³⁶

²⁸ Data for table from LANT, CTC, Response to out of session questions on notice, Department of Children and Families (DCF), *Report to the Child Protection External Monitoring and Reporting Committee*, December 2011, table 2, pp.15-6 and February 2012, table 2, pp.17-8.

²⁹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.35.

³⁰ NTG, *Growing them strong, together*, p.68, Recommendation 8, urgency rating 1.

³¹ NTG, *Growing them strong, together*, pp.72-3, Recommendation 33, urgency rating 1.

³² NTG, *Growing them strong, together*, p.77, Recommendation 77, urgency rating 1.

³³ NTG, *Growing them strong, together*, p.78, Recommendation 78, urgency rating 1.

³⁴ NTG, *Growing them strong, together*, p.81, Recommendation 113, urgency rating 2.

³⁵ NTG, *Growing them strong, together*, p.82, Recommendation 115, urgency rating 2.

³⁶ NTG, *Growing them strong, together*, p.82, Recommendation 116, urgency rating 2.

NTFC develops a comprehensive workforce strategy based on clearly stated values and principles that...[are] characterised by strong partnership engagement with the non-government sector in planning and implementation.³⁷

Professor Vimpani said the External Monitoring Committee needed to gauge the views and perceptions of NGO frontline staff and should consider accessing sources of information other than DCF.³⁸

Ms Gardiner-Barnes said the department took the lead role in establishing an Aboriginal peak body for child protection, with a DCF senior executive officer working with the Aboriginal Medical Services Alliance NT (AMSANT) on the body's establishment. Strong Aboriginal Families Together (SAF,T) started operating in July 2011 with the purpose of increasing the influence of Aboriginal decision-making and evidence approaches to policies and programs affecting Aboriginal people. Its interim board met in September and December 2011 and discussed a range of matters including governance arrangements.³⁹

SAF,T is also developing a service arm that will re-establish Aboriginal child care agencies in Darwin and central Australia. The services are expected to include parenting and family support programs that assist in family preservation and provide support services, to children and families affected by the child protection system.⁴⁰

In December 2011 Ms Gardiner-Barnes said there had been significant attitudinal changes between the department and some NGOs, but particularly with Foster Care NT which advocates for foster carers, who are pivotal to the department's work. Ms Gardiner-Barnes quoted Foster Care NT's President as acknowledging that a high level of reform had occurred in 12 months.⁴¹

Professor Vimpani said he thought the relationship between the department and NGOs was improving and there had been significant improvement in communication between the department and its stakeholder network.⁴² Ms Gardiner-Barnes said as part of NGO funding in the future, non-Territory NGOs will be asked to partner a local organisation to ensure that local knowledge is shared.⁴³

SAF,T Policy and Advocacy Manager, Ms Victoria Pollifrone, speaking on behalf of its CE, Ms Josie Crawshaw, said SAF,T was grateful for Minister Vatskalis' support. SAF,T's progress was however, hindered by a delay in the signing of service level agreements with its funding body. This delayed staff recruitment and organisational development. Ms Pollifrone also said SAF,T had difficulty in receiving data from DCF that adversely affected its ability to respond to the needs of vulnerable children.⁴⁴

Ms Lesley Taylor, Territory General Manager NAPCAN, said there seems to be a commitment by DCF to work with NGOs and when the department's regional model is established that should be used by the department to respond to issues as they

³⁷ NTG, *Growing them strong, together*, p.83, Recommendation 119, urgency rating 2.

³⁸ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, p.5, 6-7.

³⁹ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.20-1.

⁴⁰ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.21.

⁴¹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.15.

⁴² LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.16.

⁴³ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.23.

⁴⁴ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.21.

arise. She said NGOs like NAPCAN and NTCOSS are significantly more involved in how DCF is implementing the reforms.⁴⁵

Aboriginal child placement principle

Relevant Board of Inquiry recommendations include:

The Inquiry endorses the Aboriginal Child Placement Principle and recommends that it is interpreted and applied in such a manner that the safety of the child is paramount.⁴⁶

In consultation with Aboriginal people, including relevant service providers, NTFC should publish a comprehensive practice guide around the application of the Aboriginal Child Placement Principle to be made available to all stakeholders.⁴⁷

Section 12(3) of the Act should be amended to read 'An Aboriginal child should, as far as practicable, and consistent with Section 10, be placed with a person in the following order of priority...'⁴⁸

The CTC was told one of the major problems facing DCF was the need for more foster carers, particularly Indigenous carers. Ms Gardiner-Barnes said at an initial briefing that there were a range of things that needed to be done to ensure there are enough appropriate carers in communities.

In May 2011, referring to the recently released *Child Protection Reform: Progress Report*, the CTC asked if the establishment of an Aboriginal peak body could jeopardise the Aboriginal Child Placement Principle, which says the safety of the child is paramount in assessing appropriate foster care arrangements. Professor Vimpani said:

...I think safety's got to be the paramount consideration, and I think that's perhaps reflected to some extent in the existing distribution of children, Aboriginal children in out of home care in the Territory at the moment between those who are with Aboriginal carers and those who are with non-Aboriginal carers, it's about 50/50... but we need to look at how we might be able to grow...a stronger carer workforce... amongst Aboriginal people.⁴⁹

Table 2. Percentage of Indigenous children placed by carer's Indigenous status⁵⁰

	30/6/07 %	30/6/08 %	30/6/09 %	30/6/10 %	30/6/11 %
Indigenous carer	64	58	55	50	38
Carer's Indigenous status unknown	3	2	1	1	1
Non-Indigenous carer	33	40	44	49	61

Information provided to the CTC showed a close to doubling of the percentage of Indigenous children being cared for by non-Indigenous carers (Table 2). Ms

⁴⁵ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.5-6.

⁴⁶ NTG, *Growing them strong, together*, p.68, Recommendation 6, urgency rating 1.

⁴⁷ NTG, *Growing them strong, together*, p.68, Recommendation 7, urgency rating 2.

⁴⁸ NTG, *Growing them strong, together*, p.79, Recommendation 89, urgency rating 2.

⁴⁹ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.7-8. NTG, *Child Protection Reform: Progress Report*, Volume 1, April 2011.

⁵⁰ LANT, CTC, Response to out of session question on notice, DCF, *Report to the External Monitoring Committee*, December 2011, table 8, p.23.

Gardiner-Barnes said that in response to a Board of Inquiry recommendation, the department was establishing a Kinship Care Unit and a peak Indigenous children and families organisation which will help to identify and support possible foster carers.

So having those Aboriginal agencies up and established and focusing on building those networks, building the skills, ensuring that Aboriginal carers get access to the information they require and the skill development they require, get access to housing improvements if that's what blocking their capacity to be an approved carer, all of those things will play a role in improving our capacity to attract and retain kinship carers.⁵¹

Part of the reason for the growth in the number of Indigenous children being cared for outside Indigenous families is the growth in numbers of children in the child protection system and a lack of growth in Indigenous foster care arrangements.⁵²

DCF is in the process of amending policy to direct staff to initiate formal kinship care arrangements rather than 'family way' placements which are not recorded on departmental systems and therefore cannot be reported on. The department is developing guidelines for when informal kinship placements (i.e. family way placements) are appropriate.⁵³

Growth towns and outstations/homelands

Relevant Board of Inquiry recommendations include:

The NTG immediately move to implement major reforms outlined in the body of this Report...around the delivery of child safety and wellbeing services and interagency collaboration. These include:...

2. Creation of Community Child Safety and Wellbeing teams for the 20 Growth Towns, and elsewhere...⁵⁴

In addition to the above recommendation specifically targeting action to occur in growth towns, the government's responses to *Growing them strong, together* recommendations illustrates that some actions are being targeted at growth towns and the need to include child protection-related matters in each communities' local implementation plan.

Table 3. Representative samples of local implementation plan strategies related to child protection

Early Childhood	Health	Safe Communities
Ensure early childhood services are comprehensive, coordinated and include support programs for parents and families.	Improve youth, sport and recreational services.	People have the skills and facilities to prevent and manage violence, abuse and neglect.
Assist and support parents in raising and preparing children for school.	Develop and deliver local programs supporting healthy life choices.	Provide effective youth, sport and recreational facilities and services that encourage youth participation and reduce antisocial behaviour.

⁵¹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.19.

⁵² LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.19.

⁵³ LANT, CTC, Response to out of session questions on notice, DCF, *Report to the External Monitoring Committee*, February 2012, Attachment B, p.2.

⁵⁴ NTG, *Growing them strong, together*, p.83, Recommendation 117, urgency rating 1.

As Table 3 suggests, the coverage of child protection issues in growth towns' local implementation plans is not prominent. Professor Vimpani agreed with the CTC that what happens for all other Territory towns and communities needs examining, as initially the community child safety and wellbeing teams will only be in growth towns.⁵⁵

The CTC asked if the child protection reforms are being integrated into the growth towns' local implementation plans. Ms Gardiner-Barnes said the department had input to the local implementation plans and has committed to providing a minimum level of service delivery care and protection in each of the towns. They were working through the child safety wellbeing team to define what that looks like in each town.⁵⁶

The CTC asked if there has been emphasis on working with growth towns only or to put more emphasis on growth towns. Ms Gardiner-Barnes said department staff work in two ways; either through a remote visiting program where they go into a community where there is a report of harm, and it is irrelevant if it is a growth town or not, or they work based in a growth town and are required to go out and visit outstations.⁵⁷

Ms Gardiner-Barnes said however that the child protection system is really only starting to scratch the surface of working in remote communities.

The child safety and wellbeing teams will provide an opportunity for the first time for professional staff to be based in remote communities in an ongoing way, and that will mean one staff member in each of the growth towns in three years' time.⁵⁸

She said the growth towns were just a starting point for getting at least one person in those locations, particularly if they do not have a child protection presence now. It will then be dependent on what infrastructure is in the community that they can build on.⁵⁹ Ms Gardiner-Barnes said the collaborative, across government role is just starting to happen and gave the example of what was happening in relation to kinship care. The department has started to consult with communities about how it can provide more flexible and useful training and support for people considering becoming carers.⁶⁰

Recruitment action for community child safety and wellbeing teams commenced for the first five positions and a program leader during 2011. There are 20 new positions, one for each growth town and their role is to pull together existing staff within communities and community members.⁶¹

At the end of February 2012, community child safety and wellbeing teams were operational with officers employed in Nguiu and Yirrkala. A further five are appointed and after induction training will commence in Papunya, Lajamanu, Maningrida,

⁵⁵ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.10-1.

⁵⁶ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.29.

⁵⁷ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.6.

⁵⁸ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.6.

⁵⁹ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.8-9.

⁶⁰ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.7.

⁶¹ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.7-8.

Gapuwiyak and Borroloola from May 2012. Additional recruitment for the positions is planned with an aim of having ten officers placed by the end of June 2012.⁶²

The CTC asked if there was an opportunity to trial and evaluate the child safety wellbeing teams to see what's working and what needs to be changed. Ms Gardiner-Barnes said the department is looking at introducing an action learning, research-type model of evaluation so that from the beginning of implementing the program workers will collect evidence that will help in rolling out the next phase.⁶³

Ms Gardiner-Barnes said for the period July to December 2010, 22 prescribed communities were visited by mobile protection teams and were involved with 492 cases. Following the Australian Government's agreement to fund an additional team there were two teams from July 2011.⁶⁴

The CTC asked about the impact of the Australian Government's decision to withdraw Federal Police and their role in communities in relation to child protection. Mr Burgess (Department of Chief Minister (DCM) CE) said that they were in a process to determine just what the impact will be, but that there was no doubt the increased police presence made a difference that should not be lost. He added:

We will need ... a horses for courses approach where we can bolster resources through DCF or through DOH or whatever, then that's what we'll do but also we want to be minimising the withdrawal of police services from these communities to the extent that we can.⁶⁵

Mr Burgess said the issue had been raised with the Department of Families, Community Services and Indigenous Affairs (FaHCSIA) and it will be part of discussions during the current consultation process being led by Minister Macklin and followed up by the Territory Government as part of a suite of issues being taken to the Australian Government.⁶⁶ In March 2012, the Australian Government announced funding to employ 60 additional Police and build four new Police complexes as part of its *Stronger Futures* strategy in the Territory.⁶⁷

The CTC sought information on the number of children relocated with families on outstations/ homelands and the support being provided to those families by the department. Ms Gardiner-Barnes said the department's policy is that registered kinship carers should get the same financial and other support as all other carers. There is a need to ensure that departmental frontline staff are complying with the policy.

However, the reality is that particularly in remote communities, 'informal care arrangements' are used. The department needs to ensure that children in need of care get the support they need.⁶⁸ This issue is also linked to the current inadequate

⁶² LANT, CTC, Response to out of session question on notice, DCF, *Report to the External Monitoring Committee*, February 2012, p.32.

⁶³ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.10-11.

⁶⁴ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.29-30.

⁶⁵ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.8.

⁶⁶ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.8.

⁶⁷ The Hon Jenny Macklin MP, *Media Releases*, 'Improving safety in Northern Territory Aboriginal communities', 28 March 2012,

<http://www.jennymacklin.fahcsia.gov.au/mediareleases/Pages/default.aspx>, accessed 28 March 2012.

⁶⁸ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.11-2, 16-7.

arrangements for foster carers accessing reasonable housing, discussed in a later section.

Staff recruitment, retention and support, housing

Relevant Board of Inquiry recommendations include:

NTFC reshape its workforce...⁶⁹

The Department of Health and Families endorses and resources the proposed NTFC supervision policy...⁷⁰

Regular 'refresher' courses are held for all staff about the application of legislation, policy and procedures with respect to children in care.⁷¹

Specific training for all out of home care staff be made available to ensure best practice in transition from care.⁷²

NTFC develops a comprehensive workforce strategy based on clearly stated values and principles...⁷³

In conjunction with the Office of the Commissioner for Public Employment, NTFC: Reviews all locations where there is a 'higher than usual' turnover of staff and immediately reviews the circumstances in that region or office. Maintains regular monitoring of staff turnover...⁷⁴

NTFC reviews and evaluates the overseas and interstate recruitment strategies.⁷⁵

NTFC reviews and implements the NTFC Learning and Development Framework and associated strategies to address induction, training, supervision and support needs of the workforce and ensures that induction is compulsory and is conducted before practice staff commence duties.⁷⁶

NTFC adopts a model of cross sectoral and cross disciplinary education and training to promote collaboration, relationships and continuity of care...⁷⁷

Department of Health and Families organises for an independently conducted morale survey with all NTFC staff...and establish performance measures...to calculate the improvement of staff morale and use as a benchmark for regular re-assessments.⁷⁸

NTFC undertakes exit interviews of all departing staff and that these are audited by the Office of the Commissioner for Public Employment.⁷⁹

⁶⁹ NTG, *Growing them strong, together*, p.84, Recommendation 123, urgency rating 1.

⁷⁰ NTG, *Growing them strong, together*, p.86, Recommendation 132, urgency rating 1.

⁷¹ NTG, *Growing them strong, together*, p.73, Recommendation 36, urgency rating 2.

⁷² NTG, *Growing them strong, together*, p.77, Recommendation 75, urgency rating 2.

⁷³ NTG, *Growing them strong, together*, p.83, Recommendation 119, urgency rating 2.

⁷⁴ NTG, *Growing them strong, together*, p.85, Recommendation 124, urgency rating 2.

⁷⁵ NTG, *Growing them strong, together*, p.85, Recommendation 125, urgency rating 2.

⁷⁶ NTG, *Growing them strong, together*, p.85, Recommendation 126, urgency rating 2.

⁷⁷ NTG, *Growing them strong, together*, p.85, Recommendation 127, urgency rating 2.

⁷⁸ NTG, *Growing them strong, together*, p.85, Recommendation 128, urgency rating 2.

⁷⁹ NTG, *Growing them strong, together*, p.86, Recommendation 129, urgency rating 2.

An independent review of NTFC is conducted with a focus on care and support of workers, work conditions, treatment of staff and workplace protection.⁸⁰

Direct efforts and resources to support Aboriginal Employment Strategy initiatives are implemented.⁸¹

A mentorship program with senior members of Department of Health and Families staff is developed and 'implanted' to promote a supportive work environment for new or junior members of NTFC.⁸²

During the CTC's initial briefing Ms Gardiner-Barnes identified ongoing problems with staff recruitment and retention that she is addressing through wider advertising of vacant positions, including overseas, and more effective and targeted staff training and development. She said information from staff forums was also being acted on to address ongoing issues.

Professor Vimpani said the External Monitoring Committee was going to monitor staff recruitment and retention and agreed to provide the numbers of Aboriginal staff employed in child protection.⁸³ That information shows that 15 per cent of DCF are of Indigenous origin which is about double the Northern Territory Public Service average. About 75 per cent of children in the Territory's child protection system are Indigenous.⁸⁴

The table below provides a breakdown of Indigenous staff by level and if employed permanently or temporarily and shows 40 per cent of Indigenous staff are employed temporarily.⁸⁵ DCF believes Indigenous staff comprise about 20 per cent of its workforce.⁸⁶

Table 4. Indigenous child protection staffing numbers, May 2011

Classification	All Indigenous staff (Number)	Indigenous temporary staff (Number)	Indigenous temporary staff (Per cent)
Admin Officer 2	3	1	33
Admin Officer 3	11	8	73
Admin Officer 4	34	20	59
Admin Officer 5	19	4	21
Admin Officer 6	16	4	25
Admin Officer 7	10	0	0
ICS	2	2	100
Professional Officer 2	1	1	100
Senior Professional Officer 1	3	1	33
TOTAL	99	41	41

Professor Vimpani was asked about professional support and training being provided to child protection workers, particularly in remote areas. He said the External Monitoring Committee supports the department's view that people need good supervision, both managerial and professional, but knows delivering that in the

⁸⁰ NTG, *Growing them strong, together*, p.85, Recommendation 130, urgency rating 2.

⁸¹ NTG, *Growing them strong, together*, p.87, Recommendation 134, urgency rating 2.

⁸² NTG, *Growing them strong, together*, p.86, Recommendation 131, urgency rating 3.

⁸³ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.11-2.

⁸⁴ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.11-2. Response to question on notice IP44/1/2.

⁸⁵ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.11-2. Response to question on notice IP44/1/2.

⁸⁶ LANT, CTC, Response to out of session question on notice, 2 December 2011.

remote environment is difficult. The rollout of the National Broadband Network may help communication of this sort.⁸⁷

Ms Gardiner-Barnes said one of the reasons the department had to change its initial framework was because of the lack of staff housing in communities. She said access to staff housing is a critical issue because as a new department they have no existing housing and other departments are similarly critically short of staff housing in communities.⁸⁸ She said they have looked at a range of ways to provide staff housing, including shared house arrangements. In December 2011 Ms Gardiner-Barnes said the department had successfully negotiated with communities to identify housing that could accommodate child protection workers in nine growth towns.⁸⁹

Mr Burgess (DCM CE) said it was an issue for all departments and that one of the limitations in getting a competent service delivery model is addressing the issue of staff housing. He said there are going to have to be transitional models where people are going to have to share accommodation while the government gets the next wave of accommodation for government employees in place.⁹⁰

Professor Vimpani said he wrote to the Australian Government Minister for FaHCSIA seeking her assistance in providing accommodation in remote places for Indigenous staff. He said Minister Macklin (in conversation) said she was keen to explore the idea but had not formally responded as yet.⁹¹

The Public Service Commissioner, Mr Graham Symons, said it needs to be determined if the provision of government housing is an important part of attracting and retaining staff. He said the Department of Housing, Local Government and Regional Services (DHLGRS) is reviewing the policy about not providing government employee housing to local recruits and said he had already discussed the issue with the department.⁹²

The CTC asked about what is happening in terms of incentive to retain Aboriginal staff because the 'local recruit' policy actually discriminates against Aboriginal staff in communities. Mr Burgess said a range of initiatives were being considered by Cabinet.⁹³

Ms Gardiner-Barnes said all jurisdictions have a shortage of child protection workers but she was trying to negotiate with Victoria to second some staff to the Territory on a temporary arrangement and give specific training in rural and remote work. Because of each jurisdiction's problems in this area the department has had to advertise overseas for staff.⁹⁴

She said a lot of research has been done into child protection recruitment so it is known that the stress of the role over extended periods is one reason for workers not staying in the area. In the Territory, the issue of people being willing to move to and live in remote communities adds to that stress. Ms Gardiner-Barnes said the reality is

⁸⁷ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.15-6.

⁸⁸ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.9-10.

⁸⁹ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.11 and 6 December 2011, p.8.

⁹⁰ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.9-10.

⁹¹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.9.

⁹² LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.10-1.

⁹³ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.10.

⁹⁴ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.15.

that people will move onto another like-profession after a while and sometimes they will come back to child protection work. The intensity of the work over a long period is the main blockage to keeping staff in child protection roles.⁹⁵

The CTC asked what was being done about encouraging more 'locally grown' staff, particularly in remote communities. Ms Gardiner-Barnes said it wasn't just an issue in remote areas, it is recognised that more local people in each urban centre are needed too. She said they need long term residents who are willing to stay. She acknowledged that Aboriginal people are really the backbone of the department because they stay and more effort needs to be put into keeping them.

...the answer is we need to invest in those people, identify the leaders, identify those that potentially could move from a para-professional to professional positions and invest in training and opportunities for them, and that's certainly a key strategy for us.⁹⁶

Ms Gardiner-Barnes said planning had commenced to develop a course to be offered through Charles Darwin University.⁹⁷ A range of strategies are in place to improve recruitment and retention particularly of Aboriginal workers with a staff incentive package part of it.⁹⁸

The 'Growing Your Own' strategy includes a project officer to work on career pathways and will specifically focus on Indigenous staff. Ms Gardiner-Barnes added that Indigenous people now make up about 23 per cent of the department's workforce and they need access to training and development to ensure their skills are retained in the department.⁹⁹

The CTC asked about the number of temporary positions in the department (20 AO4's in temporary positions). Ms Gardiner-Barnes said action will be taken to make the Aboriginal community worker positions permanent as some are funded in an ongoing way. The temporary Aboriginal staff were advised that their contracts would be extended to February 2012 to allow for the recruitment process to occur.¹⁰⁰

Ms Gardiner-Barnes said the department was improving orientation and induction of frontline staff and was developing a framework that will support new staff from pre-commencement until completion of the probation period. The program will also offer new employees standard mandatory training sessions to ensure DCF meets its legislative obligations.¹⁰¹

In December 2011 Professor Vimpani said the feedback from departmental staff indicates that the key issues for staff were related to workload and practical issues associated with accommodation and access to vehicles that was affecting their ability to do their jobs.¹⁰² He said that while there were many more staff employed by the department the turnover rate of 33 per cent was very considerable.¹⁰³ The 2011

⁹⁵ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.15-16.

⁹⁶ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.16.

⁹⁷ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.17.

⁹⁸ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.24.

⁹⁹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.8.

¹⁰⁰ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.23.

¹⁰¹ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.24-5.

¹⁰² LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.6-7.

¹⁰³ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.7-8.

turnover rate was less than the two previous years of 48 per cent in 2009 and 42 per cent in 2010.¹⁰⁴

Parenting and preventative measures

Relevant Board of Inquiry recommendations include:

The NTFC makes a significant and sustained investment in the development (and expansion) of a suite of secondary prevention, tertiary prevention therapeutic and reunification services for vulnerable and at-risk children, families and communities...¹⁰⁵

At its first briefing with the department, the CTC asked about its role in supporting parents and addressing child neglect. Ms Gardiner-Barnes said there was a small unit trialling projects that are being run in conjunction with Menzies School of Health Research (Menzies) and the Departments of Health and Education. Funding was provided to NGOs to improve family support and parenting programs.

Professor Vimpani described some of the parenting skills programs currently being used and said Menzies is assessing a WHO/ UNICEF program. He said having an evidence base is critical:

...good research around what works for whom is important but then the rigour with which that is then rolled out is also important.¹⁰⁶

In relation to progress around the integrated early childhood programs, DET is taking the lead role, supported by the Department of Health and DCF. Ms Gardiner-Barnes said in June 2011 the department had identified and agreed with the Australian Government the sites of the new child and family centres at Palmerston, Maningrida, Gunbalanya and Yuendumu (under the Partnership on Indigenous early childhood development) and establishment work was on track. The Integrated Child and Family Services Working Group was established to support the delivery of children and family services, including integrated child and family centres.¹⁰⁷

An Indigenous Early Childhood Parenting Reference Group has been established to provide advice to DET on early childhood services and programs for Indigenous families. DET was recruiting child and family leaders for Groote Eylandt and West Arnhem region, and the child and family leaders were a key element of DET's Strong Start, Bright Futures framework.¹⁰⁸

In December 2011 Ms Gardiner-Barnes updated the CTC on family support programs delivered by NGOs. Five locations are receiving intensive family support with families provided support following referral by the department. Referrals are made following identification of neglect, including cases where families were referred through the income management process. The program is being delivered in partnership with the Australian Government, which is ensuring there is no duplication

¹⁰⁴ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.9-10, Response to question on notice IP49/1/1.

¹⁰⁵ NTG, *Growing them strong, together*, p.68, Recommendation 10, urgency rating 2.

¹⁰⁶ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.13-5.

¹⁰⁷ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.4-5.

¹⁰⁸ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.5.

and targets families in need of support as a result of neglect associated with alcohol or other substance abuse or mental health problems.¹⁰⁹

Other parenting programs are provided by NGOs through funding provided by DET. Integrated child and family centres are also being developed for remote locations which will employ child and family leaders to provide generic parenting skill-type training. The Department of Health also has some parenting-type programs. DCF is developing an early childhood plan that will include all the funding service providers around parenting.¹¹⁰

Professor Vimpani said the External Monitoring Committee was advocating strengthening all services to vulnerable children and families before they enter the statutory system and that requires a partnership across government and the NGO sector.¹¹¹

Residential care services

Relevant Board of Inquiry recommendations include:

NTFC undertakes or commissions a comprehensive review of its residential care services with a view to addressing the serious concerns identified in recent internal reports...¹¹²

NTFC considers partnering with another jurisdiction in the development and implementation of its residential care plan.¹¹³

The CTC asked who was engaged to review the residential care system, for a copy of the terms of reference and when the review would be finished. Ms Gardiner-Barnes said the review was being done internally by a New Zealand officer who recently reviewed their reform of the out of home care sector that included secure care. The report covering all other audits and reviews was expected to be finalised by June 2012.¹¹⁴

Ms Gardiner-Barnes said the secure care facility plan is on the department's agenda because it was a recommendation from the High Risk Audit, completed by Dr Howard Bath, the Territory's Children's Commissioner. The department is currently finalising legislative principles that will govern the operations of the secure care facility and finalising operational arrangements for establishing facilities in Alice Springs and Darwin. The recruited officer will assist in that process as well as the review of the residential care system.¹¹⁵

The CTC asked about the links between disability, mental health and child protection areas. Ms Gardiner-Barnes said there is a joint Health and DCF project to advise on the service delivery model and the legislation.¹¹⁶ In relation to alternate care, which encompasses a range of different types of care arrangements, the department is

¹⁰⁹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.26-7.

¹¹⁰ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.28-30.

¹¹¹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.30.

¹¹² NTG, *Growing them strong, together*, p.73, Recommendation 34, urgency rating 2.

¹¹³ NTG, *Growing them strong, together*, pp.72-3, Recommendation 33, urgency rating 1.

¹¹⁴ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.17, 18-19, Response to question on notice IP46/1/2.

¹¹⁵ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.17.

¹¹⁶ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.18.

required to cater for everybody and the fall back position is residential care houses.¹¹⁷

Carers

Relevant Board of Inquiry recommendations include:

The allowances and other payments to all carers be reviewed and an ongoing process be established...¹¹⁸

Kinship carers be provided with the allowance at the same rate as general foster carers.¹¹⁹

NTFC immediately acts to address the need for a shift in culture from a focus on carers as providers to carers as partners.¹²⁰

NTFC adequately funds Foster Care NT to ensure that the organisation is able to develop an effective mentoring and support role for foster carers...¹²¹

Where 'Family Way' arrangements are facilitated by NTFC, the carers are eligible for establishment or discretionary payments and that they be assisted and connected to other financial supports...¹²²

A process be developed and implemented which will ensure all allowances/payments to carers are processed quickly and carers receive the entitlements promptly.¹²³

Recruitment strategies continue with an emphasis on Aboriginal carers in remote and rural locations to increase the number of children remaining close to their families.¹²⁴

A plan be developed around the resourcing and up-skilling of existing carers to assist with the retention of existing carers.¹²⁵

NTFC facilitates the development of a 'charter' for all carers which sets out expectations, rights and responsibilities.¹²⁶

NTFC develop a detailed practice guide around kinship care recruitment, assessment, support and training...¹²⁷

NTFC develops a kinship care unit to assist with the recruitment, assessment, registration, support and training of kinship and specific carers...¹²⁸

The development of a professional stream for home-based carers, who are highly skilled and trained, be considered to provide

¹¹⁷ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.19-20.

¹¹⁸ NTG, *Growing them strong, together*, p.74, Recommendation 40, urgency rating 1.

¹¹⁹ NTG, *Growing them strong, together*, p.74, Recommendation 42, urgency rating 1.

¹²⁰ NTG, *Growing them strong, together*, p.74, Recommendation 46, urgency rating 1.

¹²¹ NTG, *Growing them strong, together r*, p.74, Recommendation 47, urgency rating 1.

¹²² NTG, *Growing them strong, together*, p.74, Recommendation 43, urgency rating 2.

¹²³ NTG, *Growing them strong, together*, p.74, Recommendation 44, urgency rating 2.

¹²⁴ NTG, *Growing them strong, together*, p.75, Recommendation 49, urgency rating 2.

¹²⁵ NTG, *Growing them strong, together*, p.75, Recommendation 50, urgency rating 2.

¹²⁶ NTG, *Growing them strong, together*, p.75, Recommendation 51, urgency rating 2.

¹²⁷ NTG, *Growing them strong, together*, p.76, Recommendation 58, urgency rating 2.

¹²⁸ NTG, *Growing them strong, together*, p.76, Recommendation 60, urgency rating 2.

placements for children and young people with high and complex needs.¹²⁹

As at 1 April 2011 there were 383 foster carers in the Territory of whom 193 were registered carers and 190 were unregistered. There were a further 103 new carer applications being processed. At that time there were 79 kinship carers in the Territory caring for 93 children.¹³⁰ As at 30 June 2011, 42 per cent of foster carers were Indigenous.¹³¹

Ms Gardiner-Barnes said carers' payments hadn't changed but the department was determining new models to administer allowances for foster kinship carers which will see an increase in rates of carer allowances. She said the Board of Inquiry made recommendations that require the department to look at specialist carers and the needs of the child in remunerating carers. As a first step the department is clarifying with carers what they are eligible to receive.¹³²

The department has a service agreement with Foster Care NT for 12 months to help establish improved operational systems for the organisation. This step was taken in recognition of Foster Care NT being reliant on volunteers with little resourcing. It was recognised that there was a need for capacity building to be able to meet the demand.¹³³

The CTC asked about the progress in getting housing for foster carers through SIHIP. Ms Gardiner-Barnes said the issue was raised with DHLGRS CE but that it was something that also needs liaison with FaHCSIA in Canberra and also with individual communities.¹³⁴

Later in the hearing, the CTC returned to this issue and asked why can't Territory Housing, as the landlord of housing precincts in remote communities, ear-mark some housing for carers. Mr Burgess (DCM CE) said it was unclear if Housing Reference Groups have been asked to allocate housing for foster carers and agreed to follow-up the CTC's earlier recommendation about housing for foster carers.¹³⁵

There were initial discussions between DCF and DHLGRS and the CTC wrote again to the Chief Minister. The Housing Minister, Dr Chris Burns, advised that while foster carers could be taken into account in determining the allocation of housing, Territory Housing is responsible for making the final decision on who receives housing. The Minister said public housing had been allocated to four foster carers, since the start of Remote Public Housing.¹³⁶

¹²⁹ NTG, *Growing them strong, together*, p.74, Recommendation 45, urgency rating 3.

¹³⁰ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.19-20.

¹³¹ LANT, CTC, Response to out of session question on notice, DCF, *Report to External Monitoring Committee*, February 2012, Attachment B, p.1.

¹³² LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.19.

¹³³ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.20.

¹³⁴ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.3.

¹³⁵ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.11-12. The CTC had raised this issue with both Minister Macklin and the Chief Minister in letters in December 2010. The Chief Minister's reply in February 2011 said DHLGRS Executive Director in each region would work with DCF to ensure families providing foster care are prioritised in housing allocations.

¹³⁶ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.11-12, and CTC correspondence, 20 December 2011.

The CTC was advised that Territory Housing and DCF have established a working group to determine the best way to address foster carers' housing needs, including how to ensure the allocation process considers foster carers.¹³⁷ DHLGRS is also reviewing the Industry Housing Assistance Scheme, which provides public housing to NGOs, and housing for foster carers will be considered as part of that review.¹³⁸

Legislative changes

The legislative changes recommended by the Board of Inquiry are being prepared and implemented in three stages.¹³⁹ In March 2011 legislation was passed to broaden the Children's Commissioner's responsibilities to include monitoring the administration of the *Care and Protection of Children Act* where it deals with 'vulnerable children'.¹⁴⁰ This was in response to an urgent recommendation in the *Growing them strong, together* report.¹⁴¹

The Act is being progressively updated with amendments to improve information sharing in relation to child protection across agencies and NGOs passed in March 2012.¹⁴² Amendments to the Act's information sharing provisions will commence in July 2012.¹⁴³

There are another 28 recommendations of lesser urgency requiring, or are being implemented through, legislative change.¹⁴⁴ Legislation was anticipated to be introduced during the first part of 2012 to implement numerous reforms to the Act, including recommendations requiring legislative change from *Growing them strong, together*, earlier coronial inquiries and system enhancements.¹⁴⁵

However, DCF now advises the third phase of legislative change, which includes broader issues raised by the Board of Inquiry, will be part of a consultation phase due to commence in March 2012 with the release of a consultation paper on the Act's review.¹⁴⁶

Complaints handling process

Relevant Board of Inquiry recommendations include:

¹³⁷ CTC correspondence 20 December 2011.

¹³⁸ LANT, CTC, Response to out of session question on notice, DCF, *Report to the Child Protection External Monitoring and Reporting Committee*, February 2012, p.5.

¹³⁹ LANT, CTC, Response to out of session question on notice, DCF, *Report to the Child Protection External Monitoring and Reporting Committee*, February 2012, p.34.

¹⁴⁰ Now included in the *Care and Protection of Children Act 2012*, Part 5.1; Office of the Children's Commissioner NT, *Other Core Functions*, <http://childrenscommissioner.nt.gov.au/portfolios.html>, accessed 20 February 2012.

¹⁴¹ Recommendation 136.

¹⁴² LANT, *Debates*, Eleventh Assembly, First Session, 27 March 2012, 'Care and Protection of Children Amendment (Information Sharing) Bill', (Serial 194), <http://notes.nt.gov.au/lant/hansard/hansardd.nsf/WebbySubject/454F490D7D4ADBC5692579CF0000B01D?opendocument>, accessed 28 March 2012.

¹⁴³ LANT, CTC, Response to out of session question on notice, DCF, *Report to the External Monitoring Committee*, February 2012, p.34.

¹⁴⁴ Recommendations 80-86, 88-99, 105-118, 112-3, 115-6, 114.

¹⁴⁵ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.36.

¹⁴⁶ LANT, CTC, Response to out of session question on notice, DCF, *Report to the External Monitoring Committee*, February 2012, p.34.

NTFC develops an effective complaints management process for clients of the service...that provides for the speedy resolution of complaints.¹⁴⁷

NTFC develop an appeals process (either as part of the internal complaints process or separately) that provides for an appeal process for professional decisions independent of the normal line management structure.¹⁴⁸

Professor Vimpani said a number of complaints mechanisms were being developed to provide avenues for people providing out of home care and staff working in child protection to raise concerns and to say when things are working well. Reward systems are also proposed to recognise staff and foster carers who make good suggestions to improve the system. In addition there are a number of staff forums and management meetings when staff can hear about the department's direction and can raise any issues.¹⁴⁹

The CTC heard in June 2011 that there will be regional complaints officers in each of the regions – Greater Darwin, Katherine and Northern and Alice Springs.¹⁵⁰ DCF's Practice Integrity and Complaints Management Branch was developing a complaint and feedback management process to manage complaints and feedback and to provide an appeal process for professional practice decisions.

The finalised Complaints, Compliments and Suggestions Policy was anticipated to become part of the complaints and feedback system and provide a visible and accessible system to all departmental clients and stakeholders.¹⁵¹ In February 2012 DCF reported to the External Monitoring Committee that a complaint and feedback management framework and implementation plan was finalised. The plan includes an appeal process for professional practice decisions but provisions for dealing with complaints about services under the Act will be part of the legislative review process.¹⁵²

Findings

The CTC acknowledges that reforming child protection in the Territory has really only just started. While there appears to have been considerable work already undertaken, much more needs to happen. The CTC has continuing concern about the shortage and turnover of staff, housing availability for foster carers and staff, reporting systems and availability of effective parenting programs to address neglect.

Staffing

The Board of Inquiry seeks a transformed child protection workforce and made many recommendations to improve departmental policies and practices and increased training and support and reviewed workplace conditions. These actions will take some time to bear fruit.

¹⁴⁷ NTG, *Growing them strong, together*, p.88, Recommendation 142, urgency rating 1.

¹⁴⁸ NTG, *Growing them strong, together*, p.88, Recommendation 143, urgency rating 1.

¹⁴⁹ LANT, CTC, 'Transcript of Proceedings', 25 May 2011, pp.18-9.

¹⁵⁰ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, pp.22-3.

¹⁵¹ LANT, CTC, 'Transcript of Proceedings', 29 June 2011, p.22, Response to question on notice 46/1/5.

¹⁵² LANT, CTC, Response to out of session question on notice, DCF, *Report to the External Monitoring Committee*, February 2012. See Appendix G, Recommendations 142 & 143.

The CTC identified that some Indigenous child protection staff were employed as long-term temporary, rather than as permanent, employees and queried the reason for this. The CTC's questions about staffing appears to have prompted an analysis of Indigenous staffing but the department is relying on data from a recent staff morale survey to provide limited quantitative and qualitative data.

Recruitment and retention of staff, particularly in remote communities, is fundamental to achieving reform in the Territory's child protection system. The CTC believes one of the most effective ways to address this is to employ local Indigenous people on similar, equitable terms, as are offered to interstate and international recruits. Providing housing for DCF staff will help attract and retain staff and culturally-appropriate carers in remote areas.

Housing

The CTC sought immediate action on housing through the appropriate Ministers because availability of appropriate housing strongly affects the attraction and retention of child protection staff and foster carers. The CTC knows that many Indigenous government employees see the lack of government housing as a long-standing, discriminatory practice. The advice that the practice is being re-examined is welcome, but action to address this inequity is overdue.

The Minister for Housing's response on ensuring foster carers access to housing, by giving foster carers priority, is one way housing could be made available. However, the CTC is mindful of the huge demands in remote communities on any available housing. Review of the Government's Industry Housing Assistance Program could also be relevant. The reality is however that if government is serious about saying it is extending public housing to remote areas, it must ensure all publicly-funded social housing programs are delivered in remote areas.

The CTC agrees with the Board of Inquiry that access to stable and secure housing that allows for healthy living practices is a fundamental basis to a preventative approach to child protection.

Monitoring and Reporting

The CTC consistently queried what the very many advisory groups established by government actually contribute to the reform. Each time the CTC asked a question it seemed another 'taskforce' or 'team' was formed. DCF provided a list of plans and policies, tools and support materials and the various 'action groups'. In that document there are 11 coordination and collaborative groups and four monitoring groups. The CTC is none the wiser about how all the groups assist in implementing the reform and most importantly, how they relate to each other. The CTC queries whether these groups are all necessary and if they might be getting in the way of taking action.

DCF was unable to answer some of the CTC questions because information was not available from its Community Care Information System. SAFT also said DCF appeared to have trouble responding to requests for information. The CTC understands this problem is not unique to the Territory, however is also aware that funding has previously been provided to address deficiencies in the system and wonders what additional work is needed and how it will be funded?

Parenting programs

The CTC heard that parenting and other preventative-type programs provided to address child neglect are being delivered by other departments. DET is taking the lead role in integrating childhood programs. There is also a reliance on funding the NGO sector to improve family support.

The relevant recommendation states that NTFC (DCF's precursor) develop and expand preventative, therapeutic and reunification services and that the majority of the services should be provided by NGOs, funded through an enhanced grants program.

The CTC believes preventative efforts are fundamentally important in addressing child protection reform and agrees DCF should take the lead role in ensuring the best services are developed and implemented. DCF's progress against this recommendation in Appendix G suggests that limited action has occurred to date to deliver more preventative services. However, work has commenced on analysis of the many reasons why children come into the child protection system and the best ways to address them.

3. SIHIP

In September 2007 the Australian and Northern Territory Governments signed an MOU on Indigenous Housing, Accommodation and Related Services which replaced previous funding arrangements and established the principles under which SIHIP was funded in 2008.¹ SIHIP, a joint \$672 million housing program, in 73 Territory Indigenous communities and some town camps, is the largest ever Indigenous housing program delivered in the Territory.²

The program was included in the arrangements under the Remote Indigenous Housing National Partnership Agreement (Remote Indigenous Housing NPA) in November 2008 which established the Australian Government as the major funder of remote Indigenous housing with states and territories responsible for delivery. Under the Remote Indigenous Housing NPA, the Territory will receive \$1.7billion over ten years to 2018 to build 1400 houses and upgrade 4800.³

SIHIP's delivery was reviewed in 2009, following sustained media attention on its progress and administration costs. Governments agreed with all review findings and recommendations to:

- reduce the complexity of the program's administration and reduce administration costs from 11.4 per cent to 8 per cent;
- revise the cost of new housing, refurbishments and rebuilds; and
- focus the SIHIP budget on housing with housing-related infrastructure to be funded through the NPA.⁴

A post-review assessment was also conducted to report against the SIHIP review recommendations and on any issues in meeting SIHIP's targets.⁵ This identified that while most refurbished housing would need further work, it was inefficient to have two teams doing what one team could have done simultaneously.⁶

Three construction company consortia known as alliances were contracted to deliver SIHIP, however in March 2010, the Australian and Territory Governments

¹ Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) and the NTG, *Strategic Indigenous Housing and Infrastructure Program – Review of Program Performance*, 28 August 2009, p.13, <http://www.fahcsia.gov.au/sa/indigenous/pubs/housing/sihip/pages/default.aspx>, accessed 29 December 2009.

² Australian Government (AG), Minister for FaHCSIA, *Media Release*, 'Landmark housing project for NT Indigenous communities', 12 April 2008, http://www.jennymacklin.fahcsia.gov.au/internet/jennymacklin.nsf/content/landmark_housing_12apr08.htm, accessed 29 December 2009.

³ AG, Minister for FaHCSIA, *Media Release*, 'Remote Indigenous housing investment', 23 March 2009, http://jennymacklin.fahcsia.gov.au/internet/jennymacklin.nsf/print/remote_indigenous_housing_investme nt_23mar09.htm, accessed 24 March 2009.

⁴ AG, Minister for FaHCSIA and the Hon Paul Henderson MLA, Chief Minister of the Northern Territory, *Media Release*, 'Improving Indigenous housing in the NT', 31 August 2009, http://www.jennymacklin.fahcsia.gov.au/internet/jennymacklin.nsf/content/sihip_31aug09.htm, accessed 29 December 2009.

⁵ O Donald & J Canty-Waldron, *Strategic Indigenous Housing Infrastructure Program (SIHIP) Post Review Assessment (PRA)*, 10 March 2010, http://www.fahcsia.gov.au/sa/indigenous/pubs/housing/sihip_pra/Pages/default.aspx, accessed 18 March 2010.

⁶ Donald & Canty-Waldron, *SIHIP PRA*, p.14.

announced that one of the alliances, Earth Connect, would cease operations and Territory Alliance would undertake the additional contract work.⁷

In November 2011 the Australian National Audit Office (ANAO) examined the implementation of the Remote Indigenous Housing NPA and made recommendations to improve the program's implementation, delivery and reporting against outcome-based performance indicators.⁸

The Commonwealth Ombudsman's last annual report included complaints made about the remote housing reforms that are part of SIHIP. The Ombudsman investigated complaints in relation to rent, tenancy agreements, timing and processes for repairs and maintenance, poor quality SIHIP work and the effectiveness of Housing Reference Groups.⁹

Issues raised

The CTC identified SIHIP as one of its immediate priorities in October 2009 and about half of the CTC's recommendations were made to resolve identified problems with SIHIP's delivery. The CTC has held over 35 hearings, briefings and visits to monitor SIHIP-related issues. Previous reports provide details of witnesses until mid 2011 and Appendix C includes SIHIP hearings since May 2011.

The CTC spoke to all involved and/or affected by SIHIP and its delivery in communities and town camps. Australian and Territory Government officers attended hearings, provided briefings and responded to questions on notice. Representatives of alliances attended hearings and meetings and assisted in the CTC's inspections of SIHIP work. Housing Reference Groups and other community members participated in meetings and invited the CTC into houses to see first-hand how SIHIP was being delivered on the ground.

A large range of issues were identified and discussed in earlier reports over the two years of the CTC's inquiries. This report discusses the consistent and continuing issues including:

- the standard and scope of refurbishments;
- the cost, standard and suitability of some new houses;
- how infrastructure costs are funded and planned;
- land tenure changes;
- sustainable Indigenous employment and training;
- remote housing reform, including tenancy management and repairs and maintenance;
- reporting on financial and other outcomes;
- the alliance model; and

⁷ NTG, *Media Release*, 'New SIHIP arrangements on Groote Eylandt', 18 March 2010, <http://newsroom.nt.gov.au/index.cfm?fuseaction=viewRelease&id=6683&d=5>, accessed 18 March 2010.

⁸ Australian National Audit Office (ANAO), *Implementation of the National Partnership Agreement on Remote Indigenous Housing in the Northern Territory*, The Auditor-General Audit Report No.12 2011-12 Performance Audit, <http://www.anao.gov.au/Publications/Audit-Reports>, accessed 10 November 2011.

⁹ Commonwealth Ombudsman, *Annual Report 2010-2011*, pp.87-92, http://www.ombudsman.gov.au/pages/publications-and-media/reports/annual/ar2010-11/download/pdf/ombudsman_anrep_2010_2011.pdf, accessed 24 February 2012.

- overcrowding and the continuing housing need in remote Indigenous communities.

This chapter discusses each of these issues, while chapter six includes examination of SHIP recommendations as an example of how government responded to the CTC's recommendations.

Refurbishments

Following the SHIP review, one of its authors and then Deputy Chief Executive of the Department of the Chief Minister, Mr Ken Davies, confirmed the difference between rebuilds and refurbishments as recommended in the review:

Rebuilds will occur where more than \$100,000 on capital works is spent on an existing house...Refurbishments will range in cost from \$20,000 to \$100,000 per house...and will target critical health hardware and housing functionality.¹⁰

In the early stages of the program, including after the review, refurbishments and rebuilds were not separately differentiated and SHIP reports showed them as one project item.¹¹ Representatives of alliances said refurbishments and rebuilds were essentially the same thing.¹² The CTC could not see how halving the cost of refurbishments would deliver adequately improved houses.

In its *First Report*, the CTC recommended that refurbishments and rebuilds be delivered as originally promised and that SHIP housing meet Territory Housing standards.¹³ The Government's response agreed that housing be of an appropriate standard, but reiterated the post-review program parameters for refurbishments and rebuilds. The response also included advice that refurbishments would be supplemented by DHLGRS repairs and maintenance program that would ensure houses were further upgraded.¹⁴

At Wurrumiyanga (Nguui) the CTC saw post and pre-review refurbished houses and the impact of only spending on average \$75,000 on each refurbishment. While pre-review refurbishments saw all expected work undertaken, the post-review refurbishment work did not include things like floor coverings other than in wet areas. The CTC visited one house where the floor needed to be sealed to provide a healthy living area and yet it was not part of the refurbishment scope of works.¹⁵

In its *Second Report* the CTC recommended that refurbishments include all work to return them to functional houses that allowed for healthy living practices.¹⁶ The government agreed to the recommendation, again reiterating the post-review

¹⁰ FaHCSIA and NTG, *SHIP Review*, p.33.

¹¹ LANT, CTC, 'Transcript of Proceedings', 9 November 2009, p.34, Tabled Paper No.2, Department of Local Government and Housing (DLGH) Strategic Housing and Infrastructure Program Spreadsheet.

¹² LANT, CTC, 'Transcript of Proceedings', 10 November 2009, p.55.

¹³ LANT, CTC, *First Report*, Recommendations 2 and 3, p.15, available at:

<http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/reports.shtml>.

¹⁴ NTG, *Northern Territory Government Response to 1st Report of the Council of Territory Co-operation*, April 2010, pp.2-3, available at: <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/reports.shtml>.

¹⁵ Discussed in full in LANT, CTC, *Second Report*, pp.19-20.

¹⁶ LANT, CTC, *Second Report*, Recommendation 10, p.27.

expectations of the refurbishment program and that repairs and maintenance funding will result in improving amenity to houses.¹⁷

After visiting Santa Teresa in May 2010 the CTC again raised its concerns about the scope and standard of work being undertaken as part of SIHIP refurbishments.¹⁸ In Santa Teresa the CTC saw houses being refurbished without concrete flooring leading to toilets and bathrooms. Because this was not going to be done as part of SIHIP, the local CDEP organisation was working with Territory Alliance to concrete the gap between the houses' interiors to the external bathrooms. It is hard to understand why this work was not part of the refurbishments, as it was essential to having houses functional and residents able to have healthy living practices.

Community members were angry about the standard and scope of refurbishment work, stating that the houses had only received basic maintenance that did not include floor coverings, kitchen pantries or the return of their 'swampies' (evaporative air-conditioners). At a public hearing, the CTC and community members were told by the Shire Services Manager that the shire was planning to undertake additional housing work using repairs and maintenance funding.

The CTC raised its and the community's concerns about the Santa Teresa refurbishment work with DHLGRS. Mr Andrew Kirkman, Executive Director SIHIP, said it was not possible to bring community housing to an urban standard because there is not enough money to do all the necessary work. In Santa Teresa, for example, if more work had been done, fewer refurbishments would have been completed. This was in keeping with the decision made following the SIHIP review to deliver maximum benefit across communities.¹⁹ Shires are being funded to undertake tenancy and property management and some shires are managing to use the funding to undertake repairs and maintenance and to make houses more liveable.²⁰

Mr Ken Davies, DHLGRS CE, said refurbished housing needs to meet a 'safe, functional and secure' standard and to meet a 'reasonableness' test. It was not acceptable to not have sealed flooring to an exterior bathroom, but the flooring was being addressed through a CDEP program. Mr Kirkman said:

...it really takes quite a bit of education with both the alliance partners but also our asset managers around what is reasonable, what is necessary in terms of the scope of the work and, as Mr Davies pointed out, ... there's been several times where we've had to go back and say, "No, you need to go back and do that item. No, it wasn't in the scope of works but we're telling you to go back and do it because it needs to be done".²¹

In March 2012 the CTC was advised that 60 houses at Santa Teresa are scheduled to have floor tiles laid with funding from FaHCSIA. While the tender has closed, the work contract had not been awarded.²²

¹⁷ NTG, *Northern Territory Government Response to 2nd Report of the Council of Territory Co-operation*, June 2010, pp.5-6.

¹⁸ Discussed in full in LANT, CTC, *Third Report*, pp.6-8.

¹⁹ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, pp.12, 17.

²⁰ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.14.

²¹ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.14-5.

²² Email to Secretariat, 26 March 2012.

While there should be no difference in housing standard between towns and the bush, there is a difference in amenity level which is addressed by charging less rent for housing with fewer amenities. In communities, tenants are charged rent at 18 per cent of accessible income compared to in towns, where tenants are charged at 23 per cent of accessible income.²³

In addition to CTC trips, the Chair undertook trips to communities to inspect SIHIP work and to hear first-hand from community members about the work. In Palumpa, the Chair saw a house where painted surfaces had not been properly prepared and was told by the Alliance manager that some of the early work was not up to standard and was progressively being re-done.²⁴

In its *Third Report* the CTC expressed its concerns about the standard and scope of SIHIP refurbishments and the apparent reliance on repairs and maintenance funding to complete refurbishment work. The CTC queries if the alliances' high administrative costs detrimentally affects how much refurbishment work can actually be done. The reliance on using additional funding (repairs and maintenance grants) to 'complete' refurbishments also shows that the average refurbishment cost of \$75,000 is inadequate to return houses to a functioning, safe and healthy standard.

Three recommendations were made to consider transferring refurbishment work to shires or other local organisations and for full details of the repairs and maintenance funding and service requirements.²⁵ The Territory Government agreed to pursue with the Australian Government involving local organisations more in SIHIP refurbishment work and additional information was provided on the coordination of repairs and maintenance with SIHIP.²⁶

In March 2012 Mr Davies said under the implementation plan for SIHIP, governments are committed to deliver the housing and refurbishments by 2013 using the alliances. But the Territory Government is discussing with the Australian Government how housing work could be delivered after 2013. The Territory Government's intention is to use local contractors in the smaller communities to undertake future housing work.²⁷

Over the period November 2010 to March 2011 the CTC travelled to Maningrida, Galiwin'ku, Gunbalanya, Milikapiti and Pirlangimpi to look at how SIHIP was being delivered and hear from people about their concerns. In all communities, the CTC again saw examples of inadequate refurbishment work, including:

- in Maningrida so-called refurbished houses returned to tenants without being repainted;

²³ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.15-6. See also Department of Housing Local Government and Regional Services (DHLGRS), 'Fact Sheet Remote public housing rent', *Remote Housing NT*, http://www.housing.nt.gov.au/_data/assets/pdf_file/0020/101828/Rent_FactSheet_WP170610.pdf, accessed 4 June 2010.

²⁴ LANT, CTC, 'Transcript of Proceedings', 13 September 2010, p.23.

²⁵ LANT, CTC, *Third Report*, Recommendations 2-4, p.17.

²⁶ NTG, *Northern Territory Government Response to 3rd Report of the Council of Territory Co-operation*, February 2011, pp.2-3.

²⁷ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.8-9, 11-12, 19-20.

- in Milikapiti newly installed hot water systems that did not seem to work, some stoves already needing to be replaced, floor coverings removed and not replaced and some paint work appearing poorly prepared; and
- in Pirlangimpi floor coverings not replaced, an inappropriately placed cupboard, a blocked shower drain, hot water systems that did not seem to work and hot water not re-installed in laundries.²⁸

The CTC immediately wrote to the Territory Housing Minister and the Australian Government Minister to raise its many concerns about the SIHIP work on Melville Island. In addition to a detailed response to the CTC the Territory's Housing Minister, Dr Chris Burns, travelled with the CTC to Melville Island to see first-hand the CTC's concerns.

The underlying issue was that the work on refurbished houses did not match the amount of money said to be spent on them and the work was not of the standard it was told was being delivered. The CTC had consistently been told in hearings and in reports that the work in Milikapiti was pre-review rebuilds. This level of work was not apparent in the completed refurbishments which cost on average \$160,000.²⁹

In its *Recent community trips* report the CTC made two recommendations to address emerging issues associated with refurbishment work, to ensure problems with housing components are tracked and that there are adequate warranties on housing components.³⁰ The government's response agreed with the recommendations and included information on how processes were being refined to ensure SIHIP housing maintenance requests are monitored.³¹

New houses

When the CTC was established there was widely publicised concern about delays in commencing SIHIP construction and associated administrative costs affecting delivery of the targets. This culminated in the review being conducted and new program parameters agreed to ensure the original targets were met. Table 5 shows this initial delay, particularly in new houses being completed and handed over to DHLGRS.

Table 5. SIHIP housing handed over to DHLGRS 2010 to 2012³²

	New houses Number	Refurbishments Number	Rebuilds Number	Expenditure \$m
As at				
13/4/10 ³³	nil	137		123.8
17/8/10	68	313	116	209.0
30/9/10	76	456	137	292.6
31/12/10	131	819	188	307.4
31/3/11	187	1051	243	312.8
30/6/11	246	1262	304	451.7
30/9/11	310	1397	364	497.1
31/12/11	438	1522	402	541.8

²⁸ Discussed in full in LANT, CTC, *Recent community trips*, May 2011.

²⁹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.13-4.

³⁰ LANT, CTC, *Recent community trips*, Recommendations 2 and 3, p.13.

³¹ NTG, *Northern Territory Government Response to the Council of Territory Co-operation report on Recent community trips*, August 2011, pp.2-3.

³² Collated data from SIHIP Capital Works Updates.

³³ Includes rebuilds as separated refurbishments and rebuilds not provided until 17/8/10 spreadsheet.

31/3/12	553	1687	413	557.7
By end 2013 Targets	750	2500	230 ³⁴	672.0

At public hearings concern was expressed about how many houses were under construction and when houses were expected to be completed. Figures were quoted by FaHCSIA's Secretary, Dr Jeff Harmer, in a Senate Estimates hearing, that about 50 houses would be commenced by the end of 2009 and about 200 would be completed by the end of 2010 were confirmed by FaHCSIA and Territory Government officials during public hearings.³⁵

Following the SIHIP review construction of new houses would cost on average \$450,000 which the CTC was told would be met through smaller housing designs but not compromising on quality or durability standards.³⁶ However, the CTC heard evidence from an experienced Territory builder that these housing costs were unrealistic.³⁷

The CTC remained concerned that the projected average cost of housing was unachievable within the stipulated budget and that this could lead to smaller and less durable housing. Ms Amanda Cattermole, the then Group Manager, Office of Remote Indigenous Housing (FaHCSIA), stressed the average cost was determined after consultation with large scale companies and the houses would be durable and meet building standards.³⁸

While in Wadeye the CTC asked Mr John Berto, CEO Thamarrurr Development Corporation (TDC), a local building company contracted by Territory Alliance, about the cost of construction. He thought once efficiencies started to occur through TDC's production line, houses should cost about \$350,000. However, Territory Alliance identified that was just the cost of the house and would not include infrastructure costs, GST or yardworks.³⁹ The CTC could see however that using local building companies could reduce construction costs which in turn could assist in delivering more housing.

During a trip to the Daly River region, the CTC Chair saw significant damage done to a new house in Wadeye that the CTC had inspected in February 2010 and was told had a lifetime of 40 years. The CTC saw two designs in Wadeye, one a steel frame and one a concrete-panelled house, and was told the steel-frame houses were quicker to build. The damaged house was a steel-frame house which is suggestive that concrete houses may be more durable and achieve the aim of a 30-40 year lifetime.

The CTC therefore recommended that construction only be of housing designs that deliver the longest possible useful life and require low maintenance.⁴⁰ The

³⁴ Original target. Completed rebuild totals include rebuilds brought forward under the Remote Indigenous Housing NPA. The rebuild total under the brought forward program is 448.

³⁵ Commonwealth of Australia, Senate, Community Affairs Legislation Committee, *Estimates* (Supplementary Budget Estimates), 23 October 2009, Canberra, p.CA7; LANT, CTC, 'Transcript of Proceedings', 9 November 2009, pp.6, 44; and 10 November 2009, p.69.

³⁶ LANT, CTC, 'Transcript of Proceedings', 9 November 2009, pp.8-9, 15.

³⁷ LANT, CTC, 'Transcript of Proceedings', 10 November 2009, p.32.

³⁸ LANT, CTC, 'Transcript of Proceedings', 10 November 2009, p.39.

³⁹ LANT, CTC, 'Transcript of Proceedings', 4 February 2010, p.17.

⁴⁰ LANT, CTC, *Third Report*, Recommendation 1, pp.16-7.

government agreed with this recommendation saying that solid walled houses would be preferred for unfinalised housing designs.⁴¹

In December 2011 the CTC was told of newly agreed targets of 934 houses and 415 rebuilds by 2013 as part of a new implementation plan for the Remote Indigenous Housing NPA.⁴² Mr Davies said it was planned that following delivery of the 934 houses in growth towns and after 2013, there will be a further building program, in smaller communities, as part of delivering 1400 new houses under the NPA.⁴³

Despite nearly 400 new houses being handed over to Territory Housing, the average cost of new houses remains unavailable until the alliance packages they are part of are complete and all costs are allocated. Mr Davies said in December 2011 he expected that the average cost in Wadeye however, may be higher than \$450,000 due to higher costs for things like gravel.⁴⁴

In March 2012 the CTC asked DHLGRS about the reported damage to new housing in Alice Springs' town camps and if any other similarly-designed housing elsewhere was affected. Mr Kirkman said the damage was largely cosmetic, in that it requires replacing flushing joints that have failed due to temperature extremes. He said that the remedial work was being done by the alliance as the damage occurred within the six month liability period. Similar housing in Galiwin'ku and Wadeye was fixed prior to being tenanted.⁴⁵

The department has since announced that more housing is affected by the same problem, but the alliance is responsible for fixing the problem. Minister Macklin said while the faults are not acceptable, the fact that it has been picked up shows the SHIP quality assurance process is effective.⁴⁶

During his trip to the Alice Springs town camps, the CTC Chair saw some new houses at Ilpeye Ilpeye which appeared to be placed on the site the wrong way with the house's front entrance facing the back of the block. Also, at least one swampie had been placed on a pole over the front door which seemed an unsafe placement.⁴⁷

DHLGRS' response to these concerns said Territory Alliance had orientated buildings to maximise energy efficiency and the one swampie installed over an external door was located in that way for efficient and economic distribution of ducting, away from external living space.⁴⁸ The concerns raised about Ilpeye Ilpeye however remain, because DHLGRS' response did not adequately respond to all the issues raised.

⁴¹ NTG, *Response to CTC 3rd Report*, p.2.

⁴² LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.10.

⁴³ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.19-20.

⁴⁴ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.12-3.

⁴⁵ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.2-3, 6.

⁴⁶ The Honourable Jenny Macklin MP, *Latest Transcripts*, 'Remote Indigenous Housing; Stronger Futures – ABC Alice Springs with Nadine Maloney, 1 March 2012, <http://www.jennymacklin.fahcsia.gov.au/transcripts/Pages/default.aspx>, accessed 20 March 2012.

⁴⁷ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.7.

⁴⁸ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.7. Response to question on notice IP52/1/1.

SIHIP infrastructure

The SIHIP review determined that housing related essential services infrastructure would be guided by the findings of an audit of municipal and essential services undertaken as part of the Remote Indigenous Housing NPA. Funding for housing related essential services would come from the NPA and the Territory Government but governments needed to establish longer-term financial arrangements.⁴⁹ This was confirmed by the Territory's Under Treasurer when she said:

...I believe what we all recognise is there will be a substantial increase in Territory and Commonwealth spending in remote areas of the Territory associated with all of this expenditure.⁵⁰

The Department of Local Government and Housing (DLGH) Chief Executive, Dr David Ritchie, said about \$100 million was available from NPA funding. The Australian Government was responsible for new infrastructure while the Territory was responsible for maintaining existing infrastructure. In practice however, it was anticipated that different communities may need different approaches to infrastructure and that funding responsibilities will need to be negotiated.⁵¹

In its initial stages, SIHIP construction occurred on existing sites with services and work started on developing subdivisions where additional infrastructure was needed.⁵² However, in Tennant Creek, the CTC was told \$13.5 million from SIHIP was funding infrastructure like roads, power, water and sewerage.⁵³

In its *First Report* the CTC recommended the infrastructure work in Tennant Creek be funded from the NPA that would allow additional housing to be constructed and that a scope of SIHIP infrastructure works be published detailing responsibilities.⁵⁴ In its response the government said Julalikari Council Aboriginal Corporation's SIHIP funding priorities were for infrastructure upgrades to bring the town camps to Tennant Creek standard. The government agreed to provide scopes of work for each community once finalised.⁵⁵

The government's response to the recommendation for Tennant Creek infrastructure costs to be met through the NPA, which was consistent with the post SIHIP review practice, appears to have been misunderstood. The CTC's intention was to not stop the infrastructure work, but to ensure the cost of it was not met by SIHIP, thereby allowing for more new housing.⁵⁶

Similarly, when told of the additional infrastructure costs in upgrading the Alice Springs town camps to suburban standard, the CTC said the associated costs

⁴⁹ FaHCSIA and NTG, *SIHIP Review*, pp.8, 31.

⁵⁰ LANT, CTC, 'Transcript of Proceedings', 9 November 2009, pp.19-20.

⁵¹ LANT, CTC, 'Transcript of Proceedings', 9 November 2009, pp.43-4.

⁵² LANT, CTC, 'Transcript of Proceedings', 9 November 2009, pp.10-1.

⁵³ LANT, CTC, 'Transcript of Proceedings', 19 November 2009, p.4.

⁵⁴ LANT, CTC, *First Report*, Recommendations 5 and 6, p.19.

⁵⁵ NTG, *Response to CTC 1st Report*, pp.3-4.

⁵⁶ At its March 2012 hearing the CTC was told by Professor Vimpani, Chair, Child Protection External Reporting and Monitoring Committee that while in Tennant Creek he was told of the impact on child protection reform of severely crowded houses and the need for 400 new houses in Tennant Creek. LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.15-6.

should come from the appropriate NPA.⁵⁷ In the 2010-11 financial year the Territory Government's commitment to SIHIP through spending on Indigenous essential services, increased from \$100 million to \$240 million.⁵⁸

The CTC heard about the concerns of some local government bodies that some SIHIP subdivisions did not have adequate services, particularly roads. There was no process for shires to be included in subdivision planning.⁵⁹ However, the CTC was told by government that subdivisions in communities were planned in a similar way to those in Darwin, but because shires did not have required standards for residential subdivisions, discussion was needed about what standards should apply.⁶⁰

In the *Third Report* the CTC made two recommendations to address continuing concerns about the infrastructure being delivered as part of SIHIP, how costs were being met and local government involvement. It sought the scope of works for the three Tennant Creek town camps and recommended that more consultation occur with shires on how subdivisions are planned and for details of the planning processes.⁶¹

The government's response agreed with the recommendations and the scopes of works were recently provided. Government acknowledged that shires were an important part of subdivision planning and that shire councils would be involved in future works planning.⁶²

In December 2011 it was acknowledged that there was initially not enough consultation with shires, but the shires are now better informed. In lieu of shire guidelines the approach to determining a standard for SIHIP subdivisions in communities was to apply rural subdivision standards, e.g. what would be expected in Humpty Doo.⁶³

The ANAO's audit found in relation to infrastructure that while it is expected housing targets will be achieved with available funding, it was subject to additional funding for associated infrastructure, which is dependent on resolving the parameters of a Remote Indigenous Infrastructure NPA.⁶⁴

Land tenure

The negotiation of long-term secure leases of land for new housing construction was an underlying principle of the Australian Government's SIHIP expenditure. The Intervention's five year leases were considered sufficient to allow refurbishment work to commence, but there were 19 locations (15 communities and four town camps) where long-term leases were required. 'Long-term' was considered to be 40 years or more. In November 2009, nine leases were in place and negotiations commenced on others.⁶⁵

⁵⁷ LANT, CTC, *Third Report*, pp.14-5.

⁵⁸ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.4.

⁵⁹ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, pp.54-5.

⁶⁰ LANT, CTC, 'Transcript of Proceedings', 13 September 2010, p.16.

⁶¹ LANT, CTC, *Third Report*, Recommendations 5 and 6, pp.17-8.

⁶² NTG, *Response to CTC 3rd Report*, p.4.

⁶³ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.22-3.

⁶⁴ ANAO, *Implementation of the NPA on Remote Indigenous Housing*, p.110.

⁶⁵ LANT, CTC, 'Transcript of Proceedings', 10 November 2009, p.65.

The intention was to create housing precinct leases, most of which would be held by the Territory Government, while others would be held by the Australian Government's Executive Director of Township Leasing (EDTL) in the Office of the Township Leasing (OTL). The Territory Government will hold a sublease over housing that is part of a township or other lease.⁶⁶

Mr Andrew Kirkman (Executive Director SIHIP) explained how the various leases work in practice:

...where we've got a housing precinct lease i.e. Nguiu, Wadeye, Galiwinku, Maningrida, if we've taken over refurbished or new houses in those communities the Northern Territory has the underlying lease on those homes. If they're in those communities that are currently under the Northern Territory Emergency Response five year leases, held by the Australian Government, then the Australian Government is effectively the landlord and they have the leases; we're managing those houses on behalf of the Commonwealth.⁶⁷

Mr Davies (DHLGRS CE) said the intention is for the CEO (Housing) to have a housing precinct lease over all housing in the Territory's Indigenous communities. There are confirmed precinct leases in the Alice Springs and Tennant Creek town camps, but in the communities where only refurbishments are being done, the housing precinct lease is in effect, the five year Intervention lease.⁶⁸

The Territory Government needs to ensure housing precinct leases cover refurbishment communities where SIHIP work was undertaken on the basis of the Intervention five year lease. The priority was on negotiating leases for the 15 large communities so that SIHIP construction work could commence.⁶⁹ The progress to secure housing precinct leases over communities with five year leases, due to expire in August 2012 was therefore slow. In late 2010, four of 12 communities with Intervention leases had signed housing leases.

In December 2011, Mr Davies admitted there will be a tenure gap for some refurbishment communities which have not agreed to a housing precinct lease. The government was negotiating with land councils to work out how to manage the public housing in the communities, but

...on August 17 the housing infrastructure in those minor communities that isn't secured will go back into the Land Trust the way it was prior to the Intervention and we'll be moving to secure all of the Northern Territory government assets in those minor communities under the leasing regime that's just been agreed by...Cabinet. And that is peppercorn rent for public housing.

Mr Davies said the department wants to enter into MOUs with the land councils to ensure the houses are secured as part of public housing. Cadastral surveys and other survey work needs to be done as part of entering into the leases and securing the assets.⁷⁰

⁶⁶ LANT, CTC, 'Transcript of Proceedings', 10 November 2009, pp.65-6. Detailed discussion of leases is in LANT, CTC, *First Report*, pp.20-2.

⁶⁷ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, p.5.

⁶⁸ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, p.13.

⁶⁹ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.6-7, 14.

⁷⁰ LANT, CTC, 'Transcripts of Proceedings', 6 December 2011, pp.23-7.

In March 2012 the Northern Land Council's (NLC) Principal Legal Officer, Mr Ron Levy, said that traditional owners have made it clear that providing leases for SIHIP at a peppercorn rate was an exceptional case due to the outstanding housing need in communities. It was expected that all other lease payments will be determined by the Valuer-General.⁷¹

Analysis of available information shows that there are 14 leases in place to secure public housing for periods of up to 40 years. One lease is due to expire in August this year and one next year. Appendix H provides a list of leasing arrangements for SIHIP communities.

Indigenous employment and training

An integral part of SIHIP is providing employment and training opportunities for local Indigenous people. A target was set of 20 per cent Indigenous employment. Australian Government representatives spoke of Indigenous workforce development as being a major component of the non-cost outcomes of SIHIP.⁷²

Indigenous organisations emphasised that training and employing Indigenous people to achieve a sustainable local workforce was essential to involving Indigenous people in SIHIP and to negotiating leases.⁷³ For example on Groote Eylandt the CTC heard that the Anindilyakwa Land Council (ALC) negotiated through its Regional Partnership Agreement to ensure local people were involved in SIHIP delivery and local building teams used. The ALC also sought greater involvement through Groote Eylandt Bickerton Island Enterprises (GEBIE) as a sub-contractor and to become an alliance partner.⁷⁴

The CTC agrees that achieving sustainable long-term employment for local Indigenous people is a particularly important part of SIHIP. For many communities a housing program the size of SIHIP is a rare opportunity to generate jobs so it is therefore essential that local people are employed in its delivery.

In its *First Report* the CTC recommended that SIHIP training and employment data is publicly available, which was agreed to by the Territory Government.⁷⁵ Later, responding to what the CTC was being told on its trips,⁷⁶ the CTC sought information about the sustainability of SIHIP employment and how government is measuring and reporting on SIHIP training and sustainability.⁷⁷

The government's response supported the recommendation and while acknowledging that sustaining Indigenous employment for long periods had been 'a

⁷¹ LANT, CTC, 'Transcripts of Proceedings', 6 March 2012, pp.7-8.

⁷² LANT, CTC, 'Transcripts of Proceedings', 10 November 2009, pp.41-2.

⁷³ LANT, CTC, 'Transcripts of Proceedings', 23 November 2009, p.24; and 19 November 2009, pp.16-18.

⁷⁴ For full discussion see LANT, CTC, *Second Report*, pp.20-3.

⁷⁵ LANT, CTC, *First Report*, Recommendation 11, p.25 and NTG, *Response to CTC 1st Report*, pp.5-6.

⁷⁶ Community residents consistently raised their disappointment about very limited employment and training as part of SIHIP being offered to local Indigenous people. On Melville Island, for example, people were clearly angry that the reality of how SIHIP was delivered was different to the promises. LANT, CTC, *Recent community trips*, pp.13-4.

⁷⁷ LANT, CTC, *Recent community trips*, Recommendation 5, p.14.

challenge', there had been considerable success. The response detailed how SIHIP's delivery was providing improved employment and training by:

- alliances developing training and employment based on communities and people's particular circumstances;
- fostering employment through Indigenous organisations;
- assisting Indigenous people who have worked for 26 weeks or more to find other work;
- establishing Service Level Agreements (SLAs) with shires for tenancy and property management that stipulate 40 to 50 per cent Indigenous employment; and
- developing a housing management program with the shires to undertake fencing, painting, landscape maintenance and tenancy sustainability programs.⁷⁸

Governments are keen to announce Indigenous employment on SIHIP exceeding the 20 per cent target.⁷⁹ The information provided to the CTC however shows that the SIHIP employment and training results are at best, mixed. The table below provides the alliances' totals of how long people were employed on SIHIP and what sorts of skills were learnt through training.⁸⁰

Table 6. SIHIP employment and training results at March 2012

Number	Territory Alliance	New Future Alliance
Indigenous employed since start	758	616
Indigenous retained >13 weeks	456	141
Indigenous retained >26 weeks	318	74
Completed Certificate 1	47	18
Completed Certificate 2	39	87
Completed Certificate 3	2	21

Overall, at the end of March 2012, about 1375 Indigenous people were employed on SIHIP, but fewer than a third were employed for more than 26 weeks. The CTC was told the very different results for the alliances on training are due to different ways of delivering training. Each alliance has contracted training and employment organisations to tailor their SIHIP training so that it responds to each community and employee's circumstances.⁸¹ Also, the alliances have different approaches to who they employ, for example, some have more work experience than others.⁸²

The CTC acknowledges it is difficult to know if Indigenous people in communities gain longer term jobs following SIHIP. Mr Davies (DHLGRS CE) said 13 SIHIP employees have found long term employment in building companies in Alice

⁷⁸ NTG, *Response to CTC Recent community trips report*, pp.5-6.

⁷⁹ Monthly progress reports routinely show Indigenous employment above the target. See Australian Government and NTG, *Remote Housing NT eNews*, February 2012, p.2, <http://www.housing.nt.gov.au/remotehousing/remotehousingnewsroom>.

⁸⁰ LANT, CTC, Quarterly SIHIP updates. Certificate 1 included training in construction, horticulture and resource and infrastructure operations. Certificate 2 included training in civil construction, general construction, transport and logistics, asset maintenance, painting, design and technology, and workplace practices. Certificate 3 included training in civil construction, carpentry apprenticeships, construction, plumbing, painting, block laying and carpentry.

⁸¹ LANT, CTC, 'Transcripts of Proceedings', 6 December 2011, p.31, Response to question on notice IP49/2/4.

⁸² LANT, CTC, 'Transcripts of Proceedings', 6 December 2011, p.31.

Springs.⁸³ This is an encouraging start but falls short of the high ideals espoused by governments. Moving refurbishment work to local organisations should also increase the number of Indigenous people employed.

Remote housing reform

A Remote Rental Framework is being implemented as part of the Territory's responsibilities under the Remote Indigenous Housing NPA. Through the NPA there is additional funding for tenancy management and under the Rental Framework revenue will be used to continue refurbishments and upgrades. Mr Davies told the CTC in June 2010 that the then rental revenue base of about \$12 million would increase to about \$30 million once SIHIP is fully delivered in 2013.⁸⁴

The quality assurance process for all SIHIP housing means all new houses, refurbishments and rebuilds are inspected to be sure that they meet the *Residential Tenancies Act* (RTA) standard, prior to being handed over to Territory Housing. As part of the property management process in Territory Housing, the houses will be inspected four times a year.⁸⁵

In June 2010 DHLGRS planned to deliver tenancy management for remote public housing through 54 new positions in remote and regional communities and 60 community housing officers funded through SLAs with the shires. The positions would help tenants in the transition to public housing as it became available, with tenants then supported after moving into housing.⁸⁶ Mr Davies guaranteed that shires would be funded to employ people in the new positions and that the department wanted community people to fill them, applying their local knowledge, languages and expertise.⁸⁷

Mr Davies said the aim was to sustain tenancies as evicting tenants in remote communities is not a practical solution. The approach was to have three levels of tenancy support which included: basic tenancy support; intensive tenancy support; and 'talking books' that explain tenancy responsibilities in language.⁸⁸

The CTC asked about the processes followed to recover costs associated with malicious damage, like that seen in Wadeye earlier in 2010.⁸⁹ Mr Davies said SIHIP houses were built to last for 30 years and if people wilfully damage housing the department will seek repayment of the repair cost. The department was establishing an approach that would see Police contacting the department when public housing damage is seen as part of normal Police reporting processes. This will allow the department to then inspect the house, identify the wrongdoer and follow either civil or criminal processes to seek redress.⁹⁰

⁸³ LANT, CTC, 'Transcripts of Proceedings', 6 December 2011, p.34.

⁸⁴ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.7, 9.

⁸⁵ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.7-9.

⁸⁶ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.8-9.

⁸⁷ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.9-10.

⁸⁸ LANT, CTC, 'Transcripts of Proceedings', 3 June 2010, pp.25-6.

⁸⁹ LANT, CTC, *Second Report*, pp.29-30.

⁹⁰ LANT, CTC, 'Transcripts of Proceedings', 14 September 2010, pp.41-2.

There are processes to recover debts and manage unacceptable behaviour as part of tenancy management. In remote communities, the Housing Reference Groups are also relied on to help with tenancy management.⁹¹

In its trips the CTC saw damage to housing but also many houses not being looked after well that indicated inadequate tenancy support or management. In cases of wilful damage the CTC believed it was important that the department pursue criminal damages through the tenant and asset management systems, rather than rely on a head tenant making a statement.

In the *Third Report* it was recommended that all cases of apparent malicious damage to public housing be reported to Police as part of the tenancy and asset management systems.⁹² This was agreed by government and the policy on malicious damage was aligned with that applying in urban public housing where damage is reported to the Police.⁹³

During its trip to Melville Island the CTC again saw houses that were not being looked after properly, were dirty or had not received basic maintenance and heard from tenants that the process to seek repairs and maintenance was cumbersome and ineffective.⁹⁴ All concerns were included in letters to the Territory and Australian Government Ministers. The Territory Housing Minister, Dr Chris Burns, responded promptly and travelled to Melville Island with the CTC to see first-hand the housing conditions.⁹⁵

As part of working through the concerns raised by the CTC's visit, the department repeated that the delivery of the Intensive Tenancy Support program was a way to ensure tenants returning to improved housing knew their responsibilities. The CTC was told at that time that 94 'visits' had occurred at Milikapiti and 81 in Pirlangimpi. While looking at the houses with the Minister, it was clear a lot of basic maintenance work could be done by local people themselves. However, it was also clear that tenants were not adequately aware of how to use the new components installed in SIHIP housing.

In its *Recent community trips report*, the CTC recommended that tenants are trained in use of all components in houses prior to their moving into a house and that it become part of the tenancy support program.⁹⁶ The government agreed to this and said the Intensive Tenancy Support program's hand-over process was being reviewed to include training in the use of housing components.⁹⁷

Last year's Commonwealth Ombudsman's annual report included a list of complaints in relation to remote housing reforms, including confusion about rent, tenancy agreements and processes and timeframes for repairs and maintenance requests. An example of one complainant's repair issue was included in the report. The report acknowledges that FaHCSIA addressed the issues; however continuing work was needed to address the systemic nature of the issues.⁹⁸

⁹¹ LANT, CTC, 'Transcripts of Proceedings', 14 September 2010, pp.55-6.

⁹² LANT, CTC, *Third Report*, Recommendation 7, p.18.

⁹³ NTG, *Response to CTC 3rd Report*, p.5.

⁹⁴ See details in LANT, CTC, *Recent community trips*, pp.4-10.

⁹⁵ See details in LANT, CTC, *Recent community trips*, pp.10-2.

⁹⁶ LANT, CTC, *Recent community trips*, Recommendation 4, p.13.

⁹⁷ NTG, *Response to CTC Recent community trips report*, p.4.

⁹⁸ Commonwealth Ombudsman, *Annual Report 2010-2011*, p.89.

In an update on improvements made to the tenancy management process in remote communities, the department said while there had been no prosecutions for wilful damage, there had been about 17 cases identified of 'tenant responsibility' housing damage. These were under investigation and agreements made where tenants were found responsible to repay debts for damage.⁹⁹

In March 2012 Mr Andrew Kirkman (Executive Director Remote Housing) conceded that the demands for tenancy support, due to the scale of SIHIP and the numbers of houses being handed over, are putting the program under pressure. He said on average 20 hours over a six week period is spent with each family as part of intensive tenancy support. It is anticipated that the program will be reviewed following the handover of the balance of Territory Alliance's work.¹⁰⁰

Monitoring and reporting

In its *First Report* the CTC recommended government report on SIHIP costs, including the administrative component, when housing is handed over and that the CTC receive a detailed financial report each quarter.¹⁰¹ In its response the government said apportioning costs to individual houses would use resources better spent on delivering houses, however agreed to provide the CTC with a detailed financial report each quarter.¹⁰²

The CTC was disappointed then that following the government's response to its *First Report*, detailed financial information was not provided and that it remained difficult to find out costs associated with SIHIP. This was in contradiction to the espoused feature of the SIHIP alliance model to provide 'open, honest and efficient sharing of information'.¹⁰³ The Territory's Auditor-General similarly commented on the unavailability of 'appropriate performance and monitoring reports' to gauge SIHIP progress.¹⁰⁴

In its *Third Report*, the CTC called on the government to honour its agreement to provide the detailed financial reporting on SIHIP and sought details of how government was monitoring and evaluating its delivery of healthy homes.¹⁰⁵

Government agreed to work with the CTC to provide the required information and has since reported more regularly. Information on internal departmental assessment of housing amenity was provided in response to how government was monitoring its delivery of healthy homes. Despite promises of more information, it remains unclear how the government is monitoring its 'healthy homes' outcome.¹⁰⁶

The ANAO recommended in November 2011 that FaHCSIA publicly report on planned and actual package costs, completion of each package and total program

⁹⁹ LANT, CTC, Response to question on notice IP49/2/5.

¹⁰⁰ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.29-31.

¹⁰¹ LANT, CTC, *First Report*, Recommendations 7 and 8, p.20.

¹⁰² NTG, *Response to CTC 1st Report*, p.4.

¹⁰³ FaHCSIA & Territory Housing, *SIHIP Industry Information Session*, Copy of Presentation, 30 April 2008.

¹⁰⁴ Auditor-General for the Northern Territory, *Strategic Indigenous Housing and Infrastructure Program June 2010 Report to the Legislative Assembly*, pp.30-1.

¹⁰⁵ LANT, CTC, *Third Report*, Recommendations 8 and 9, p.19.

¹⁰⁶ NTG, *Response to CTC 3rd Report*, p.5.

cost compared to allocated funding.¹⁰⁷ In relation to reporting on outcomes, rather than outputs, the ANAO recommended FaHCSIA develop and publicly report on how it is achieving the NPA's objectives.¹⁰⁸

Alliance model

One of SIHIP's objectives was to reduce the cost of delivering and managing houses.¹⁰⁹ The Territory's Auditor-General found the alliance model was chosen because its methodology would give SIHIP the best chance to achieve its objectives.¹¹⁰ Some of the earlier criticism of SIHIP was centred on program administration costs associated with the alliance contracting methodology adopted by governments to deliver SIHIP capital works.

Following the SIHIP review, and in response to reported high program and administration costs, both governments agreed to reduce program administration costs to 8 per cent, or \$53.7 million of the total SIHIP budget.¹¹¹

The SIHIP Review said both governments agreed an analysis of possible contracting methods was warranted to identify a method that optimises outcomes and addresses inefficiencies. The analysis recommended a strategic alliancing method, using a panel of alliance partners that could drive down prices, reduce delivery times, attract larger national companies and effectively use local labour. The recommendation was agreed by both governments.¹¹²

In its *First Report* the CTC recommended that an independent audit be undertaken of the alliance model that includes an assessment of profits returned by the alliances to the process.¹¹³ The government agreed that an independent audit of the alliance contracting methodology would occur at the end of the construction program.¹¹⁴

The CTC wanted to hear about the cost efficiencies being delivered by the alliance model, but has heard more in justification of apparently higher costs, than of any identified efficiencies. For example, in June 2010, Mr Andrew Kirkman (Executive Director Remote Housing) explained that when costs are talked about, they include absolutely all costs, which has not been seen in any other program.¹¹⁵ On another occasion, an alliance manager said additional costs were due to delay in securing transitional accommodation for households to move into while housing was being refurbished.¹¹⁶

Following the ANAO's audit of SIHIP delivery which found new houses were costing more because of the large scale and pace of the project,¹¹⁷ the CTC again asked about the promised cost efficiencies of the alliance methodology.¹¹⁸ Mr Ken Davies

¹⁰⁷ ANAO, *Implementation of the NPA on Remote Indigenous Housing*, p.94.

¹⁰⁸ ANAO, *Implementation of the NPA on Remote Indigenous Housing*, p.77.

¹⁰⁹ FaHCSIA & NTG, *SIHIP Industry Information Session*.

¹¹⁰ Auditor-General, *SIHIP June 2010 Report to the Legislative Assembly*, p.14.

¹¹¹ LANT, CTC, 'Transcript of Proceedings', 9 November 2009, p.14.

¹¹² FaHCSIA & NTG, *SIHIP Review*, pp.12-3.

¹¹³ LANT, CTC, *First Report*, Recommendation 9, p.20.

¹¹⁴ NTG, *Response to CTC 1st Report*, p.5.

¹¹⁵ LANT, CTC, *Third Report*, p.13.

¹¹⁶ LANT, CTC, 'Transcript of Proceedings', 14 September 2010, pp.3-4.

¹¹⁷ ANAO, *Implementation of the NPA on Remote Indigenous Housing*, p.109.

¹¹⁸ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.9.

(DHLGRS CE) said the Australian and Territory Governments were reviewing the procurement processes to identify the best way to deliver future works.¹¹⁹

Mr Kirkman said that the government could not have delivered the number of houses and associated work within the timeframe without using the alliance delivery model. He agreed the ANAO found SIHIP new housing construction under the alliances was costing between \$488,000 to \$550,500 in the Territory, while under other methods of construction the costs were \$455,000 to \$473,600.¹²⁰

In March 2012 Mr Davies said that while the alliance model is in place until 2013, the Territory and Australian Governments are discussing how housing will be delivered in the future. The Territory Government wants to move to a new model that complements the alliance approach, but allows other smaller, local building companies like GEBIE, TDC and Ingkerreke Outstations Resource Services to also be involved.¹²¹

Addressing housing need backlog

The CTC heard throughout its hearings of the continuing and significant housing need, particularly in Indigenous communities. At its first public hearing Dr David Ritchie (DLGH CE) said it was recognised in the Territory from the early 1950s that there was a lack of housing in remote communities. Despite detailed planning to address the need, available resourcing was never adequate to stay on top of the problem.¹²²

Successive government reports, following the establishment of the Department of Aboriginal Affairs in the late 1960s found the need continued to grow, despite funding some Indigenous housing programs. In 2004, using Census and Community Housing Infrastructure Needs Survey (CHINS) data, the Territory's unmet Indigenous housing and associated infrastructure need was quantified at about \$900 million. It was also identified that within one generation the population in larger Indigenous communities would double, adding to the already significant housing need.¹²³ Research in 2008 identified that Territory Indigenous communities needed 7827 additional houses.¹²⁴

SIHIP is targeted to deliver 750 new houses, 230 rebuilds and 2500 refurbishments by 2013, which is anticipated to add about 3500 houses to the Territory government's public housing stock.¹²⁵ Reports however show that SIHIP will deliver less than 1300 additional bedrooms to address the known significant outstanding housing need in Indigenous communities.¹²⁶ Government admits that overcrowding is currently 10.7 people per house and will only drop to 9.3 per house after the

¹¹⁹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.10-1.

¹²⁰ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.11.

¹²¹ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.8-10, 12-4.

¹²² LANT, CTC, 'Transcript of Proceedings', 9 November 2009, p.32.

¹²³ Quoted in NTG, Department of Community Development, Sport and Cultural Affairs, *National Issues in Indigenous Housing 2004/05 and Beyond*, Position Paper Developed by the Northern Territory Government, September 2004, pp.13-5.

¹²⁴ N. Biddle, *The Scale and Composition of Indigenous Housing Need, 2001-06*, Centre for Aboriginal Economic Policy Research (CAEPR) Working Paper No.47/2008, p.15, <http://www.anu.edu.au/caepr/>.

¹²⁵ LANT, CTC, 'Transcript of Proceedings', 9 November 2009, p.13.

¹²⁶ SIHIP program reports provided to the CTC show that 1288 net bedrooms are estimated to be delivered through SIHIP.

delivery of NPA-funded housing.¹²⁷ Even with the addition of the new NPA targets, there is clearly a significant gap between the need for housing and resources to deliver it.

The CTC asked how refurbishments and rebuilds will reduce the significant overcrowding in communities and how overcrowded housing's functionality can be maintained if 20 or more people continue to live in houses. Mr Robert Ryan, then Acting Director SIHIP (FaHCSIA) said that while the number of new houses and refurbishments and rebuilds will make a difference on the levels of overcrowding, it will not be sufficient to overcome the overcrowding. The additional money for property and tenancy management in remote communities will mean houses will be better maintained which will also have a role in addressing overcrowding.¹²⁸

Mr Ken Davies (DHLGRS CE) said SIHIP is the start of governments addressing 30 years of inadequate policy and practice in Territory Indigenous community housing. It was recognised that government housing income will need to continue to be used to improve housing not included in SIHIP, i.e. 'legacy' houses.¹²⁹

He said governments recognise the need for continuing housing programs in remote communities and town camps. But due to funding constraints it wasn't expected that new subdivisions will be created in the smaller communities where only refurbishments have been delivered to date. Instead they were looking at replacing existing old and 'legacy' houses that are beyond economic repair with new houses.¹³⁰

Elsewhere in this report the CTC has raised the need to resource viable options for foster carers' housing in remote communities and to address the effect of decades of not providing government employee housing to local, predominately Indigenous people. Responding to these, and other demands, adds to the growing unmet need for housing.

Mr Davies said it is recognised by government that a sustained building program is needed but that 'government can't be the only answer':

We've got to get those big towns into a space where there's home ownership, where there's some private investment and additional housing infrastructure being provided on top of the straight public housing model.¹³¹

Discussion in relation to land tenure in this and a later chapter however shows that home ownership is not a realistic option yet in many communities. NLC representatives noted that until people have reasonable paid employment, most cannot show that they are able to pay a mortgage. The NLC is working with governments on how to establish a home ownership program and is encouraging traditional owners to develop either housing estates or serviced sites that could be leased for private housing. Mr Ron Levy, NLC Principal Legal Officer, also suggested governments could make public housing in communities available for sale.¹³²

¹²⁷ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.11.

¹²⁸ LANT, CTC, 'Transcript of Proceedings', 10 November 2009, pp.58-9.

¹²⁹ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, pp.12-3.

¹³⁰ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.21-2.

¹³¹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.16.

¹³² LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp. 12-16.

Findings

The CTC has made 28 SIHIP-related recommendations and government has responded by changing many aspects of SIHIP's delivery that the CTC identified were problematic. One of the CTC's concerns is why it took the CTC's involvement to address problems being experienced by communities.

Despite the many responses by government, there are a number of ongoing issues that need to be addressed to ensure SIHIP delivers the maximum improvement to housing in Indigenous communities and provides valuable employment and training to local Indigenous people.

Refurbishments

The CTC always thought the original refurbishment scope should be delivered, rather than what are partial-refurbishments. The reliance on other funding (whether it is repairs and maintenance funding or CDEP or other programs) was identified in the post-review assessment as inefficient. The additional funding also makes it clear that refurbishments cannot be done for an average of \$75,000.

The CTC therefore remains convinced that refurbishments should be undertaken by local building teams. The move away from the alliance model would mean additional work could be done, at less cost and provide more longer-term training and employment to local Indigenous people.

SIHIP infrastructure

The CTC has heard from shires that SIHIP-related infrastructure being developed as part of new subdivisions is not always of an appropriate standard and that the longer-term costs may be high for only developing subdivisions to a 'rural' standard now.

Earlier advice and government responses to the CTC stated that housing-related infrastructure for SIHIP should be funded separately, however there has been little or no information about the resolution of levels and allocation of infrastructure spending.

Employment and training

The delivery of SIHIP is an important opportunity to train and employ local Indigenous people. At best the results to date have been mixed. The proportion of Indigenous people employed has exceeded the 20 per cent target, sometimes close to doubling the rate. However, few people are employed for more than a few months.

The limited information the CTC has received about the provided training shows very different results for the two alliances, but between the two, at the end of March 2012, 23 people have completed Certificate 3 level training.

The CTC calls on governments to publish stronger evidence of the links between training and employment on SIHIP and to provide the full picture of the number of Indigenous people getting real, long-term employment through the program.

Reporting

One of the most overwhelming problems with SIHIP for the CTC was receiving the promised transparency of shared information. Early in the CTC's inquiries, the Territory Government agreed to provide regular financial and other information, but the CTC has had to chase these reports.

The Territory's Auditor-General and the ANAO have commented on inadequate reporting to gauge SIHIP progress. The CTC asked how the government was monitoring its delivery of 'healthy homes' but is still unsure how this is occurring. The alliance model promised cost efficiencies but evidence points to additional expenses, rather than savings.

Despite more than half of the new houses being handed over, it is not possible to know their associated costs. It is unsatisfactory that the public cannot know the cost of completed work following the expenditure of over \$550 million, but evidence points to new houses costing in excess of targeted average costs.

Addressing housing need

It appears to be undisputed that additional housing and infrastructure is needed, particularly in remote communities. What is not clear is the Territory's policy for extra housing for the five years following the end of SIHIP.

The impact of poor housing is seen in all measures of social dysfunction. This is one of the reasons the CTC continues to advocate for local builders to undertake housing construction and maintenance work in communities. This will keep costs lower, increase skills and longer-term employment of local people and importantly, involve people in addressing their housing need.

There is a stated reliance on facilitating home ownership to help address the outstanding housing need. But encouragement of home ownership is being stalled by the delays in satisfactorily resolving leasing arrangements. Increasing home ownership rates cannot significantly contribute to addressing outstanding housing need soon.

The housing need is at least partially due to significant underfunding of public housing models in Indigenous communities. Workable models of social housing, offered in the Territory's urban centres, need to also be developed in remote areas; community housing, industry housing and government employee housing.

However, the NLC's advice that the agreement for peppercorn rent for remote public housing was a 'one-off' not expected to be repeated, further complicates and potentially adds to the cost of addressing housing need in communities.

4. LOCAL GOVERNMENT

A new local government structure was introduced in the Territory in July 2008, following steps to reform the sector dating back to at least 1998 when it was proposed to amalgamate community government councils along 'traditional structures' and to unify financial reporting.¹ The reasoning was that small and remote councils were disadvantaged by rising operational costs and reform would allow for fewer but larger and more viable councils delivering more reliable services.² Subsequent strategies, like *Building Stronger Regions – Stronger Futures*, followed a regionalisation approach of the numerous small local governing bodies.

In October 2006 the Minister for Local Government announced the structural reform of local government based on a framework of four municipal and nine shire councils.³ The new local government structure commenced on 1 July 2008 with the creation of eight new large, 'super' shire councils and three smaller shire councils and the retention of five existing municipal councils.⁴

An important part of local government reform was ensuring the Territory receive maximum local government funding by including previously unincorporated areas within municipal or shire boundaries.⁵ Fact sheets on local government reform stated the establishment of 'new local government' and the shire councils meant for some people it would be the first time they would have the same rights and access to services as the rest of Australia.⁶

Local government reform was implemented at the same time as the delivery of SIHIP, the Intervention with its changes to CDEP and night patrols, and the announcement of the Territory Government's *Working Future* policy.

Issues raised

The CTC has met representatives of most shires and municipalities at least once and in some cases, a few times. The CTC spoke to elected members and shire/municipality employees and so has a broad understanding of the issues affecting local government bodies. In addition, the CTC spoke to representatives of the peak body representing the Territory's local governments, the Local Government Association of the Northern Territory (LGANT) and the Chair attended LGANT's biannual conferences.

¹ Department of Local Government, *Annual Report 1998-1999*, pp.3-4.

² I. Tilley & B. Dollery, *Historical Evolution of Local Government Amalgamation in Queensland, the Northern Territory and Western Australia*, March 2010, pp.16-17.

³ The Hon Elliott McAdam MLA, *Speech to the Local Government Association of the Northern Territory (LGANT) Conference*, Alice Springs Conference, 11 October 2006, http://www.localgovernment.nt.gov.au/history/minister/ministers_speech, accessed 30 December 2009.

⁴ The Hon Rob Knight MLA, Minister for Local Government. 'Second Reading Speech Local Government Act 2007', http://www.localgovernment.nt.gov.au/legislation/proposed_new_local_government_act, accessed 30 December 2009. The CTC's *First Report* provides a table of the new local government structure and their previous associated local governments.

⁵ Unincorporated areas are those not covered by a local government system, i.e. places that are outside municipal or shire boundaries. They are also not included when assessing councils' funding eligibility. Prior to the 2008 local government reform, more than 90 per cent of the Northern Territory was unincorporated. Following the establishment of 16 local government bodies, less than 5 per cent of the Territory is unincorporated.

⁶ Department of Local Government, Housing and Sport (DLGHS), *New Local Government*, 'Services for New Shires Fact Sheet'.

While its terms of reference included inquiring into local government reform, the CTC monitored ongoing reform-related issues affecting shire and municipal councils. The consistent local government-related issues raised with the CTC were:

- local government reform and its implementation, including communities' sense of loss of empowerment;
- local government funding including matters like rates, service fees, leasing rents and grant acquittal processes;
- the services provided by local government, particularly roads;
- local employment; and
- coordination between shires, Australian and Territory Governments and service delivery organisations.

As with other chapters, there is a close relationship between local government and the implementation of *Working Future*, particularly the development of growth towns, local implementation plans and remote service delivery. The issues concerning the shires in relation to *Working Future* are discussed in this chapter.

The CTC examined the evidence about the operation of local government bodies before and after reform and assessed the promised benefits to be delivered through local government reform.⁷ Appendix I provides a summarised assessment of the progress in delivering the promised benefits of reform. This chapter includes broader discussion of the issues people raised with the CTC about the reforms.

Reform implementation

Local government reform was implemented from July 2008 and following the inaugural shire elections in October 2008, the new shires were operative for about a year prior to the CTC commencing its inquiries.

The CTC heard that for many shires the largest concern following the amalgamation of community government councils was an unquantified inherited level of debt. This was added to by also inheriting very poor financial positions which meant that it was difficult to deliver the commercial services expected of the new shires.⁸

LGANT President, Ms Kerry Moir, said she didn't believe there was sufficient quantification of the financial needs of each shire, but was instead a distribution of available funds. Also, the condition and ownership of transferred assets were in question. LGANT sought additional funding to assist shires establish themselves and to buy equipment and services they needed to deliver services under the new *Local Government Act*.⁹ LGANT also advised against rushing the reform, saying it was

⁷ The CTC's examination of the benefits delivered by local government reform uses the Department's *Reform Benefits* document as the basis for the analysis. http://www.localgovernment.nt.gov.au/history/community_engagement/benefits, accessed 30 December 2009.

⁸ These 'commercial services' included: airstrips, boat ramps and barge landing maintenance, forestry operations, coaster river, maritime, navigation markers, community stores, horticulture, housing repairs and maintenance, management of construction, housing tenancy management, mainstream services such as postal services and Centrelink, non-council roads, power, water and sewerage, visitor accommodation and tourist information. For more information see LANT, CTC, *First Report*, pp.27-28.

⁹ LANT, CTC, 'Transcript of Proceedings, 3 June 2010, pp.32-3. Discussed more fully in LANT, CTC, *Third Report*, pp.21-2.

more important to get the reform process right. It never understood why government insisted on starting new local government in July 2008.¹⁰

The financial reality for most shire councils was that they were subsidising some commercial services with their limited discretionary funding. The issue for some was that there was local employment generated by providing commercial services and therefore unwillingness to stop providing them. Further discussion about shires' financial situations follows in a separate section.

The parlous financial state of the new shires was added to by poor performing business (CouncilBiz) and IT (ShiresBiz) systems mandated to be used by the shires. The then DLGH CE, Dr David Ritchie, said in November 2009 that part of local government reform was to have a consistent IT platform across the shires and to ensure that shires used systems that were compatible with each other and government.¹¹

Government agreed that the IT system had not worked well and a remediation project was funded to tailor the system specifically for the eight shires. However, for at least one financial year some shires were in breach of their financial conditions because of problems with the systems.¹²

When the CTC asked the ShiresBiz Remediation Consultant, Mr Des Kennedy, about what went wrong with the IT system, he said while the system was a good one there was no overall business management of the process and that no one looked at how shires would operate in a holistic way.¹³

The CTC recommended that government increase establishment funding provided to new shires to take into consideration the unexpected costs from ShiresBiz.¹⁴ The government in its response said it had funded the remediation of the IT system and funded upgrades to the system requested by the shires.¹⁵

At the same time as local government reform occurred the Territory Government was looking at transferring responsibility for some roads to shires. This meant there was uncertainty about which roads shires were responsible for maintaining. Mr Geoff Brooks, Katherine Town Council CE, said of issues facing local government, roads had the biggest impact because there was insufficient funding to maintain them.¹⁶

It was clear to the CTC that the main reason behind local government reform was increasing the level of Australian Government road funding. To date this hasn't occurred and most shires continue to say they will not take on responsibility for any more roads without additional funding. The issues associated with roads will be further explored in a later section on services.

In February 2010 the CTC was told by the NLC CE, Mr Kim Hill, of a 'sense of disempowerment' of traditional owners because of the changes to local government.¹⁷

¹⁰ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, pp.47-8.

¹¹ LANT, CTC, 'Transcript of Proceedings, 9 November 2009, p.48.

¹² For more information see LANT, CTC, *First Report*, pp.28-31.

¹³ LANT, CTC, 'Transcript of Proceedings, 2 December 2009, p.46.

¹⁴ LANT, CTC, *First Report*, Recommendation 14, p.31.

¹⁵ NTG, *Response to CTC 1st Report*, p.7.

¹⁶ LANT, CTC, 'Transcript of Proceedings, 2 December 2009, p.35.

¹⁷ LANT, CTC, 'Transcript of Proceedings', 4 February 2010, p.3.

Mr John Berto, TDC CE, said that there was a feeling around a lot of places that local government is not supporting communities in the way they need. He said there was resistance to the local government amalgamations and that Wadeye and Daly River sought a stand alone shire, which was rejected.¹⁸ Mr David Ross, Central Land Council CE, said *Working Future*, by providing services through growth towns, the outstations policy, the Intervention and community government changes all combined to reduce Aboriginal people's opportunities at the community level.¹⁹

LGANT President, Ms Kerry Moir, said in June 2010 that LGANT supported local government reform and the amalgamation of shires as it was supported by members. While she agreed that the reform process 'stumbled' during its implementation and there were a number of problems that needed to be addressed, the principle of amalgamation was 'the right way to go'.²⁰

More recently Ms Moir said:

It took two years of consultation from 2006 to 2008 to start the shires and it has taken all of three years to get all the systems and operations in place where staff feel confident the Shires are performing close to where they should be.²¹

Mr Tony Tapsell, LGANT CE, told the CTC that as a result of the shire amalgamations the shires are stronger financial organisations and that while there were some problems with the IT systems, they are integrated systems that are helping to improve shires' administrative capacities.²²

Ms Moir agreed with the CTC that the sense of community is one of the major things that needs to be addressed because people no longer feel that they can run their services their own way.²³

The CTC heard from residents of communities that there was a sense of loss of control in communities and that there was little information from local boards and therefore a feeling that no-one was listening to Aboriginal people. However, other community residents told the CTC that local boards work well but it was sometimes frustrating trying to encourage community involvement in local boards.²⁴

DHLGRS CE, Mr Ken Davies, told the CTC, that while it was not planned to review the reform process, DHLGRS was conducting reviews into a range of matters related to local government and the implementation of the new *Local Government Act*.²⁵

Funding

All local governments are funded by a combination of rates, fees and charges, and grants from governments. Prior to local government reform in the Territory, about 90

¹⁸ LANT, CTC, 'Transcript of Proceedings', 4 February 2010, pp.20-2.

¹⁹ LANT, CTC, 'Transcript of Proceedings', 23 November 2009, p.2.

²⁰ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.33.

²¹ LGANT, *Media Release*, 'Large Shires do not need more structural change', 12 October 2012, <http://www.lgant.asn.au/about-lgant/publications/media-releases>, accessed 8 February 2012.

²² LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.35.

²³ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.49.

²⁴ This is discussed more fully in LANT, CTC, *Third Report*, pp.29-30.

²⁵ LANT, CTC, 'Transcript of Proceedings', 14 September 2010, pp.64, 73-5.

per cent of the Territory was unincorporated. One of the features of local government reform was that nearly all of the Territory became incorporated, allowing for increased funding and services.

At the 2006 LGANT conference the then Local Government Minister, the Hon Elliott McAdam, said that in addition to significant problems with local government in the Territory's remote areas the Australian Government was changing how it directly funded small communities. Research was also cited as indicating that local governments any smaller than 5000 people would find it difficult to be sustainable in the longer term.²⁶

There are basic structural problems with each small community, most with populations of less than 1000, having separate council administrations. The existing small councils spend a large proportion of their funds on administration rather than service delivery to the community. They have limited capacity to raise revenue and develop infrastructure.²⁷

Following the amalgamation of community government councils into the eight shires, the financial situation of some shires remained unclear. During its initial hearings the CTC heard from some shires that the condition of transferred assets and financial records exacerbated their tenuous financial situations.²⁸ In addition to those concerns, many shires discussed the ongoing difficulties they were having with the IT systems developed as part of local government reform, Council Biz and ShiresBiz. The IT system, ShiresBiz in particular, was eventually recognised as needing a remediation program. All of this contributed to many shire councils not having accurate financial reports for an extended period.²⁹

The following table shows funding paid to local government bodies for the two years prior to local government reform and the first two years after reform by the Northern Territory Grants Commission (NTGC).³⁰ While the funding is not directly comparable as the NTGC reviewed its methodology at the same time as local government reform was occurring,³¹ it is provided to give an indication of funding levels from one source prior to and after reform.

²⁶ DLGHS, 'Minister's Speech', LGANT Conference, Alice Springs, 11 October 2006, pp.2, 5, http://www.localgovernment.nt.gov.au/history/minister/ministers_speech, accessed 30 December 2009.

²⁷ DLGHS, *History-Local Government Reform*, 'Questions and Answers', p.3, http://www.localgovernment.nt.gov.au/_data/assets/pdf_file/0013/7150/lg_answers.pdf, accessed 30 December 2009.

²⁸ LANT, CTC, *First Report*, pp.26-28.

²⁹ LANT, CTC, *First Report*, pp.28-31.

³⁰ Includes General Purpose and Roads funding allocated under the Australian Government's *Local Government (Financial Assistance) Act 1995*.

³¹ For more information on the Grants Commission review process see NTG, *Northern Territory Grants Commission Annual Report 2007--08*, p.13, http://www.grantscommission.nt.gov.au/our_publications, accessed 31 January 2011. In addition, from the 2008-09 financial year the Australian Government advanced the first quarter of the following year's funding into the year's payments as a stimulus measure. *Northern Territory Grants Commission Annual Report 2008-09*, p.15, and *Northern Territory Grants Commission Annual Report 2009-10*, p.14.

Table 7. Financial assistance grants (FAGS)³²

	06-07 \$	07-08 \$	08-09 \$	09-10 \$
Barkly	1,351,813	1,549,486	2,018,799	1,998,545
Central Desert	1,506,284	1,545,146	1,633,553	1,730,177
East Arnhem	2,305,484	2,016,168	2,907,165	3,142,398
MacDonnell	1,345,311	1,357,295	1,691,524	2,309,688
Roper Gulf	1,744,917	1,900,315	2,147,310	2,260,554
Tiwi Islands	1,179,698	1,213,531	998,946	999,562
Victoria Daly	1,977,328	2,226,146	2,431,033	2,575,022
West Arnhem	1,731,191	1,842,440	1,905,548	1,937,586

In 2009 DHLGRS engaged PriceWaterHouse Coopers to review the 2008-09 financial statements of the two regional shire councils (East and West Arnhem) that submitted their annual reports by the required date in November 2009. The completed reports on these shires' financial situations suggested that more detailed assessment over two financial years would provide more constructive assessment.³³

Despite sustained calls for their public release, the reports on the two shires have not been released.³⁴ Speaking at the March 2011 LGANT conference, the local government Minister, the Hon Malarndirri McCarthy, proposed the government engage consultants to undertake a detailed assessment of all regional shires' financial sustainability and that this would be coordinated through a steering committee comprising shire and LGANT representatives.

It is understood that a lot of the work on the sustainability study was done over the December 2011-January 2012 period. The review process was overseen by a steering committee comprised of government officers and representatives of LGANT, Local Government Managers of Australia and shires. Mr Ken Davies (DHLGRS CE) said he anticipated having a draft review report by mid March which would then be considered by government.³⁵

The issue for most shires is that unlike the municipal councils where budgets are more derived from rates, shires have tiny rate bases and are heavily reliant on government grants, principally, FAGS. Many shire councils told the CTC that they were dependent on grants to deliver core local government services like roads, rubbish removal and management and to provide recreational facilities. Examples

³² NTG, *Northern Territory Grants Commission Annual Report 2009-10*, Recommendation 2, p.20; *Northern Territory Grants Commission Annual Report 2008-09*, Recommendation 2, pp.20-1 and *Northern Territory Grants Commission Annual Report 2007-08*, Recommendation 2 and Appendix D, pp.19-20,47, *Northern Territory Grants Commission Annual Report 2006-07*, Recommendation 2, pp.21-2. Includes General Purpose and Roads Grants. Where under or overpayments occurred the previous year, Recommendation 2, which gives the revised, actual entitlement, in the following year's report was used. Grants paid to community government councils were amalgamated into their respective shires for the years 2006-07 and 2007-08.

³³ LANT, *Hansard*, 'Questions 1 December 2010', Mr Wood to Minister for Local Government, Review of Financial Sustainability of Local Government, <http://notes.nt.gov.au/lant/hansard/hansard11.nsf/WebbyDate/B0CD3F4937E085536925781F001860CA>, accessed 2 December 2010.

³⁴ For example see: A. Betts, 'Audit on new supershores', *NT News*, 10 October 2011, http://www.ntnews.com.au/articles/2011/10/10/265421_ntnews_pf.html, accessed 10 October 2011; and 'Not Shire of FOI request', *NT News*, 15 March 2011.

³⁵ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.50-1.

are in Victoria Daly and Central Desert Shires where less than three per cent of their incomes were derived through rates.³⁶

In late 2009 the Northern Territory Cattleman's Association's President, Mr Rohan Sullivan, told the CTC that because the shires' rate base was too small to contribute to shire revenue, the Association was concerned that rates on pastoral stations could increase to an unsustainable level.³⁷ Conditional rating was introduced for a three period as part of local government reform. From the 2011-12 financial year shires needed to submit a proposal to the Minister to rate land held under pastoral leases or a mining tenement. Proposals are considered jointly by the Ministers responsible for local government, mining and pastoral leases.³⁸

The introduction of conditional rating and the removal of the ability to charge service fees exacerbated the shires' inability to raise their own source revenue and increased reliance on grants as a way to finance operations. A 2007 Productivity Commission study found that remote local government bodies already had the highest dependence on grants. The study also found that even if shires in remote areas could increase their revenue bases they would still be dependent on grants and have higher expenditures due to their inability to achieve economies of scale, having to pay higher input costs, maintain more roads per person and provide a more extensive service mix.³⁹ Add to this the inability of shires, with large Indigenous populations living in communities on Aboriginal land, to charge realistic, cost-recovery rates,⁴⁰ and shires' financial positions were seriously compromised from the start.

Ms Kerry Moir (LGANT President) said she believed it was inappropriate to impose conditional rating on shires in poor financial situations and to think that industries, like the pastoral and mining industries, were not able to pay rates. She cited the example of the mining sector in Kalgoorlie, Western Australia as paying rates of half a million dollars, compared to about \$3000 in a Territory shire.⁴¹

In its *First Report* report the CTC recommended that the Territory Government amend legislation so that shires could increase their own revenue bases, such as through services fees in remote Aboriginal communities.⁴² The government responded to this recommendation by saying it would be considered as part of reviewing the *Local Government Act* and providing information about rates and charges.⁴³ However, in June 2010 when the CTC asked about re-establishing service fees, the DHLGRS CE, Mr Ken Davies, said it wasn't being looked at but if the CTC recommended it, he couldn't rule it out.⁴⁴

³⁶ For more details see LANT, CTC, *First Report*, p.26.

³⁷ LANT, CTC, 'Transcript of Proceedings, Katherine, 2 December 2009, pp.28-9.

³⁸ DHLGRS, 'Conditionally Rateable Land', *Local Government Guidelines*, http://www.localgovernment.nt.gov.au/_data/assets/pdf_file/0018/110439/Guideline_6_conditionally_rateable_land.pdf, accessed 9 February 2012. See also LANT, CTC, *Third Report*, p.23.

³⁹ Productivity Commission, *Assessing Local Government Revenue Raising Capacity*, 17 April 2008, pp.48-49, http://www.pc.gov.au/_data/assets/pdf_file/0010/78706/localgovernment.pdf, accessed 9 February 2012, and LGANT, *Subsequent submission for funding for local government*, 14 March 2008, http://www.pc.gov.au/_data/assets/pdf_file/0003/77763/subdr096.pdf, accessed 9 February 2012.

⁴⁰ LANT, CTC, 'Transcript of Proceedings', 19 November 2009, p.35.

⁴¹ LANT, CTC, *Third Report*, p.24.

⁴² LANT, CTC, *First Report*, Recommendation 12, p.28.

⁴³ NTG, *Response to 1st Report*, p.6.

⁴⁴ LANT, CTC, 'Transcript of Proceedings', 3 June 2012, p.44.

In 2011 the CTC followed-up its earlier recommendation to re-introduce service fees after many community residents told the CTC that they thought charging service fees was a better way for local government to deliver services.⁴⁵ The government provided an update on the review of the Act as part of its response, but also said the study into the financial sustainability of the shires will look at own source revenue from rates and charges and the level of services delivered.⁴⁶

In March 2012 Mr Davies told the CTC that government will re-examine the role of charging service fees as part of considering the financial sustainability review. Also, as part of the process of negotiating leases for local government infrastructure, it is planned to ensure that all possible assets are being rated.⁴⁷

Some shires and municipal councils have adopted different approaches to raising revenue. The East Arnhem Shire, which has a very limited rate base as it operates entirely on Aboriginal land, has levied some charges at full cost recovery as a way to help fund the delivery of shire core services. The Alice Springs Town Council has also pursued charges against businesses whose liquor-related packaging products contribute to litter in open spaces.⁴⁸

Another issue, linked to shires' reliance on non-discretionary funding grants, is the grant acquittal processes. The CTC was told of one shire with 85 grants all of which had to be acquitted at the same time as continuing to provide core services.⁴⁹ The Territory's Coordinator General, Mr Bob Beadman, raised his concerns about the restrictive and time consuming nature of local government funding requirements.⁵⁰ When the CTC asked about action taken to simplify funding conditions and acquittal processes, it was told that Mr Beadman was driving change to local funding arrangements.⁵¹

In his final report Mr Beadman said DHLGRS' cross agency Service Delivery Coordination Unit (SDCU) was reviewing all Territory Government and NGOs to make funding arrangements fairer, simpler and more certain and that the Australian Government was also working on improving processes.⁵² Recently Mr Davies (DHLGRS CE) said the department thinks some of the compliance requirements may be excessive but that the financial sustainability review has identified that some shires' systems could be improved.⁵³

The Tiwi Islands Shire Council CE, Mr Alan Hudson, said that in addition to anticipated decreased funding, the shire had the added expense of paying rent under the terms of the township leasing arrangements. He said the shire council was being asked to pay more than \$120,000 each year in Nguiu alone and was expecting

⁴⁵ LANT, CTC, *Recent community trips*, Recommendation 6, p.14.

⁴⁶ NTG, *Response to CTC's Recent community trips*, pp.6-7.

⁴⁷ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.58.

⁴⁸ See LANT, CTC, *Third Report*, p.24.

⁴⁹ LANT, CTC, 'Transcript of Proceedings', 3 June 2012, p.44.

⁵⁰ LANT, CTC, 'Transcript of Proceedings', 14 September 2010, pp.89-91.

⁵¹ LANT, CTC, 'Transcript of Proceedings', 14 September 2010, pp.68-70.

⁵² NTG, Northern Territory Coordinator General for Remote Services (NTCGRS), *Report #4, December 2010 to May 2011*, p.8, http://www.workingfuture.nt.gov.au/Overview/progress_reports.html, accessed 3 June 2011.

⁵³ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.61-2.

similar rates in other communities.⁵⁴ LGANT CE, Mr Tony Tapsell, said the organisation is concerned about the impact of leasing costs on already financially stressed shire councils. The impact is significant if the Nguiu example is extrapolated across the Territory.⁵⁵

In September 2010 the CTC asked Mr Davies (DHLGRS CE) what plans there were to increase local governments' discretionary funding. He said the department was working to:

...get longer term revenue streams locked in so that they can see a revenue stream coming in; we are working with our Treasury to ensure that where Shires want to take a loan to invest, to improve their footprint, they can do that providing they can demonstrate the capacity to repay. There are a range of things we are working with and on, but in terms of their actual revenue base, that's going to be something that is going to take a little while to sort out.⁵⁶

As part of its *Third Report* the CTC sought information about the additional funding this above quote talks about. The government's response of 'no additional funding will be provided at this time'⁵⁷ appeared to contradict Mr Davies' assertion that 'longer term revenue streams' were being identified and 'locked in'.

Services

The CTC believes the main function of local government is to provide core services. The *Local Government Act* sets out the provision of services and facilities as one of the functions of local governments.⁵⁸ One of the promises of local government reform was that shires would deliver better services with the Act requiring shires to deliver core services and to only provide non-core services as financially feasible.⁵⁹ DHLGRS' officers recently reaffirmed that local government's primary function is to provide core services.⁶⁰

The CTC heard consistently from shires that the service level they could provide was determined by the level of available funding. Most shire councils said they were dependent on grants to deliver core local government services and therefore if grant funding decreases, services would also have to decrease.⁶¹

Shires said one core service, roads, was the biggest issue to come from local government reform. This was because the government did not have sufficient funding to adequately maintain the roads across the Territory. Shire council representatives said they would not take on additional roads unless they were brought up to standard and funded.⁶²

⁵⁴ LANT, CTC, 'Transcript of Proceedings', 2 February 2010, p.9. For more information see LANT, CTC, *Second Report*, p.22.

⁵⁵ LANT, CTC, 'Transcript of Proceedings', 3 June 2012, pp.35-6.

⁵⁶ LANT, CTC, 'Transcripts of Proceedings', 14 September 2010, p.68. LANT, CTC, *Third Report*, p.26.

⁵⁷ NTG, *Response to CTC 3rd Report*, p.7.

⁵⁸ NTA, *Local Government Act 2008*, clause 12.

⁵⁹ DLGHS, *New Local Government Questions and Answers*, p.8,

http://www.localgovernment.nt.gov.au/history/minister/ministers_speech, accessed 30 December 2009.

⁶⁰ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.61.

⁶¹ For example: LANT, CTC, 'Transcript of Proceedings', 2 December 2009, p.25; and 23 November 2009, p.37.

⁶² For example: LANT, CTC, 'Transcript of Proceedings', 2 December 2009, pp.36-7.

Given the significant civil works occurring in remote areas as part of SIHIP and *Working Future*, shires will also have additional responsibilities for roads as the new subdivisions are handed over. When the CTC began its inquiries the government was undertaking research into road lengths and conditions. This was part of negotiating for increased local roads funding for what is recognised as a significantly understated and therefore underfunded roads component of FAGS.⁶³

The CTC recommended that the government finalise the handover of roads to shires by consulting the shires, auditing the roads including required works, upgrading those roads in an unsatisfactory condition and identifying ongoing funding for the roads.⁶⁴ The government agreed with this recommendation and said a working party was coordinating the preparation of a funding submission to the Australian Government. An audit was underway of roads within 50 kilometres of growth towns which would be the basis of seeking additional funding to upgrade and maintain roads.⁶⁵

During its hearings and visits the CTC continued to hear from shires and community residents that most were slowly improving the services but all needed more funding to provide all the services expected. The condition of roads is a good example of this with the very poor condition of some local roads something the CTC experienced first-hand during its trips.

The CTC asked LGANT about shires' views of which services could be dropped and which ones should be focussed on. Shires said they have difficulty in provide all core services because of lack of funding, but the most difficult to deliver included maintenance of buildings and facilities, local roads upgrading, companion animal welfare and control, library services and training of local people in council operations.⁶⁶

Mr Mathew Fagan (SDCU Executive Director) said it was well understood that shires would need additional funding to support the transfer of additional road responsibilities, and that government was optimistic of getting additional funding from the Australian Government. He added that feedback from communities through the local implementation plans' process showed that roads are the top priority for all shires.⁶⁷

The government's submission to the Australian Government links an improved roads network in the Territory remote areas to achieving the aims of *Working Future*, national partnership agreements and *Closing the Gap of Indigenous Disadvantage*. The submission states that about half of the surveyed roads are in poor condition, more than a third are fair and less than 700 kilometres of 5000 kilometres are rated as in good condition.⁶⁸

This is consistent with the 2010 findings of Engineers Australia's Northern Territory *Infrastructure Report Card* which found that while national highways had improved:

⁶³ NTG, NTCGRS, *Report #1 May to November 2009*, p.26,

http://www.workingfuture.nt.gov.au/Overview/progress_reports.html, accessed 18 December 2009.

⁶⁴ LANT, CTC, *First Report*, Recommendation 17, p.33.

⁶⁵ NTG, *Response to CTC 1st Report*, p.8.

⁶⁶ For full details see LANT, CTC, *Third Report*, pp.28-9.

⁶⁷ LANT, CTC, 'Transcript of Proceedings', 14 September 2010, pp.79-80.

⁶⁸ LANT, CTC, 'Transcript of Proceedings', 14 December 2010, p.50, Tabled Paper 37/5.

Local road quality has deteriorated in many places outside urban areas, as road maintenance and resealing work have been postponed. There is a significant backlog of sealing/resealing work, and projects to provide all weather access on both Territory and local roads. While urban areas are well served by roads, most remote and some regional communities have roads that are less than adequate.⁶⁹

As part of the financial sustainability review, government is looking at core services' cost to shire councils, how shire councils deliver services, where efficiencies could be made and also looking at the effect of undertaking commercial enterprises and agency services on core service delivery.⁷⁰

Employment

The then Minister for Local Government, the Hon Rob Knight, highlighted the importance of local government reform for creating new jobs and to attract more funding.⁷¹ Creating more local jobs in the bush was a central theme to local government reform since the announcement at the LGANT Conference of the Government's reform plans:

The red tape will be removed from the local community level and more jobs will be created for local people.⁷²

During the reform process government said that there would be no net loss of jobs in local government but some jobs would be redesigned and staff would be trained to take up different work. It was expected there would be a decrease in the proportion of people working in administration but there would be more jobs in direct service delivery. Importantly:

Jobs for local people will underpin the new local government arrangements.⁷³

Local people will be able to get real jobs such as drivers, plant operators, labourers, office workers, service providers and program managers in these new shires. People will be able to receive training for a range of jobs at the shire such as environmental health officers.⁷⁴

In addition to employment directly with the shires, government said that the stronger governance structure for local government would create confidence for the private sector and Territory and Australian Governments to invest in the bush.⁷⁵ But,

⁶⁹ Engineers Australia, *Infrastructure Report Card 2010 Northern Territory*, p.11, <http://www.engineersaustralia.org.au/ircnt>, accessed 10 November 2010.

⁷⁰ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.61.

⁷¹ LANT, *Hansard*, Matter of Public Importance – Local Government Reform, 18 September 2008, not paginated, <http://notes.nt.gov.au/lant/hansard/hansard11.nsf/WebbySubject/B316E931C44D77B4692574E8000D74D8?opendocument>.

⁷² DLGHS, 'Minister's Speech', LGANT Conference, Alice Springs, October 2006.

⁷³ DLGHS, *New Local Government Questions and Answers*, p.8, http://www.localgovernment.nt.gov.au/history/minister/ministers_speech, accessed 30 December 2009.

⁷⁴ DLGHS, *New Local Government*, 'Message from the Minister'.

⁷⁵ LANT, *Hansard*, Local Government Bill (Serial 129) Second reading in continuation, 7 May 2008, p.15, <http://notes.nt.gov.au/lant/hansard/hansard10.nsf/WebbySubject/FB9F4A52BBE59CA2692574640004125C?opendocument>.

... 90% of the local government jobs will be within the shires...doing those works, and there will be depots and smaller offices out on each one of those communities employing local people.⁷⁶

Also in 2007-08, the Australian Government funded a program to convert CDEP positions in core government services to waged positions. From 2008 local governments could apply for CDEP conversion funding to help in employing Indigenous people in local government services who were previously providing those services as CDEP participants. Changes were also made to night patrol funding as part of the Intervention and the new shire councils could access that additional funding from July 2008 to employ new staff.⁷⁷

Whether talking about SIHIP or local government, from its earliest community trips, the CTC heard from residents that there were not enough jobs.⁷⁸ On Groote Eylandt in March 2010 the CTC heard that the jobs growth there was linked to employment with SIHIP and residents were concerned about what happens when SIHIP finished.⁷⁹ Shire council representatives raised their concerns about the anticipated loss of CDEP matching funding in July 2010 which meant at that time the possible loss of about half of the linked 60 full-time jobs.⁸⁰

Some people raised concerns about the lower level of local employment in communities since local government reform. People said that there were more people working in communities under the community government councils.⁸¹ It was said this was because external contractors were brought into communities to do work that was previously done by local people. One example provided by community residents was the use of contractors to do repairs and maintenance to housing when prior to reform local people did the work.⁸²

Research into one community government council shows the strong link between employment of local people in local government services and CDEP.⁸³ MacDonnell Shire CE, Mr Graham Taylor, said the then anticipated loss of CDEP would be a significant change for the shire. He said jobs were partly funded by the projects they were employed on or from agency funding, depending on hours worked on different projects. Many projects cannot fund jobs all the time, so funding for jobs comes from a few projects.⁸⁴

⁷⁶ LANT, *Hansard*, Local Government Bill (Serial 129) Second reading in continuation, 7 May 2008, p.41.

⁷⁷ T. Michel, R. Gerritsen & I. Thynne, *Northern Territory Scoping Study*, Australian Centre of Excellence for Local Government, Rural-Remote and Indigenous Local Government Program, Charles Darwin University, August 2010, pp.25-6, http://www.ancelg.org.au/upload/program5/1281079531_NT_Scoping_Study_for_ACELG_August_2010.pdf, accessed 5 October 2010.

⁷⁸ LANT, CTC, *Second Report*, pp.18-9.

⁷⁹ LANT, CTC, *Second Report*, p.39.

⁸⁰ LANT, CTC, 'Transcript of Proceedings', 2 February 2010, p.8.

⁸¹ LANT, CTC, 'Transcript of Proceedings', 11 May 2010, p.23.

⁸² For broader discussion of this see: LANT, CTC, *Third Report*, pp.30-31.

⁸³ W. Sanders, 'Regionalism that respects localism: the Anmatjere Community Government Council and beyond' in J. Hunt, D. Smith, S. Garling and W. Sanders (editors), *Contested Governance: culture, power and institutions in Indigenous Australia*, CAEPR, Australian National University, Research Monograph No.29, 2008, pp.283-309, p.302, <http://caepr.anu.edu.au/Publications/mono/2008RM29.php>, accessed 20 December 2009.

⁸⁴ LANT, CTC, 'Transcript of Proceedings', 12 May 2010, pp.3-4.

LGANT wrote to the Territory and Australian Governments highlighting the potential problem if CDEP funding ceased. While the expectation was that people would transition to shire funded jobs, it had not been possible for shires to move all CDEP employees to fully funded jobs. Ms Kerry Moir (LGANT President) said shire councils needed to be more involved in the CDEP or replacement processes because shires are the major employers of people in Indigenous communities.⁸⁵ In June 2010 the Minister for Local Government, the Hon Malarndirri McCarthy, announced that CDEP transition funding would continue to at least 31 December 2010.⁸⁶

The CTC raised its concerns about resolution of longer term funding for local employment and the drop in the number of local people employed in local government services in communities. One recommendation sought the maintenance of the CDEP program and another sought information from government on the number of jobs in the Territory's local government bodies before and after local government reform.⁸⁷

In its response the government described its submissions and representations to the Australian Government about the impact of ceasing CDEP. Also, DHLGRS, with LGANT and shire councils, was developing workforce planning to help with the planning and development of potential local staff to work in shire councils.⁸⁸

The government acknowledged the need for improved reporting on local government jobs and the department was working to establish a reporting process with LGANT and the shires. The government reported that based on doctoral research conducted through Charles Darwin University, an assessment of council records showed a growth in shire council employment from 1660 in pre-July 2008 to 2330 people employed in the first half of 2009.⁸⁹

In March 2011 Minister McCarthy announced the government would provide three-year funding to support Indigenous employment in shire council core services.⁹⁰ The Australian Government is providing three-year funding for workplace mentors in shire councils.

Research provides more details on local government jobs before and after local government reform. Using shire councils' 2009 payroll data, the total number of shire jobs (includes fulltime, part time and casual, but not CDEP) was about 2269. Prior to reform, jobs in the relevant community government councils was estimated at a total of 1657. This data shows an increase of 612 positions, or a 37 per cent increase in local government positions.⁹¹

Researchers suggest that the nearly 40 per cent increase in employment in shires within the first 12 months of their operation may be due to the conversion of CDEP positions to waged jobs, expansion of night patrol services, increased administrative

⁸⁵ LANT, CTC, 'Transcript of Proceedings'. 3 June 2010, pp.34-5, 60-1.

⁸⁶ NTG, *Media Release*, "CDEP extended till 31 December 2010", 16 June 2010, <http://www.newsroom.nt.gov.au/index>, accessed 16 June 2010.

⁸⁷ LANT, CTC, *Third Report*, Recommendations 11 and 12, pp.36-7.

⁸⁸ NTG, *Response to CTC 3rd Report*, pp.6-7.

⁸⁹ NTG, *Response to CTC 3rd Report*, p.7.

⁹⁰ Announced at LGANT conference in Alice Springs.

⁹¹ T. Michel, 'Perspectives on Local Government Sustainability in the Northern Territory', Charles Darwin University PhD thesis oral presentation, Darwin 2010, quoted in Michel et al, *Northern Territory Scoping Study*, p.25.

capacity of shires, and expansion of regional and management staff based in headquarters.⁹²

The research does not provide information about how many of those jobs were filled by Indigenous people, but does say that in the seven shires surveyed, Indigenous people made up about three quarters of the workforce, or 1700 positions.⁹³

Recent information on jobs indicated the eight large shire councils employ 2508 people, of whom 1852 (or nearly 75 per cent) are Indigenous. In December 2011, 440 positions in shire council core services (360 fulltime equivalent jobs), were supported by Indigenous Jobs Development grants.⁹⁴

Coordination

Witnesses at CTC hearings identified a 'disconnect' between the shires and the growth towns. For example in the Roper Gulf Shire there are three growth towns; Ngukurr, Numbulwar and Borroloola which will act as centres for surrounding communities. However, the Roper Gulf Shire Council office is in Katherine with no apparent relationship to the growth towns or surrounding communities.⁹⁵ The office and meetings of the Victoria Daly Shire Council are similarly centred in Katherine and West Arnhem Shire Council is managed from Darwin.

The CTC was told that under *Working Future* the development of local implementation plans would help to pull together all parts of service delivery in the growth towns and that local government was part of the planning process.⁹⁶ Local governments' involvement was considered integral to reaching agreement on the details in local implementation plans.⁹⁷

Mr Mathew Fagan (SDCU Executive Director) acknowledged that local government had initially been left out of the national partnership agreements and implementation plans. He said the SDCU is involving shires as appropriate and LGANT was included on the remote services delivery board of management.⁹⁸

Mr Tony Tapsell (LGANT CE) told the CTC that the board of management for implementation of the Remote Services Delivery NPA was trying to include details from shire plans into the growth towns' local implementation plans. He added that shires will have a lot of input into the draft implementation plans for service delivery and will have them fully explained.⁹⁹ Mr Fagan said the shires are part of the development of the local implementation plans and are one of the four signatories to each plan.¹⁰⁰

⁹² Michel et al, *Northern Territory Scoping Study*, p.25.

⁹³ Michel et al, *Northern Territory Scoping Study*, p.25.

⁹⁴ NTG, *Media Release*, 'Nominations for Shires and Local Council elections are now open', 11 February 2012, <http://www.newsroom.nt.gov.au/index.cfm?fuseaction=viewRelease&id=9105&d=5>, accessed 13 February 2012.

⁹⁵ LANT, CTC, 'Transcript of Proceedings', 2 December 2009, p.31.

⁹⁶ LANT, CTC, 'Transcript of Proceedings', 2 February 2010, p.40.

⁹⁷ LANT, CTC, 'Transcript of Proceedings', 2 February 2010, p.44.

⁹⁸ LANT, CTC, 'Transcript of Proceedings', 2 February 2010, pp.46-7.

⁹⁹ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.45.

¹⁰⁰ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.29.

The CTC raised concerns about the number of advisory boards and reference groups being established as part of growth towns and called for governments to re-establish government offices in the growth towns.¹⁰¹ The government's response to these recommendations said that it would work on a staged roll-out of government business centres in growth towns and that action was occurring to limit the number of advisory groups needed in each growth town.¹⁰²

The Territory's Coordinator General similarly recommended the establishment of a government centre in each growth town along with changes to service delivery, reporting and coordination with local governments.¹⁰³ The Australian Government's Coordinator General said that governments need to properly recognise the critical role of community reference groups and raised the possibility of professionalising their roles.¹⁰⁴

The CTC heard from community residents about many examples of poor coordination and lack of integrated government services, apparently due to the combined impact of the Intervention and local government reform. Peoples' comments suggested that the 'silo' approach to delivery of services and the lack of collaboration between different agencies were ongoing problems. The turnover of organisations and/or staff delivering services was the other problem affecting service delivery.¹⁰⁵

One shire called for an MOU about processes to help improve coordination.¹⁰⁶ After the CTC recommended this approach to government, it was advised that DHLGRS had a single point of contact for shire councils and had created a new senior position overseeing the function.¹⁰⁷

Findings

The CTC expressed concern early in its inquiries that shire councils seemed to have insufficient funding to provide the core services that local government is required to deliver. In addition to the significant problems with the implementation of local government reform, the CTC heard about anticipated additional costs associated with township leasing and near to non-existent sources of raising revenue. The ongoing issue of financial sustainability of the shires remains the most pressing concern that must be resolved.

Reform implementation

It is clear to the CTC that the government wanted to reform local government as a way to increase funding to local government bodies, particularly for local roads. Despite the Territory Government's submission to seek additional roads' funding, for the shires, the problem remains of having responsibility to provide services they are not sufficiently funded to adequately deliver.

¹⁰¹ LANT, CTC, *Second Report*, Recommendations 6 and 7, pp.16-7.

¹⁰² NTG, *NTG Response to CTC 2nd Report*, pp.4-5.

¹⁰³ NTG, NTCGRS, *Report #2 December 2009 to May 2010*, p.54,

http://www.workingfuture.nt.gov.au/Overview/progress_reports.html, accessed 4 August 2010.

¹⁰⁴ AG, Coordinator General for Remote Indigenous Services (CGRIS), *Six Monthly Report: December 2009-August 2010*, p.69, <http://www.cgris.gov.au>, accessed 5 October 2010.

¹⁰⁵ LANT, CTC, 'Transcript of Proceedings', 11 May 2010.

¹⁰⁶ LANT, CTC, 'Transcript of Proceedings', 12 May 2010, pp.5-7.

¹⁰⁷ LANT, CTC, *Third Report*, Recommendation 10, p.36; NTG, *NTG Response to CTC 3rd Report*, p.6.

The CTC heard that inadequate funding arrangements were a double-edged sword for shire councils, affecting what services could be provided and the number of people who could be employed locally.

Also the CTC heard from many community residents about a loss of community control with the introduction of the shires and a reduction of opportunities for local Indigenous people. Local boards representing local views to shires have been more successful in some communities than in others.

While the CTC agrees that reform of the Territory's local government was needed, the evidence over the last few years shows local government reform was poorly conceived, managed and implemented. There is a list of failures from viable funding to adequate systems, resulting in struggling service delivery and seemingly fewer local jobs.

Funding and services

The CTC recommended that shires be enabled to increase their own-source revenue, such as through the re-introduction of service fees. It is clear that without an increase in operational funding and/or ability to increase discretionary funding, shires are not financially viable.

The additional cost to shires of paying unimproved capital value lease payments for facilities contributes to shires' lack of financial sustainability. The charging of peppercorn or minimal lease payments for local government facilities would be one way to resolve this. Even if this is the outcome however, grants will need to incorporate adequate funding levels to cover even minimal lease payments and associated administration costs.

There is research into local government funding that shows that local governments in remote areas would still be unviable if they could increase their revenue bases due to higher costs, inability to achieve economies of scale and the higher number of services expected. If this was known prior to local government reform, establishing shires with little to no revenue bases, entirely dependent on inadequate grants and requiring a broad range of services to be delivered, was setting the shires up to fail.

The lack of appropriate funding for roads is the clearest example of an inadequately funded core service that shires cannot undertake without an adequate level of funding. The outcome of the submission to the Australian Government for increased road funding as part of *Closing the Gap* and delivering on the Remote Services Delivery NPA remains unknown.

Similarly the outcome of the review of local governments' financial sustainability. Any increase in funding however, is anticipated will need to be sought from the Australian Government, either through increased funding to provide agency services or through grants.

From the evidence to it, the CTC knows something must be done urgently to address the shires' tenuous financial situations.

Employment

The central tenet of local government reform was there would be more local jobs. Evidence is mixed on whether this has happened.

On the one hand there is quantitative information on the number of jobs now in local government and that shows about three quarters of shire employees are Indigenous. However, there is limited information about the number of jobs there were in the community government councils and an acknowledgement from government about the need for improved reporting on employment in local government.

The CTC heard from shire councils that the reality of having inadequate funding was that hard decisions had to be made about subsidising some programs and services so that jobs were maintained. Community residents described seeing external contractors working in the communities on jobs that used to be done by local people. This was at the same time as people in Indigenous communities were being sought to undertake unpaid work to participate in advisory roles.

Government moves to shore-up employment in local government and to continue with a modified CDEP will obviously help improve the employment situation in communities, however it emphasises the shires' reliance on increased government funding assistance.

The CTC suspects the importance of a viable local government sector to Indigenous employment may not have been fully understood. Perhaps the government has agreed that improved reporting needs to occur because that employment is so dependent on government spending.

5. WORKING FUTURE

The Chief Minister and then Minister for Indigenous Policy announced the strategy, *A Working Future: Real Towns, Real Jobs, Real Opportunities (Working Future)* in May 2009. Its aim is to improve services and employment for people living in the Territory's remote areas.

Working Future has six parts aimed at developing 20 large towns (known as growth towns), a new homelands/ outstations policy and improving infrastructure and services to remote areas.¹ *Working Future* is closely aligned to COAG's National Indigenous Reform Agreement and its priority areas of action, particularly through national partnership agreements on Remote Indigenous Housing and Remote Services Delivery. Fifteen Remote Services Delivery NPA 'priority communities' are the backbone of the Territory's 20 growth towns.

The six parts of *Working Future* with their summarised features are shown in the following table.²

Table 8. Working Future's six parts

Strategy part	Features
Territory Growth Towns	20 Indigenous communities will be developed into towns with appropriate: ³ <ul style="list-style-type: none"> • Town planning • Infrastructure (water, sewerage, electricity, roads and internet) • Services and facilities (schools, police stations, courts, health services, aged care and disability facilities and transport options).
Outstations/Homelands	Existing outstations/homelands will have: <ul style="list-style-type: none"> • Better service delivery through growth towns or Government • Funding for those occupied for at least eight months a year • More responsibility to residents for repairs and maintenance of housing and infrastructure.
Remote Service Delivery	A Territory Coordinator-General responsible for remote service delivery and improving coordination of services. 'One-stop shops' to be established for Australian and Territory Governments, along with a new way to allocate funding.
Employment & Economic Development	Future employment and economic development to be based on: <ul style="list-style-type: none"> • Secure land tenure • Economic development plans prepared for each town • Training and development provided to cover skill gaps.
Remote Transport	It is planned to develop: <ul style="list-style-type: none"> • An integrated transport system to link people with towns • Reliable transport services and road access • Better links between remote towns and urban centres.
Targets & Evaluation	Six COAG 'Closing the Gap' targets are reported against annually. The Territory Coordinator-General also reports six monthly on implementation progress.

¹ For more information see CTC, *First Report*, pp.10-12.

² Detail for the table is from: NTG, *Working Future*, <http://www.workingfuture.nt.gov.au/overview.html>, accessed 31 December 2009.

³ The communities are Maningrida, Wadeye, Borroloola, Galiwin'ku, Nguiu, Gunbalanya, Milingimbi, Ngukurr, Numbulwar, Angurugu/Umbakumba, Gapuwiyak, Yuendumu, Yirrkala, Lajamanu, Daguragu/Kalkarindji, Ramingining, Ntaria, Papunya, Elliott and Ali Curung.

Issues raised

As the strategy was announced a few months prior to the CTC's establishment the CTC has monitored the strategy's implementation. Its recent introduction limits the CTC's ability to make definitive judgements on the merits of *Working Future's* implementation. Nonetheless, as the CTC held hearings and travelled to various communities, it did hear first-hand of people's concerns about matters that relate to *Working Future*.

Consistent concerns raised were related to land tenure, homelands/outstations support, choice and appropriateness of growth towns and remote services delivery.

From the outset the CTC recognised that its immediate priorities, SIHIP, local government and *Working Future*, had common elements allowing them to be investigated together. A lot of people who spoke to the CTC raised aspects of *Working Future* aligned with other issues, rather than specifically about the strategy.

For example, the CTC and many witnesses want to improve people's ability to buy their own homes in Indigenous communities as a way to increase the number of houses and the available housing choices for residents. This cannot be done without negotiated leases of Aboriginal-owned land that allows for transferable title and the ability to access bank finance. An important part of *Working Future* was the negotiation of long-term township leases for each of the communities to become a growth town.

In presenting the canvassed issues this report therefore considers all related issues, irrespective of their original context, as they relate to *Working Future*.

Territory growth towns

From its *First Report*, the CTC raised people's concerns about the choice of Territory growth towns and the apparent lack of growth towns in central Australia. It also raised with government the role of towns like Alice Springs, Kununurra and Mt Isa, which are existing 'hubs' used by their surrounding populations as service centres. The CTC expressed concerns about the appropriateness of some growth towns to act as service centres for surrounding communities and said growth towns need to be re-examined in light of the known preferences and practices of communities.

The CTC is also concerned about the many mid-size communities not named as growth towns, are not outstations/homelands, and which are receiving minimal or no additional housing through SIHIP. In September 2010 the CTC asked the then Territory Coordinator General, Mr Bob Beadman, if there were plans for mid-size communities or towns not identified as growth towns and are not outstations/homelands. Mr Beadman said that government was talking about the 20 growth towns as the 'first tranche' but that smaller towns may be part of a 'second tranche'.⁴

The CTC is aware of the ideas behind growth towns but remains concerned about those mid-sized communities that appear to have no priority to receive a commensurate level of government services.

⁴ LANT, CTC, 'Transcript of Proceedings, 14 September 2010, pp.107-08.

In its *Second Report*, the CTC noted that the pivotal issue in *Working Future* was the resolution of secure land tenure for infrastructure development in growth towns. This remains the case with only three growth towns having township leases in place. The following table shows the progress in negotiating township and other leases in 17 of the 20 growth towns. There are three growth towns which do not require township leases but have native title claims pending.⁵

Table 9. Status of township leases⁶

Town	Township lease status	Status of leases for Territory Government infrastructure
Ali Curung	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: lease negotiations ongoing. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Angurugu/ Umbakumba	80 year township lease in place to EDTL	N/A
Galiwin'ku	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Gapuwiyak	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over a few urgent infrastructure projects in 2010/11. Further consultation needed for all existing infrastructure.
Gunbalanya	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Lajamanu	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Formal consultations were due to commence in June 2011.
Maningrida	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Milingimbi	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Nguiu	99 year township lease in place to EDTL	N/A
Ngukurr	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Ntaria	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Numbulwar	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Formal consultations were due to

⁵ The towns are Elliott, Borroloola and Kalkarindji. For more details see CTC, *Third Report*, p.43.

⁶ NTG, NTCGRS, *Report #4*, pp.53-56 and CTC evidence and Secretariat research. Current as at March 2012.

		commence May 2011.
Papunya	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: Lease consultation ongoing. All other: Lease terms approved in principle over all (existing and proposed) infrastructure.
Ramingining	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: Lease consultation ongoing. All other: Lease terms approved in principle over a few urgent infrastructure projects in 2010/11. Further consultation needed for all existing infrastructure.
Wadeye	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: 40 year, s19 housing precinct lease in place. All other: Lease terms approved in principle over a few urgent infrastructure projects in 2010/11. Further consultation needed for all existing infrastructure.
Yirrkala	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: Lease consultations ongoing. All other: Formal consultation due to commence May 2011.
Yuendumu	Negotiations not formally commenced	<ul style="list-style-type: none"> Public Housing: Lease consultation ongoing. All other: No proposed consultation to date.

As can be seen from Table 9, most growth towns do not have township leases. In his last report, the Territory Coordinator General, Mr Bob Beadman, said the lease negotiation process has 'inched forward', without producing noticeable results. Mr Beadman went on to identify that the Australian Government administers the *Aboriginal Land Rights (Northern Territory) Act* and therefore has to negotiate the township leases under that Act.⁷ Mr Davies (DHLGRS CE) said traditional owners have declined the Australian Government's offers to secure further township leases.⁸

The CTC asked how growth towns would become 'normal' towns without township leases. Mr Davies said governments will continue to talk to the Northern and Central Land Councils to ensure leasing arrangements are granted that allow for investment in towns. While the Central Land Council (CLC) will negotiate with the EDTL, the NLC believes that a township lease is not required and existing leasing arrangements will allow towns to develop.⁹ Mr Kim Hill (NLC CE) said the NLC has approved over 400 leases or licenses for a wide variety of purposes, but few of them were for private housing. The approach taken with government assets is to issue one lease with schedules covering all facilities.¹⁰

In its *First Report* the CTC recommended that the Territory Government resolve the land tenure status of road corridors to growth towns.¹¹ The government's response indicated that legal advice was being sought to inform its position and to progress resolution of the matter with land councils.¹²

In March 2012 the NLC said a social impact study was conducted on the Central Arnhem Road using anthropologists to identify the traditional owners, undertake consultation and establish a long-term view for the road.¹³ When asked if roads on land owned by Aboriginal Land Trusts will be leased, NLC representatives said

⁷ NTG, NTCGRS, *Report #4*, p.53.

⁸ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.25.

⁹ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.25.

¹⁰ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.12, 16-7, 18-9.

¹¹ LANT, CTC, *First Report*, Recommendation 16, p.33.

¹² NTG, *Response to CTC 1st Report*, p.7.

¹³ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.21-2.

roads, like other infrastructure, were part of the ongoing negotiations with the Territory Government.¹⁴

The slowness of land tenure reform has already affected the number of transferable titles available to promote home ownership. This led to funding for the Australian Government's Home Ownership for Indigenous Land (HOIL) program being transferred to another Indigenous Business Australia (IBA) home loan program.¹⁵

In its *First Report* the CTC recommended governments actively encourage private home ownership in Indigenous communities.¹⁶ This was agreed and strongly supported by governments through their work with IBA, the OTL and financial institutions to facilitate home ownership.¹⁷

In December 2011 the CTC asked what is now happening about encouraging home ownership. Mr Ken Davies (DHLGRS CE) said government officials are talking to land councils and there are some models being developed by the NLC. While there are some requests for home ownership on Groote Eylandt, government wants to ensure that the 'right leasing arrangements' are in place. Mr Davies said a bank forum was held in Wadeye with four banks and the IBA to look at the TDC's development work and to talk to traditional owners about their lease requirements as part of creating private investment.¹⁸

In its *Stronger Futures* consultation discussion paper the Australian Government explained the link between township leases and economic development:

The leases protect the underlying ownership of the land in these communities by the Traditional Owners while allowing for home ownership and economic development. They also allow people, businesses and services in a community to hold individual leases. They can use that as a security for a loan from a bank which people need to build or buy their own homes on a community or to establish a business...The Australian Government has recently offered another 12 communities whole-of-township leases.¹⁹

However, in the more recent *Closing the Gap Monitoring Report*, the Australian Government said that feedback from land councils on township lease proposals to 12 communities, means 'township leasing is not being pursued as a longer term priority, unless traditional owners initiate discussions.' The emphasis is now on securing housing precinct leases to foster public housing delivery in Indigenous communities along with leases for government assets.²⁰ The Australian Government's policy statement, *Stronger Futures*, says in relation to land reform:

¹⁴ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, pp.24-5.

¹⁵ In 2010-11 \$56 million was transferred from HOIL to Indigenous Business Australia's urban home loan program as loans for houses on Indigenous land were not being sought as the anticipated rate, due to the slowness of leasing arrangements being agreed. Commonwealth of Australia, Senate, Community Affairs Legislation Committee, *Supplementary Budget Estimates*, Friday 22 October 2010, pp.CA68-9.

¹⁶ LANT, CTC, *First Report*, Recommendation 10, p.23.

¹⁷ NTG, *Response to CTC 1st Report*, p.5.

¹⁸ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.17.

¹⁹ AG, *Stronger Futures in the Northern Territory*, Discussion Paper, June 2011, p.23, <http://www.indigenous.gov.au/no-category/stronger-futures-in-the-northern-territory-discussion-paper/>, accessed 23 June 2011.

²⁰ FaHCSIA, *Closing the Gap in the Northern Territory Monitoring Report*, January to June 2011, Part One, p.14,

The Australian and Northern Territory Governments will continue to negotiate leases with Aboriginal land owners that will enable the Northern Territory Government to manage social housing in remote communities.²¹

Mr Davies said the government is working with land councils to secure 900 Territory Government assets in growth towns with 40-year leases.²² The lease arrangements are anticipated to generate a total of about \$2.3 million a year in growth town lease payments to land trusts. A similar-level lease payment will be needed to secure another 800 to 900 government assets in minor communities.²³ The Territory Government wants to see traditional owners using the lease payments to build the local economy.²⁴

The CTC expressed concern about the Territory Government's apparent reluctance to establish a Territory leasing entity, instead relying on the Australian Government's entity, the OTL.²⁵ In one of its first briefings on this issue however, the CTC was told that the aim was for the Australian Government leasing body to transfer to the Territory at the end of the Intervention.²⁶

In its *Third Report*, the CTC recommended the Territory Government urgently establish a Northern Territory statutory lease-holding entity or negotiate the transfer of the Australian Government's OTL.²⁷ The Government agreed and said there had been preliminary discussions with the Australian Government officials and ongoing discussions with land councils. Formal negotiations were expected to commence in early 2011.²⁸

When asked recently about the transfer of the OTL to the Territory, Mr Davies said that in effect it is occurring, at least in terms of negotiation and coordination between Territory departments and land councils to secure 1800 government assets.²⁹ A Remote Infrastructure Program Office (Program Office) has been established in DHLGRS that incorporates whole of government responsibility for securing land tenure and delivery of remote infrastructure. The Program Office is a 'one-stop-shop' coordinating and providing information on Territory leases, the capital infrastructure program and service delivery.³⁰

Evidence to the CTC confirmed that under the existing lease terms, permits are still needed to enter the towns. The CTC said this conflicts with the government's aim of

http://www.fahcsia.gov.au/sa/indigenous/pubs/nter_reports/ctg_nt_monitoring_rpt_janjun_2011/Pages/default.aspx, accessed 14 October 2011.

²¹ AG, *Stronger Futures in the Northern Territory Policy Statement*, November 2011, p.9, <http://www.indigenous.gov.au/stronger-futures-in-the-northern-territory/>, accessed 21 December 2011.

²² 'Assets' include all government provides services: public and government employee housing; schools, health clinics, police stations, power and water infrastructure, bore field heads, etc. LANT, CTC, 'Transcript of Proceedings, 6 December 2011, pp.23-4.

²³ LANT, CTC, 'Transcript of Proceedings, 6 March 2012, p.39.

²⁴ LANT, CTC, 'Transcript of Proceedings, 6 March 2012, p.40.

²⁵ See LANT, CTC, *First Report*, pp.38-9; *Second Report*, pp.15-6; *Third Report*, p.50.

²⁶ LANT, CTC, 'Transcript of Proceedings', 9 November 2009, p.63.

²⁷ LANT, CTC, *Third Report*, Recommendation 14, p.50.

²⁸ NTG, *Response to CTC 3rd Report*, p.8.

²⁹ LANT, CTC, 'Transcript of Proceedings, 6 December 2011, p.30.

³⁰ LANT, CTC, 'Transcript of Proceedings, 6 March 2012, pp.13, 43-6.

'normalising' growth towns and recommended that lease terms for growth towns ensure that permits are not needed to visit the towns.³¹

While the government agreed to this recommendation and acknowledged that lease terms should ensure free access to assets, it did not necessarily require the removal of all permit restrictions around growth towns.³² The NLC clarified that permits are not required for the township, but permits are still required to enter land outside the town area.³³

Outstations/homelands

In its *First Report*, the CTC identified that the Australian and Territory Governments' intentions were unclear about the funding and provision of essential services to outstations/homelands.³⁴ During its trips to communities, the funding of municipal and essential services to outstations and homelands was consistently raised by community members and local service organisations. People were also concerned about the continued lack of information about longer-term responsibility for outstations/homelands. Questions were also raised about when and how outstations/homelands become communities.³⁵ One outstation has recently entered into a 99 year township lease with the EDTL.³⁶

The CTC heard from an outstation resource agency that outstations are not receiving the same basic levels of services and facilities that are provided to other Aboriginal communities. It also heard that funding for essential services for outstations was less under the Territory Government than that previously paid by the Australian Government.³⁷

The CTC was told in November 2009 by the Under Treasurer that an audit was needed of municipal and essential services to be able to go back to the Australian Government with a better idea of what it really costs to provide the services.³⁸ An audit of municipal and essential services of some of the Territory's remote Indigenous communities in early 2010 confirms that delivery of municipal and essential services in outstations/homelands was of a lesser standard than for Remote Service Delivery NPA 'priority communities' (i.e. growth towns) which were themselves below the standard of towns like Jabiru and Nhulunbuy.³⁹

In its response to the Coordinator General for Remote Indigenous Services' second report, FaHCSIA said summaries of community information from the audit were planned to be released to communities.⁴⁰ More recently it states that information from

³¹ LANT, CTC, *Third Report*, Recommendation 15, p.50

³² NTG, *Response to 3rd Report*, pp.8-9.

³³ LANT, CTC, 'Transcript of Proceedings, 6 March 2012, pp.13, 43-6.

³⁴ LANT, CTC, *First Report*, pp.44-5.

³⁵ LANT, CTC, *Second Report*, pp.28, 35.

³⁶ LANT, CTC, 'Transcript of Proceedings, 6 March 2012, p.24.

³⁷ LANT, CTC, *Third Report*, p.49.

³⁸ LANT, CTC, 'Transcript of Proceedings, 9 November 2009, p.26.

³⁹ LANT, CTC, 'Transcript of Proceedings, 6 December 2011, p.6, Answer to question on notice IP49/2/2.

⁴⁰ FaHCSIA, *Response to the Recommendations of the Second Bi-Annual Report of the Coordinator-General for Remote Services*, pp.2-3,

http://www.fahcsia.gov.au/sa/indigenous/progserv/RSD_NPA/Pages/default.aspx, accessed 4 January 2012.

the audit is being shared with communities as part of determining local implementation plans and their priorities.⁴¹

The main municipal and essential services issues the audit identified for outstations/homelands were gaps in infrastructure and service provision of: animal management; water; sewerage; environmental health; landscaping and dust control; waste management; and internal roads. It was said that services were rarely provided by the shire council or mainstream providers, but were instead delivered through unreliable 'ad hoc arrangements'.

The roles and responsibilities of service delivery and/or asset management in these communities is often not clearly defined leading to poor service coordination and gaps in delivery.⁴²

In many cases inadequate resourcing of services affected their delivery and quality and most outstation/homeland service providers admitted having difficulty resourcing all services.⁴³

Information from DHLGRS provides the most recently collated information on Territory outstation and homelands.⁴⁴ Some of the deficiencies of the audit are that there is no population, water or sewerage information included. Table 10 shows the main features of the provided information collated at shire level.⁴⁵

Table 10. Service providers and outstation totals by region

Shire/ Resource agency	Homelands/ Outstations	No data	Occupied	Dwellings	No power records	With Power	No power
BARKLY							
Julalikari	48	5	21	155	9	38	1
Thangekenharengge	4		3	16		3	1
Barkly	26	2	20	201	2	24	
CENTRAL DESERT							
Arramwelke	7		4	24		5	2
Central Desert	45	21	16	127	34	11	
EAST ARNHEM							
Gebie	11	3	6	35	3	8	
Laynhupuy	29	1	25	154	16	13	
Marngarr	2		2	11		2	
Marthakal	30	1	15	77	2	28	
Milingimbi	6		5	23		6	
Ramingining	10	1	5	35		10	

⁴¹ FaHSCIA, *Indigenous Australians*, 'Programs and Services - Remote Service Delivery', http://www.fahcsia.gov.au/sa/indigenous/progserv/RSD_NPA/Pages/default.aspx, accessed 4 January 2012.

⁴² LANT, CTC, 'Transcript of Proceedings, 6 December 2011, p.6, Response to question on notice IP49/2/2.

⁴³ LANT, CTC, 'Transcript of Proceedings, 6 December 2011, p.6, Response to question on notice IP49/2/2.

⁴⁴ LANT, CTC, 'Transcript of Proceedings, 6 December 2011, p.6, Response to question on notice IP49/2/2. The information is undated but the original source dates from 2006.

⁴⁵ CTC Secretariat collated information from response to question on notice IP49/2/2.

Shire/ Resource agency	Homelands/ Outstations	No data	Occupied	Dwellings	No power records	With Power	No power
WEST ARNHEM							
Bawinanga	32		23	104		32	
Demed	39	4	19	99	4	33	2
Warnbi	12	1	11	44	2	10	
West Arnhem	3	1	1	14	2	1	
MACDONNELL							
Ingkerreke	34		28	161	4	30	
Ngurratjuta	10	1	7	43	1	9	
Tjuwanpa	42	8	27	132	5	35	2
Macdonnell	64	19	20	104	39	25	
ROPER GULF							
Mabunji	27		23	174		27	
Mungoorbada	8		3	16		8	
Numbulwar	14	3	5	31	3	11	
Roper Gulf	28	10	8	103	10	18	
VICTORIA DALY							
Ngaliwurru-Wuli	15	1	7	86	1	14	
Pine Creek	1		1	4		1	
Yantjarrwu	13	4	7	39	4	8	1
Victoria Daly	30	13	10	92	13	17	
TIWI SHIRE							
Tiwi Shire	7	1	5	47	1	6	
DARWIN REGION							
Yilli Rreung	14	6	8	170	3	11	
KATHERINE REGION							
Kalano	4		4	104	1	3	
TOTAL	615	106	339	2,425	159	447	9

This information indicates that at the time it was collected:

- There were 30 outstation resource agencies, Aboriginal corporations, organisations or shires providing services to more than 600 outstations.
- About half of the outstations were occupied.
- There were about 2500 dwellings on the outstations.
- Most of the 459 outstations with information about power sources had power provided.

Responsibility for municipal and essential services to outstations/homelands transferred to the Territory Government in July 2008 with funding of \$20 million each year for three years, later extended to 2012. The Territory Government's 'Headline Policy' on outstations/homelands states it will only support existing

outstations/homelands that are occupied for at least eight months a year.⁴⁶ A *Working Future* fact sheet on outstations/homeland states:

We are going to develop a Statement of Expectation of Service Delivery to outstation and homelands residents that will say how much help residents can expect from governments. Residents will be able to say how they want that funding spent.⁴⁷

A five stage process was anticipated for outstation/homelands under *Working Future* with stages four and five being the consultation and in 2009 the formal commencement of service delivery under a 'Northern Territory Government Outstations Policy'.⁴⁸

In his last report as the Territory's Coordinator General for Remote Services, Mr Bob Beadman, identified that the outstation/homelands review, promised in initial *Working Future* statements, appears to have not been finalised. Outlining the history of rarely completed outstation review and policy change, Mr Beadman said:

The *draft* Outstations/Homelands Policy led people to believe that the government would work with each and every outstation and homeland settlement to prepare a Statement of Expectation of Service Delivery; provide transparency and choice in relation to their modest recurrent funding and service delivery options; and provide assistance for residents to move towards self-sufficiency. It does not appear that this has occurred.⁴⁹

When asked about this delay and the progress with outstations/homelands in December 2011, Mr Ken Davies (DHLGRS CE) said that following the audit of municipal and essential services on outstations/homelands work is continuing on 'the development of a homelands and outstations policy framework'. It was anticipated that this would be considered by Cabinet in 2012.

In relation to the end of Australian Government municipal and essential services funding in June 2012, Mr Davies said that the Territory Government is working with the Australian Government to ensure that the funding is maintained.⁵⁰

The Territory Government sought additional resourcing for municipal and essential services through a funding submission to the Australian Government.⁵¹ The Australian Government recently announced \$221 million for municipal and essential services in Territory outstations and homelands as part of the 10 year *Stronger Futures* program.⁵² The Territory Government is contributing \$15 million towards the

⁴⁶ NTG, *Working Future*, 'Outstations/homelands policy Headline Policy Statement', May 2009, <http://www.workingfuture.nt.gov.au/Homelands/outstations.html>, accessed 21 May 2009.

⁴⁷ NTG, *Working Future*, 'Outstations and Homelands', <http://www.workingfuture.nt.gov.au/Homelands/outstations.html>, accessed 21 May 2009.

⁴⁸ NTG, 'Outstations and Homelands'.

⁴⁹ NTG, NTCGRS, *Report #4*, pp.71-3.

⁵⁰ LANT, CTC, 'Transcript of Proceedings, 6 December 2011, pp.6-8.

⁵¹ LANT, CTC, 'Transcript of Proceedings, 6 December 2011, p.6, Response to question on notice IP49/2/2.

⁵² The Hon Jenny Macklin MP, *Media Release*, 'Municipal and essential services for outstations and homelands in the Northern Territory', 28 March 2012, <http://www.jennymacklin.fahcsia.gov.au/mediareleases/2012/>, accessed 29 March 2012.

funding but the Chief Minister said further funding was needed to improve housing and infrastructure in outstations and homelands.⁵³

Remote Service Delivery

Improving service delivery to remote Indigenous communities is an integral part of *Working Future*, envisaged as principally occurring in the 20 growth towns, which will then see improved services for surrounding communities, through a 'hub and spoke model'. Under the Remote Services Delivery NPA, the Territory Government has agreed to improved resources and planning for better infrastructure and services and to develop communities' and service providers' capacity.

The Australian and Territory Governments have appointed Coordinator Generals to oversee the implementation of improved remote service delivery. Each of the growth towns will develop a local implementation plan to determine and guide future development and service delivery.

In his first report the Territory's Coordinator General said that the detailed planning to build Indigenous communities into proper towns needed to occur to be able to access planning-specific funding through the Remote Service Delivery NPA.⁵⁴ Further in that report, progress was noted in improving service delivery coordination by government through the establishment of a SDCU.⁵⁵

During one of its initial hearings the CTC was told that under the Remote Services Delivery NPA the Territory will receive about \$160 million over five years, of which about a third (\$10 million a year) was from Territory Government resources.⁵⁶

In November 2009, the CTC asked government representatives how 'one-stop shops' were going to be established. Mr Ken Davies, then Department of the Chief Minister Deputy CE, said each 'hub' or growth town would be a one-stop shop or Territory and Australian Government office. He said initially the governments' presence will be the Australian Government's Government Business Manager (GBM) and Indigenous Engagement Officer, but would eventually become similar to a government or business centre and also include shire offices.⁵⁷

From its *First Report* the CTC raised concerns about the links between the shires and *Working Future* implementation, particularly in relation to growth towns and remote service delivery.⁵⁸ In its *Second Report* the CTC made two recommendations in relation to *Working Future*. One was to address emerging issues around coordination of consultation and the many advisory groups being established as part of growth towns' local implementation plans' development. The second was to address the need for governments to establish offices in growth towns to prevent overloading shires and other organisations.⁵⁹ The government said in response that it was working towards a staged roll-out of government business centres in Territory growth towns.⁶⁰

⁵³ ABC Darwin, 105.7, *News*, 28 March 2012, 2pm.

⁵⁴ NTG, NTCGRS, *Report #1*, p.8.

⁵⁵ NTG, NTCGRS, *Report #1*, p.13.

⁵⁶ LANT, CTC, 'Transcript of Proceedings', 9 December 2009, p.55.

⁵⁷ LANT, CTC, 'Transcript of Proceedings', 9 December 2009, pp.55-9.

⁵⁸ LANT, CTC, *First Report*, p.44.

⁵⁹ LANT, CTC, *Second Report*, pp.15-6.

⁶⁰ NTG, *Response to CTC 2nd Report*, p.4.

The Territory's Coordinator General urged caution with the process of developing local implementation plans:

...existing structures should be used to engage in the development of Local Implementation Plans. Much information is already available in the Shire Service Delivery Plans,...and Local Boards are being developed.⁶¹

In his third report the Territory Coordinator General expressed his disappointment that shires, as the main service providers in the bush, were not fully included in the local implementation plan development process and that shire plans were ignored.⁶²

The CTC raised these concerns with LGANT, whose CE, Mr Tony Tapsell, said that LGANT was included in the board of management for implementation of the Remote Services Delivery NPA and is part of the Territory Government's governance arrangements for the Remote Services Delivery Bilateral Plan.⁶³ Mr Tapsell said shires are now having a lot of input and will see the draft plans for service delivery and will have them fully explained.⁶⁴ The SDCU Executive Director, Mr Mathew Fagan, said that shires are now not only part of the development of the plans but are also one of the signatories to each plan and process.⁶⁵

The CTC sought information about planning and regulation to apply in growth towns. Mr Fagan said the Territory's planning scheme applies across the Territory and work was ongoing to ensure that all growth towns would have gazetted town plans.⁶⁶

Mr Fagan said however, there were a large number of Territory regulations and laws that do not apply in remote communities, like the *Building Act* and therefore there is no requirement for building certificates. As part of *Working Future*, there are 'layers and layers of things that need to be rolled out' in remote areas that have not been done before.⁶⁷

The CTC notes however, that new SIHIP housing subdivisions in growth towns are being completed to what is being termed a 'rural' subdivision standard, i.e. what would be expected in Humpty Doo or Howard Springs. As recently as December 2011 Mr Ken Davies (DHLGRS CE) said:

Have we been able to bring it up to a standard you'd expect in Palmerston? No, we haven't, and that is because this is all public money we're investing and we're trying to get as much into the housing as possible.⁶⁸

The CTC asked if the shires have any say in the subdivision guidelines, as would occur in the municipalities. Mr Davies said there has been consultation with shires but acknowledged in the early stages there had been inadequate communication.⁶⁹

⁶¹ NTG, NTCGRS, *Report #1*, p.20.

⁶² NTG, NTCGRS, *Report #3 May to November 2010*, p.40, http://www.workingfuture.nt.gov.au/Overview/progress_reports.html, accessed 5 January 2011.

⁶³ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.55.

⁶⁴ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.56.

⁶⁵ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.29.

⁶⁶ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.20.

⁶⁷ LANT, CTC, 'Transcript of Proceedings', 3 June 2010, p.20.

⁶⁸ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, p.23.

⁶⁹ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.22-3.

In his final report the Territory Coordinator General commented on the government's commitment in local implementation plans for growth towns to move towards 'one-stop-shops' for the three levels of government.

This will involve agencies committing to long-term service delivery contracts through these 'single government shopfronts', including 'new' services that are long overdue in the bush like vehicle licensing and registration.⁷⁰

To date 13 local implementation plans have been agreed and publicly released and service delivery overviews have been released for most growth towns.⁷¹ The service delivery overviews list all government services and which organisations provide and fund the services.

Employment and Economic Delivery

During its trips to communities, the CTC heard about, and sometimes experienced, local issues first-hand. For example, when driving around some communities, the CTC saw large numbers of school-age children wandering the streets. Many of the concerns people have raised with the CTC are related to *Working Future's* employment and economic priorities.

The CTC consistently raised concerns about the poor school attendance in communities because of its obvious link to people's future economic independence through employment.⁷² The link between securing long-term leases over growth towns and securing private business investment and private home ownership was also a constant priority during the CTC's hearings and trips.

The CTC notes the government's policy 'Every child every day', seeking to improve school attendance, and the Australian Government's ability (through its Student Attendance and Enrolment Measure (SEAM)) to impose sanctions on parents if children are not regularly attending school. The reality is however best summed up by the Territory's Coordinator General when he said unless the continuing unaddressed high level of absenteeism is addressed the next generation will have difficulty competing for well paid jobs.⁷³

Working Future documents show that governments were relying on securing township leases to help promote new businesses, encourage loans to businesses, create opportunities for new jobs for local people and to allow community residents to buy houses.⁷⁴ As discussed earlier in this chapter, both governments are no longer insisting on township leases, instead seemingly accepting that 40 year leases are sufficient security for government assets. It is unclear if it will be sufficient to encourage businesses, employment and home ownership.

Mr Ken Davies (DHLGRS CE) said the securing of leases and payment of \$2.5 million annually to growth town land trusts could initiate some economic development

⁷⁰ NTG, NTCGRS, *Report #4*, p.18.

⁷¹ As at end March 2012. Available from http://www.workingfuture.nt.gov.au/growth_towns.html.

⁷² For example see LANT, CTC, *Third Report*, p.48.

⁷³ NTG, NTCGRS, *Report #4*, p.69.

⁷⁴ For discussion of the Australian Government's perspective see LANT, CTC, *Third Report*, pp.39-41; earlier cited *Working Future* documentation also refers.

if land trusts use the lease payments to drive that development. The often quoted example on which this view is based is the ALC's use of Aboriginal Benefit Account funds to contribute \$5 million to the building of a sealed road from Umbakumba to Angurugu.⁷⁵ The NLC is looking at establishing corporations as a way to more widely distribute the benefits being received through lease payments.⁷⁶

Economic profiles of the growth towns are being prepared as part of *Working Future*. To date four profiles have been released for Ngukurr, Ntaria, Gunbalanya and Yirrkala. The profiles all include the following statement as part of the business environment:

Government is working with financial institutions to remove barriers to accessing finance for investments on Aboriginal land and enabling local residents to access finance and capital.⁷⁷

Apart from the 'bankers forum' talked about earlier it isn't clear to the CTC what other steps government may be taking to remove the barriers to private investment in growth towns.

In his four reports as the Territory's Coordinator General, Mr Bob Beadman consistently discussed the need for improvement in school attendance and participation and the need for mutual obligation and shared responsibility in education and employment in Indigenous communities. The CTC raised with him that the biggest impediment to education, jobs and training is substance abuse and that there was little said or done about it.⁷⁸

Mr Beadman addressed his concerns about these issues in his third and fourth reports and recommended that governments realistically address substance abuse that is negatively affecting Indigenous communities through economic and social dysfunction.⁷⁹

Findings

The CTC remains concerned about elements of *Working Future* and its implementation. Government moves away from requiring township leases have wider implications than establishing the 20 communities as growth towns. Workable approaches to securing land tenure is already affecting the rate of home ownership and establishment of new businesses. Access to road corridors in and around growth towns is similarly affected.

Progress has been made and the CTC applauds the establishment of the Program Office in DHLGRS which may help resolve land tenure matters. A range of issues remain with *Working Future's* implementation that the CTC wants to see addressed.

⁷⁵ LANT, CTC, 'Transcript of Proceedings', 6 December 2011, pp.24-5.

⁷⁶ LANT, CTC, 'Transcript of Proceedings', 6 March 2012, p.5.

⁷⁷ For example see NTG, *Ngukurr Profile, Business and Economic Opportunities*, http://www.workingfuture.nt.gov.au/Territory_Growth_Towns/Ngukurr/docs/Ngukurr_profile.pdf, accessed 6 January 2012. Number current as at end of March 2012.

⁷⁸ LANT, CTC, *Third Report*, p.48.

⁷⁹ NTG, NTCGRS, *Report #3*, pp.58-9 and *Report #4*, p.86.

Territory growth towns

The CTC has raised its concerns about the choice of growth towns and about the future of mid-sized communities that do not currently receive an appropriate level of services. People in these communities have told the CTC they feel forgotten. Action must be taken to re-involve the residents of these mid-size communities and to include them in growth town, housing and other plans.

One of the most significant issues to be addressed as part of growth towns is the resolution of land tenure over the communities and their surrounds, including road corridors. It is unclear if 40 year leases over parts of communities, to secure government infrastructure, will help to fulfil the aim of growth towns: to develop communities into 'normal' towns with appropriate town planning, infrastructure and services.

As discussed in the local government chapter, the CTC believes agreement must be reached on acceptable, realistic levels of lease payments, and/or additional funding must be available to cover any additional costs to the shires. Without secure land tenure and a workable approach to lease payments, it will be difficult for economic development to occur in the towns.

The CTC is particularly disappointed that home ownership in communities has been stalled by the lack of secure land tenure and the removal of HOIL funding. From its *First Report* the CTC has sought governments' active encouragement of home ownership in Indigenous communities.

Despite being agreed and strongly supported by the Territory Government, limited action has been taken to date. Future action appears to be tied to lease and private investment negotiations with traditional owners.

In its *Third Report* the CTC sought the establishment of a Territory statutory lease-holding office. The Government agreed and said it was negotiating with land councils. It is hoped the Program Office's involvement as the Government's quasi-land tenure office will hasten viable land tenure arrangements.

Outstations/homelands

Information provided to the CTC on service provision to outstations shows it remains fragmented. Ten year funding has recently been announced but a clear policy statement on outstations and homelands is long overdue.

The CTC strongly agrees with Mr Beadman's four recommendations on outstations/homelands⁸⁰ and calls on the Territory Government to:

- Publish its review into outstations and homelands;
- Provide certainty about funding arrangements for outstation/homeland residents;
- Develop and publish a clear policy about new housing, repairs and maintenance of existing housing, private housing support and potential for home ownership;

⁸⁰ NTG, NTCGRS, *Report #4*, p.76.

- Examine the feasibility of extending the community housing cooperative grant scheme and other appropriate housing schemes to outstations/homelands.

Employment and economic delivery

The CTC notes the recent report of the Select Committee on Youth Suicide in the Northern Territory, *Gone Too Soon*, which commented on the effects of multi-dimensional issues surrounding substance abuse and economic and social disadvantage in the Territory's Indigenous communities.⁸¹

When visiting communities, the CTC visited schools and spoke to school staff to find out about attendance and the community's involvement in children's education. It raised the issues surrounding school attendance and employment with witnesses. Community witnesses frankly discussed substances abuse and other issues affecting people's involvement in education and employment.

As noted earlier, the delay in resolving land tenure in growth towns will have a debilitating impact on economic development in towns. This in turn affects the level of uptake in education and training opportunities.

Notwithstanding the significant unaddressed issues with economic development in growth towns, the CTC sees the Indigenous SIHIP employees and their training and the number of local government jobs as examples of what is possible in growth towns. These are however, dependent on continued government funding.

⁸¹ LANT, Select Committee on Youth Suicide in the NT, *Gone Too Soon, A Report into Youth Suicide in the Northern Territory*, March 2012, pp. iii, x-xi.

6. OTHER REFERENCES

While the CTC is able to self-reference matters of concern, the CTC also received an additional reference to inquire into the Territory's animal welfare governance. The other references that the CTC has inquired into include the Territory's power generation network, the compilation of domestic violence statistics and the role of the Office of the Public Guardian.

As the CTC's inquiry into the Office of the Public Guardian was conducted confidentially, further details cannot be provided. However, this chapter provides a summary of the CTC's findings in relation to animal welfare governance, the power supply and domestic violence statistics.

Animal Welfare Governance

In May 2011 the Legislative Assembly referred the issues surrounding animal welfare governance to the CTC, following an Ombudsman inquiry into the treatment of cattle at Charles Darwin University's training facility, Mataranka Station, and continuing public disquiet in relation to animal welfare governance. The CTC formed an Animal Welfare Governance Sub-Committee (the Sub-Committee) comprising existing CTC members and two members referred by the Legislative Assembly to work on animal welfare governance.

The Sub-Committee sought all relevant papers from the Territory Ombudsman, Charles Darwin University, DHLGRS and the Department of Resources. After examining these papers the Sub-Committee held public hearings in Darwin, Katherine and Mataranka and also heard expert legal opinion on the Territory's animal welfare legislation.¹

In its *Final Report*, the Sub-Committee found the existing animal welfare legislation deficient in promoting animal welfare and inadequate for investigating and enforcing its provisions. Evidence to the Sub-Committee showed that the *Animal Welfare Act* needed amendment and processes across government needed to be better articulated and coordinated. The Sub-Committee was particularly concerned about the lack of training and expertise in regulatory roles across government because it has wider implications than animal welfare governance.

The Sub-Committee included companion animal welfare and management issues as part of its inquiry and found that appropriate steps are lacking to address the considerable problems with companion animal welfare, particularly in Indigenous communities. The Sub-Committee found that there are significant unaddressed dog control issues across the Territory, that there is confusion about responsibility for animal welfare versus management and that companion animal welfare, management and control is inadequately resourced.²

In total, the Sub-Committee made 21 recommendations, including that it reconvene in six months to examine the progress in addressing the recommendations. In its

¹ For details of the inquiry see LANT, Animal Welfare Governance Sub-Committee, *Final Report*, October 2011, <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/animal-welfare/reports.shtml>.

² LANT, Animal Welfare Governance Sub-Committee, *Final Report*, pp.42-6.

response to the Sub-Committee's report, the government agreed to this recommendation and said it will provide an update in six months.³

The Sub-Committee reconvened in April 2012 and considered evidence of government's progress in addressing the recommendations.

Power supply

In November 2009 about 14,000 Darwin and Katherine households lost electricity for about two hours due to a gas supply problem to the Weddell Power Station. The CTC decided to inquire into the Territory's power generation network to determine what led to the power outage in November 2009. A public hearing and an *in camera* briefing were held in Darwin with representatives of the Power Water Corporation (PWC) and a public hearing was held in Darwin with representatives of NT Gas.⁴

The CTC was told that the Channel Island Power Station, the largest power station in the Territory, is the main source of electricity for the Darwin-Katherine interconnected system and that gas is used to fuel the generating sets. Natural gas is supplied to the PWC through NT Gas from Meerenie, Palm Valley and Blacktip gas fields. In June 2006 the PWC entered into a 25 year agreement with Eni Australia Limited (Eni) for gas from the Blacktip field from 2009.

As there were delays in the availability of that first gas from Blacktip in 2009, Eni proposed the use of early off-specification gas (EOSG) to the PWC. After an assessment of the viability of using EOSG the PWC agreed to accept the gas and this along with gas from the Meerenie/Palm Valley fields supplied Weddell and Channel Island Power Stations from September 2009.

On 23 November 2009 the supply of gas was stopped to the Weddell Power Station by NT Gas, causing the power outages. While there was never any suggestion that NT Gas should not have shut off the gas, the PWC's Managing Director said some notice to the PWC could have allowed for an alternate power source to be found.

Acknowledging a lack of expertise in the technical issues involved, the CTC concluded that the late supply of gas by Eni led to a risk being taken by the PWC and NT Gas to pump EOSG into the pipeline, resulting in the pipeline's liquid detection and abatement systems being overwhelmed.

The CTC made recommendations to receive the results of technical investigations into the stopping of the gas and the report into the release of EOSG. The government agreed to both these recommendations and the reports received.⁵

Another significant loss of electricity occurred in early December 2009 that was unrelated to gas supply. It occurred following the finding of severe damage to one of the turbines at the Weddell Power Station. The CTC expressed interest in knowing the outcome of the investigation into the damaged engine and asked the PWC for the

³ Available at <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/animal-welfare/reports.shtml>.

⁴ For details of the inquiry see LANT, CTC, *Second Report*, pp.3-9.

⁵ For the government's response see <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/reports.shtml>.

results of an analysis report, to determine if hydrocarbons did damage the Weddell turbine and who is responsible.

The report was only finalised in 2011 and a summary provided to the CTC indicates that the damage occurred over a long period and while the 23 November incident could have exacerbated the existing damage, it could not have been the principal cause. The PWC said that since a replacement engine was installed in January 2010 there has been no recurrence of the issue and subsequent inspection has found no similar damage.

The damage indicated the presence of iron particulates in the gas stream forming a scale over a prolonged time. The most likely cause of the particulates was corrosion control products from the gas supply, however legal advice said it would be difficult to seek damages from Eni or NT Gas.

An insurance claim for repairing the damage was lodged with the PWC's insurer however, as the claim was less than the annual amount deductible, no payment was required by the insurer.⁶

Domestic violence statistics

Also in 2010, the CTC examined domestic violence statistics and the apparent different figures and interpretations of Police and Department of Justice statistical information. A public hearing was held in Darwin with representatives of NT Police and the Department of Justice.⁷

During the hearing the CTC received a thorough briefing on the intricacies of statistical recording and reporting including the variability of different domestic violence statistics in the Territory. Additional information was provided to the CTC that helped to understand increases in domestic violence-related assaults.

While evidence to the CTC revealed the figures used by the Department of Justice and Police are derived from the same data, differences in recording, collating, analysis and reporting affect final statistics publicly released.

The principal differences explained to the CTC included the differences between offence-based and victim-based reporting and the different geographies and time periods that figures relate to. The point was made that the level of volatility in quarterly figures can mislead people unless they look at long term trends over several years. A further difficulty in the Territory when reporting on a quarterly basis is the volatility of the relatively small numbers affected by seasonal factors.

The CTC made two recommendations to address the inaccuracies and inconsistencies in domestic violence reporting and to minimise the volatility in the numbers. Government's response to the recommendations said that only the Department of Justice will release domestic violence statistics, as a way of eliminating the risk of confusion. The Department of Justice and NT Police were also considering the options about reporting timeframes.⁸

⁶ LANT, CTC, 1 June 2011, Response to request for information out of session.

⁷ For details of the inquiry see LANT, CTC, *2nd Report*, pp.10-3.

⁸ For the government's response see <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/reports.shtml>.

7. GOVERNMENT RESPONSES

The CTC was established to improve collaboration in the Territory's governance and expand involvement in major Territory projects and their implementation. Parliamentary committees do not usually require a response from government. However, under clause 14 of the CTC's terms of reference, the Territory government said it would respond within three months to any CTC report recommending action.¹ Appendix J provides a list of CTC recommendations and government responses.

Government responses to CTC reports are themselves demonstrative of improved levels of collaboration and participation in the Territory's governance. However, examination of the responses shows there is room for improvement. This chapter looks at government responses and assesses how they have helped to increase levels of collaboration.

Recommendations and responses

The table below gives an overview of the CTC's recommendations and the government's responses.

Table 11. Recommendations and responses

	Recommendations	Responses			
		Agreed/Supported		Noted	Disagree
		#	%		
First Report					
SIHIP/Remote housing	10	6	60	4	
Working Future	2	2	100		
Local government	6	4	67	2	
Other*	3	2	67	1	
Report total	21	14	67	7	
Second Report					
SIHIP/Remote housing	5	2	40	3	
Working Future	3	2	67	1	
Local government	1	1	100		
Other**	5	2	40	2	1
Report total	14	7	50	6	1
Third Report					
SIHIP/Remote housing	8	8	100		
Working Future	2	2	100		
Local government	4	4	100		
Report total	14	14	100		
Trips Report					
SIHIP/Remote housing	5	5	100		
Local government	1	1	100		
Report total	6	6	100		
CTC Totals	55	41	75	13	1
Sub-Committee Final Report					
<i>Animal welfare governance total</i>	21	21	100		

* Other includes recommendations on the CTC Secretariat.

** Other includes recommendations on power supply and domestic violence statistics.

Government has agreed (or supported) more than three quarters of CTC (75 per cent) and Sub-Committee (100 per cent) recommendations. Since its first response,

¹ See Appendix A.

government has varied how it responded to CTC recommendations with ‘supported’ seemingly replacing ‘noted’. Government has only formally disagreed with one recommendation.

Looking at each of the CTC priorities, government agreed with (or supported) SIHIP recommendations the least (75 per cent) and agreed the most with *Working Future*-related recommendations (86 per cent). Agreement on SIHIP recommendations varied from 50 per cent in response to the *Second Report*, to 100 per cent in response to the *Third and Recent community trips* reports.

While the above statistics give some idea of how the government has responded, it does not give the full picture about government’s reactions to the CTC’s recommendations. Looking at how the government has responded to particular recommendations demonstrates the important role additional government information has played. In the following section significant recommendations and responses on SIHIP are analysed.

SIHIP

About half of the CTC’s recommendations (28) were related to SIHIP and/or the administration and delivery of remote public housing. This was perhaps partly due to SIHIP’s post-review implementation coinciding with the CTC’s establishment in 2009 but also to the nature and size of the program.

One of the CTC’s concerns about SIHIP was the lack of transparency about what is a large, costly government program affecting many thousands of people’s daily lives. The CTC has therefore spent a lot of time trying to make information public and trying to improve how the program is delivered.

Recommendations were made to disclose SIHIP financial information. This has culminated in the CTC receiving regular quarterly reports that also now include Indigenous employment and training information. None of this information was open to scrutiny prior to the CTC’s establishment.

Most recommendations related to SIHIP were made on: refurbishments (eight); costs (seven); and SIHIP associated infrastructure (four). Using the recommendations made about refurbishments as an example shows how transparency on SIHIP and its delivery was improved.

In its four reports the CTC made recommendations to:

- return refurbishments to the originally promised standard;
- streamline the handover period to tenants of completed work;
- ensure refurbished houses allow for healthy living practices;
- transfer SIHIP refurbishment work to shires and local organisations;
- detail how repairs and maintenance funding is used to complete SIHIP refurbishments;
- review how scoping of work is done;
- monitor how new housing components perform; and
- ensure house components are effectively covered by warranties.

All but a couple of these recommendations were to address fundamental issues the CTC saw or heard first-hand from people affected by SIHIP's delivery. They are examples of how the CTC's terms of reference meant something to people. By raising their concerns the CTC identified issues that needed to be addressed and made recommendations to which government responded.

Looking at government responses using the example of refurbishments shows how this worked in practice.

- *Return refurbishments to the originally promised standard:* This was noted by government in its response and information was provided again about the post-review approach to refurbishments and that the average cost will be \$75,000. Additional information was also provided about the expectation of refurbishments being supplemented by a public housing repairs and maintenance program. It is unclear if this further improvement of housing was planned prior to the CTC's recommendations.
- *Streamlining the handover period to tenants of completed work:* This was agreed by government and information was provided on the guidelines developed to minimise time between completion of construction work and occupancy of houses. Highlighting the importance of effective handover processes initiated action to minimise delays.
- *Ensuring refurbished houses allow for healthy living:* This was agreed by government however the response provided little new information about how the government was ensuring houses allowed for the improved health of residents. It remains unclear how governments are monitoring delivery of 'healthy homes'.
- *Transferring SIHIP refurbishments to shires and local organisations:* The government agreed to pursue this with the Australian Government and provided information about how it was already increasing the involvement of shires and local organisations. This recommendation has been followed up with both governments and the CTC has been kept up to date on progress to achieve this change. The CTC's advocacy for local, smaller building teams involvement in SIHIP delivery was instrumental in governments examining how this could occur.
- *Detail how repairs and maintenance funding is used to complete SIHIP refurbishments:* Some general (policy level) information was provided in relation to this but did not address how the policy is being implemented in reality in communities.
- *Reviewing how scoping of work is done:* This was agreed by government with additional information provided mainly about the role of Housing Reference Groups and communication with communities. While not addressing what the recommendation was targeting, the information highlighted the changes to consultation and communication with communities.
- *Monitoring how new housing components perform:* This was agreed but the government's response only partly addressed the recommendation.

- *Ensuring house components are effectively covered by warranties:* This was agreed but the government's full response indicated that it did not fully understand the circumstance and reason for the recommendation.

These examples show how the recommendation and response process worked in relation to one of the CTC's priorities. Perhaps the best description of this process was as a negotiation; a recommendation was made, responded to, more fully explained, discussed and further response or action taken. It is certainly an example of improved collaboration and involvement in how SIHIP was delivered.

From recommendations made on SIHIP refurbishments, the CTC has raised concerns about how refurbishments were delivered and initiated action about other ways that refurbishments could be done that would also provide additional employment in communities. In many instances, the best response the CTC received was to hear back from affected communities about improvements. As the above example shows, not all recommendations initiated government action, but responses to the recommendations did help to increase the amount of information made public.

APPENDICES

APPENDIX A – Terms of Reference

COUNCIL OF TERRITORY CO-OPERATION

TERMS OF REFERENCE

- (1) That the Legislative Assembly establish a Sessional Committee to be known as 'The Council of Territory Co-Operation';

Purpose of the committee

- (2) That the committee facilitate:
- (a) greater levels of collaboration in the governance of the Northern Territory;
 - (b) enhance parliamentary democracy by providing a strong role for members of the Legislative Assembly who are not members of the executive government, particularly on matters of common concern;
 - (c) expand involvement in important Northern Territory initiatives and projects;
 - (d) provide new avenues for Territorians to have input through the Legislative Assembly into the government of the Northern Territory; and
 - (e) provide a road map for tackling some specific issues currently facing the Territory.
- (3) The committee consist of up to six members including two government members, two opposition members and at least one independent member to be appointed by a subsequent resolution and that unless otherwise ordered, Mr Wood be appointed Chairman of the committee.

Duties of the committee

- (4) That the committee inquire into, consider, make recommendations and report to the Assembly from time to time on the following matters of public importance:
- (a) the strategic indigenous housing and infrastructure program (SIHIP);
 - (b) local government reform;
 - (c) the planning scheme and the establishment of Weddell;
 - (d) a working future (including homelands policy);
 - (e) any other matter of public importance referred to it by the Legislative Assembly; and

- (f) any matter of public importance concerned with the administration of matters of which ministers of the Territory have executive authority pursuant to the provisions of the *Northern Territory (Self-Government) Act* and Regulations (Commonwealth).
- (5) That the provisions of paragraph (4) have effect notwithstanding the terms of reference of other Assembly committees.
- (6) That the committee determine appropriate timeframes and work plans and the priority for consideration of matters referred to it;
- (7) That, notwithstanding paragraph (4) above, the committee report to the assembly as soon as possible after 30 June each year on its activities during the preceding financial year;
- (8) That in the event of an equality of voting, the member chairing the committee shall have a casting vote;
- (9) That the committee have power to appoint subcommittees and to refer to any such subcommittee any matter which the committee is empowered to examine.
- (10) That three members of the committee constitute a quorum of the committee and two members of a subcommittee constitute a quorum of the subcommittee.
- (11) That the committee or any subcommittee have power to send for persons, papers and records, to adjourn from place to place, to meet and transact business in public or private session and to sit during any adjournment of the Assembly.
- (12) That the committee shall be empowered to print from day to day such papers and evidence as may be ordered by it and, unless otherwise ordered by the committee, a daily *Hansard* shall be published of such proceedings of the committee as take place in public.
- (13) That the committee have leave to report from time to time and any member of the committee has power to add a protest or dissent to any report.
- (14) That any report tabled by the committee which recommends action by the government, shall within three months from the date of tabling of such report generate an information paper in response to the report and that the Assembly has the capacity to take note of the response.
- (15) That unless otherwise ordered by the committee, all documents received by the committee during its inquiry shall remain in the custody of the Assembly provided that, on the application of a department or person, any document, if not likely to be further required, may, in the Speaker's discretion, be returned to the department or person from whom it was obtained.
- (16) That members of the public and representatives of the news media may attend and report any public sessions of the committee, unless otherwise ordered by the committee.

- (17) That the committee may authorise the broadcasting of public hearings of the committee under such rules as the Speaker considers appropriate.
- (18) That the committee shall be provided with all necessary staff, facilities and resources and shall be empowered, with the approval of the Speaker, to appoint persons with specialist knowledge for the purposes of the committee.
- (19) That the committee be empowered to consider the minutes of proceedings, evidence taken and records of committees established in previous Assemblies;
and
- (20) That the foregoing provisions of this resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

APPENDIX B – All hearings

LIST OF HEARINGS AND TRIPS

CTC

Date	Meeting type	Location
09/11/2009	Public Hearing	Darwin
10/11/2009	Public Hearing	Darwin
19/11/2009	Public Hearing	Tennant Creek
23/11/2009	Public Hearing	Alice Springs
02/12/2009	Public Hearing	Katherine
28/01/2010	Public Hearing	Darwin
02/02/2010	Public Hearing and site visit	Nguiu
04/02/2010	Public Hearing and site visit	Wadeye
24/02/2010	Confidential briefing via teleconference	Darwin/ Alice Springs
03/03/2010	<i>In camera</i> Hearing	Darwin
10/03/2010	Public Hearing	Angurugu
10/03/2010	Public Hearing and site visit	Umbakumba
11/03/2010	Public Hearing	Alyangula
22/03/2010	<i>In camera</i> Hearing	Darwin
14/04/2010	Public Hearing	Darwin
30/04/2010	<i>In camera</i> Hearing	Darwin
11/05/2010	Public Hearing and site visit	Santa Teresa
11/05/2010	Informal Briefing	Santa Teresa
12/05/2010	Informal Briefing	Alice Springs
12/05/2010	Public Hearing	Alice Springs
13/05/2010	Confidential briefing and site visit	Alice Springs
13/05/2010	Public Hearing	Ntaria
03/06/2010	Public Hearing	Darwin
30/08/2010	Chair's site visit	Nauiyu
30/08/2010	Chair's site visit	Peppimenarti
31/08/2010	Chair's site visit	Wadeye
31/08/2010	Chair's site visit	Palumpa
13-14/09/2010	Public Hearing	Darwin
10/11/2010	Site visit and informal briefings	Maningrida
13-14/12/2010	Public Hearing	Darwin
21/01/2011	Site visit and informal briefings	Gunbalanya
21/01/2011	Site visit and informal briefings	Galiwin'ku
03/02/2011	<i>In camera</i> Hearing	Darwin
21/02/2011	Informal Briefing	Darwin
07/03/2011	Site visit and Public Hearing	Milikapiti

Date	Meeting type	Location
08/03/2011	Site visit and Public Hearing	Pirlangimpi
18/04/2011	Site visit (with Minister Burns)	Milikapiti
18/04/2011	Site visit (with Minister Burns)	Pirlangimpi
25/05/2011	Public Hearing	Darwin
29/06/2011	Public Hearing	Darwin
21/09/2011	Chair's site visit and informal briefing	Borroloola
21/09/2011	Chair's site visit and informal briefing	Robinson River
06/12/2011	Public Hearing	Darwin
30/01/2012	Chair's site visit and informal briefing	Alice Springs
06/03/2012	Public Hearing	Darwin
09/03/2012	Confidential briefing	Darwin

Animal Welfare Governance Sub-Committee

Date	Meeting type	Location
29-30/06/2011	Public Hearing	Darwin
04/07/2011	Public Hearing	Darwin
02/08/2011	Public Hearing	Darwin
02/08/2011	Site visit and Public Hearing	Mataranka
03/08/2011	Public Hearing	Katherine
31/08/2011	Public Hearing	Darwin
03/04/2011	Confidential briefing	Darwin

APPENDIX C – Public hearings since May 2011

COUNCIL OF TERRITORY CO-OPERATION

**LIST OF PUBLIC HEARINGS AND VISITS
(since May 2011)**

Borrooloola **Wednesday 21 September 2011**

Visit by the Chair to the Community

Robinson River **Thursday 22 September 2011**

Visit by the Chair to the Community

Darwin **Public Hearing** **Tuesday 6 December 2011**

Child Protection External Monitoring and Reporting Committee
Professor Graham Vimpani AM, Chair (*via teleconference*)

Department of Children and Families
Ms Clare Gardiner-Barnes, Chief Executive

Department of Housing, Local Government and Regional Services
Mr Ken Davies, Chief Executive
Mr Andrew Kirkman, Executive Director SIHIP

Alice Springs **Monday 30 January 2012**

Visit by the Chair to Town Council, Town Camps and Ingkerreke Outstation Resource Services.

Darwin **Public Hearing** **Tuesday 6 March 2012**

Department of Housing, Local Government and Regional Services
Mr Ken Davies, Chief Executive
Mr Mike Chiodo, Deputy Chief Executive, Remote Infrastructure Program Office
Mr Andrew Kirkman, Executive Director SIHIP
Mr John Tobin, A/Executive Director, Local Government, Regional & Community Services
Ms Michelle Brown, A/Executive Director, Service Delivery Coordination Unit
Ms Giovina D'Alessandro, Director Local Government & Community Services

Northern Land Council
Mr Kim Hill, Chief Executive
Mr Syd Stirling, Senior Policy Officer
Mr Ron Levy, Principal Legal Officer
Mr Shanti Rama, Legal Officer

NAPCAN

Ms Lesley Taylor

Child Protection External Monitoring and Reporting Committee

Professor Graham Vimpani AM, Chair (*via teleconference*)

SAF,T

Ms Victoria Pollifrone, Advocacy and Policy Manager

Ms Briony Crummy

AMSANT

Mr John Paterson, Chief Executive

Public Forum

APPENDIX D – Reports and responses

CTC REPORTS AND GOVERNMENT RESPONSES

CTC

<p><i>First Report</i> tabled 24 February 2010</p> <ul style="list-style-type: none"> Made 21 recommendations on SIHIP, remote housing, local government, <i>Working Future</i> and administrative matters. 	<p>Government's response to <i>First Report</i> tabled 4 May 2010</p> <ul style="list-style-type: none"> Agreed with 14 recommendations and 'noted' seven.
<p><i>Second Report</i> tabled 6 May 2010</p> <ul style="list-style-type: none"> Made 14 recommendations on the power supply, crime statistics, <i>Working Future</i>, local government and SIHIP. 	<p>Government's response to <i>Second Report</i> tabled 18 August 2010</p> <ul style="list-style-type: none"> Agreed with seven recommendations, disagreed with one and 'noted' six.
<p><i>Third Report</i> tabled 23 November 2010</p> <ul style="list-style-type: none"> Made 15 recommendations on SIHIP, remote housing, local government and <i>Working Future</i>. 	<p>Government's response to <i>Third Report</i> tabled 24 February 2011</p> <ul style="list-style-type: none"> Agreed with 12 recommendations and 'supported' two.
<p><i>Recent communities trips</i> report was tabled 31 May 2011</p> <ul style="list-style-type: none"> Made six recommendations on SIHIP, remote housing and local government. 	<p>Government's response to <i>Recent communities trips</i> tabled 18 August 2011</p> <ul style="list-style-type: none"> Agreed with four recommendations, 'supported' one.

Animal Welfare Governance Sub-Committee

<p><i>Final Report</i> tabled 26 October 2011</p> <ul style="list-style-type: none"> Made 21 recommendations on changes to the <i>Animal Welfare Act</i>, departmental processes, resourcing, animal ethics committees and companion animal management and control. 	<p>Government's response to the <i>Final Report</i> tabled 1 December 2011</p> <ul style="list-style-type: none"> Agreed with 14 recommendations and 'supported' seven.
--	--

APPENDIX E – CTC Expenditure

**CTC EXPENDITURE*
1 JULY 2011 TO 31 MARCH 2012**

	Actual Expenditure \$
Total Salaries	347,834
Property Maintenance	441
Accommodation	1,101
Advertising	674
Bank Charges	222
Communications	4,247
Consumables/ General Expenses	275
Document Production	8,430
Entertainment/ Hospitality	1,562
Information Technology Charges	24,695
Legal expenses	17,067
Library Services	1,430
Marketing and Promotion	2,533
Motor Vehicle Expenses	5,724
Office Requisites & Stationery	2,490
Official Duty Fares	2,178
Other Equipment Expenses	3,258
Recruitment Expenses	264
Relocation Expenses	313
Training and Study Expenses	1,237
Travelling Allowance	417
Depreciation and Amortisation	2,578
Total Operational Expenses	81,136
Total Salaries and Operational Expenses	428,970
Committee Members Travel	8,816
TOTAL EXPENSES	437,786

*Includes Animal Welfare Governance Sub-Committee expenditure.

APPENDIX F – Child protection hearings

COUNCIL OF TERRITORY CO-OPERATION

LIST OF CHILD PROTECTION PUBLIC HEARINGS AND BRIEFINGS

Darwin Public Hearing Monday 13 December 2010

Children’s Commissioner for the Northern Territory

Dr Howard Bath

Aboriginal Medical Services Alliance Northern Territory (AMSANT)

Mr John Paterson, Chief Executive Officer

Mr Chips Mackinolty, Manager Policy and Strategy

Chief Executives Child Protection Taskforce

Mr Jeffrey Moffet, Chief Executive Department Health and Families

Ms Clare Gardiner-Barnes, Executive Director NT Families and Children

Darwin Briefing Monday 21 February 2011

(This was a closed briefing, most evidence was given in camera)

Department of the Chief Minister

Mr Mike Burgess, Chief Executive

Department of Children and Families

Ms Clare Gardiner-Barnes, A/Chief Executive

Ms Pippa Rudd, Senior Director Strategic Reform and Accountability Team

Darwin Public Hearing Wednesday 25 May 2011

Child Protection External Monitoring and Reporting Committee

Professor Graham Vimpani AM, Chair

Department of the Chief Minister

(Chief Executive’s Child Protection Taskforce)

Mr Mike Burgess, Chief Executive

Department of Children and Families

Ms Clare Gardiner-Barnes, Chief Executive

Darwin Public Hearing Wednesday 29 June 2011

Department of the Chief Minister

(Chief Executive’s Child Protection Taskforce)

Mr Mike Burgess, Chief Executive

Department of Children and Families

Ms Clare Gardiner-Barnes, Chief Executive

Darwin Public Hearing Tuesday 6 December 2011

Child Protection External Monitoring and Reporting Committee

Professor Graham Vimpani AM, Chair (*via teleconference*)

Office of the Public Service Commissioner

Mr Graham Symons, Public Service Commissioner

Department of Children and Families

Ms Clare Gardiner-Barnes, Chief Executive

Darwin Public Hearing Tuesday 6 March 2012

NAPCAN

Ms Lesley Taylor

Child Protection External Monitoring and Reporting Committee

Professor Graham Vimpani AM, Chair (*via teleconference*)

SAF,T

Ms Victoria Pollifrone, Advocacy and Policy Manager

Ms Briony Crummy

AMSANT

Mr John Paterson, Chief Executive

Public Forum

APPENDIX G – Reform progress

CHILD PROTECTION REFORM

BOARD OF INQUIRY RECOMMENDATIONS WITH PROGRESS¹

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
(1)	3	That an Aboriginal Child Care Agency or Agencies be developed in stages, and that such an agency or agencies is funded by Government with a major role in child safety and wellbeing, with consultation to determine how the Aboriginal community should be represented. Alternatively, the agency functions may be developed as part of an existing Aboriginal controlled organisation.	Consultation Underway	SAF,T has been allocated \$1M in 2011/12 to undertake the scoping, consultation and model development work for the Darwin and the Alice Springs Aboriginal Child Care Agencies (ACCAs) in the NT. ACCAs to be established in Darwin and Alice Springs.
(1)	6	The Inquiry endorses the Aboriginal Child Placement Principle and recommends that it is interpreted and applied in such a manner that the safety of the child is paramount.	Project Plan Developed	Policy development well progressed but first attempt to secure an Aboriginal Practice Adviser was unsuccessful. Readvertisement was completed and an Aboriginal Practice Adviser commenced on 5/12/11. AO7 Aboriginal Project Officer commenced on 16 January 2012 to progress this recommendation. An Aboriginal and Torres Strait Islander Policy Unit has been established within DCF – role and function being scoped.
(1)	8	That the planning processes around the development of integrated child and family centres in remote areas specifically address the service delivery needs of vulnerable and at-risk children and families and promote collaborative practice amongst government and non-government service providers relating to these target groups	Significant Progress Made	Child and Family Leaders (CFLs) are new senior workers who will work in partnership with the local community and service providers to support the integration of services provided to children and families. CFLs have commenced on Groote Eylandt, Ngukurr, Gunbalanya and Ntaria. Recruitment to the Child and Family Leader position at Maningrida has been completed, with commencement in March. Recruitment to the Yuendumu CFL is progressing. The Yirrkala location is on hold due to housing shortage. Consultation on integrated service provision is

¹ LANT, CTC, 3 March 2012, Response to out of session question on notice, DCF, 'Board of Inquiry recommendations spreadsheet' as at 22 February 2012.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				<p>continuing in all Child and Family Centre sites - Maningrida, Ngukurr, Gunbalanya, Yuendumu and Palmerston. At Ngukurr and Gunbalanya this is being lead through Child and Family Leaders. At Yuendumu and Maningrida the Families as First Teachers Educators are leading the integration of services. Land tenure continues to delay moving towards construction in Maningrida, Ngukurr and Yuendumu until site leases are finalised. Community consultations on the Child and Family Centre at Gunbalanya are on hold.</p>
(1)	14	<p>That NTFC immediately develops and implements a strategy to clear up the backlog of unallocated child protection investigations whilst ensuring all notified children are safe. Furthermore, that NTFC develop a longer term sustainable approach based on a resource allocation model to ensure that such backlogs do not reemerge.</p>	<p>Significant Progress Made</p>	<p>The 870 backlog in unallocated child investigations was immediately addressed through secondment of additional staff and reduced to zero. As at 20 February there were 153 uninvestigated Child Protection Reports (NB: figure fluctuates on a daily basis) of which 129 were outside of the required response time. An additional 59 professional stream workers have been employed since release of the BOI report. Strategic workforce planning being progressed. The Darwin Backlog Team has six advanced practitioners and one team leader/manager assisting to deal with the backlog in unallocated cases.</p>
(1)	16	<p>That NTFC immediately reviews the response targets for the commencement of investigations for the various risk categories and considers whether other targets may be more realistic. Once updated policies/guidelines have been agreed, ongoing timeliness data should be calculated on all matters that have been 'outcomed' (processed by Central Intake) not just those for which an investigation has commenced.</p>	<p>Proposal Under Consideration</p>	<p>Research and project planning completed. Proposal developed for internal consultation. The Position Paper recommends the adoption of new response times for Child at Risk and Child Concern reports. Feedback on the recommendations made in the Position Paper is being sought from key internal and external stakeholders including the CP External Monitoring and Review Committee. The Position Paper recommends the adoption of new response times for Child at Risk and Child Concern reports. The paper recommends a three tier response system using the following response times be adopted from 1 July 2012:</p> <ul style="list-style-type: none"> • 1 day urgent (no change to the current requirement that Child in Danger investigations commence within 24 hours); • 5 day mid-level urgency response (extension of current requirement that Child at Risk investigations commence

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				<p>within 72 hours); and</p> <ul style="list-style-type: none"> • 14 day non-urgent (extension of current requirement that Child Concern investigations must commence within 5 days). <p>Feedback from internal stakeholders indicated support for the recommendations made in the Position Paper but with the retention of a 3-day response for Child at Risk reports involving children under 2. Feedback will be incorporated in a proposal for new response times by the end of March 2012.</p>
(1)	19	That NTFC and NT Police review the large numbers of apparently incomplete investigations from CAT North to determine the accuracy of the data and whether action needs to be taken to address the apparent backlog in completing investigations.	No Further Action Required	Review was completed and small backlog is being dealt with operationally.
(1)	20	That NTFC ensures that its investigation processes and instruments are sensitive to the possibility that notified children (particularly for reasons of neglect) may be provided with the basic necessities but not be meaningfully bonded with a caring adult or adults, and that they can experience significant developmental harm as a result.	Actioned and Now Ongoing	Structured Decision Making (SDM) tools, implemented in Central Intake and child protection offices are sensitive to cumulative harm. SDM tools were implemented in Targeted Family Support Services in Alice Springs, Darwin and Katherine. The Safety, Risks, Family Strengths and Needs Risk Reassessment Tools have been rolled out across all Care and Protection offices from July 2011. The Care and Protection Policy and Procedures Manual has been revised to incorporate cumulative harm and to integrate SDM assessments within the case planning system. A Cumulative Harm Project has been initiated to fully address DCF's response to the effects of multiple adverse circumstances and events in a child's life. A position paper is being developed. The implementation of the SDM assessments is being qualitatively reviewed through 6 monthly case readings undertaken by the Children's Research Centre. The November case readings indicated positive integration of the Intake assessments into practice. These assessments were introduced in July 2010. The assessments are being used consistently and correctly and are effectively incorporated in the decision making processes at Intake. Five new assessment tools were introduced

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				in July 2011. These are the Safety, Risk, and Family Strengths & Needs Assessments and the Risk Reassessment. The November case readings indicated that the integration of these assessments is not yet at a satisfactory level and urgent remedial action has been undertaken to improve performance in the area. Work has commenced on the contextualizing of the Family Reunification assessment which will be introduced in July 2012.
(1)	21	That NTFC urgently implements an initiative focused on the longer-term safety and wellbeing of infants and young children who come to its attention. This might be modelled on the 'One Chance at Childhood' initiative of the Department of Communities in Queensland but should also include guidelines for case classification at intake as well as ongoing case support and management.	Consultation Paper Developed	A literature and data review is completed and options identified for consultation. An options paper is under development. \$1.5m is being invested over 3 years to establish a Centre for Child Development and Education through the Menzies School of Health Research.
(1)	23	That the Northern Territory Government in considering the impact of the phased withdrawal of AFP by the Commonwealth, ensures that adequate planning and funding is in place to respond to the issues of serious abuse in remote areas.	Consultation Underway	Two additional AFP officers have been recruited for Alice Springs. Negotiations with the Australian Government are continuing in the context of the post-NTER response. Mobile Child Protection Teams have been expanded following the allocation of additional Australian Government funding.
(1)	33	That NTFC undertakes or commissions a comprehensive review of its residential care services with a view to addressing the serious concerns identified in recent internal reports, updating current demand trends, determining the optimal service mix, developing realistic costing models, and clarifying the role of non-government service providers. The review should also: <ul style="list-style-type: none"> consider, in particular, the demand for and approaches to the provision of out of home care for Aboriginal children in remote areas to include safe houses and multi-service approaches that have been established in other jurisdictions that provide for family support and restoration programming as well as out of home care; focus on issues of service quality, covering the development 	Consultation Underway	A temporary officer has been engaged to undertake a review of alternative care, with a report due by February 2012. A profile of children in care is also being undertaken. Draft policy and procedures for carers and care environments is nearing completion. Draft Standards of Care and Draft Breach procedures developed.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		<p>of policy and procedure manuals for services, clear program models, the role of care and behaviour management plans, recruitment requirements, specialist training requirements, physical plant equipment, the supervision and support of workers and accountability measures;</p> <ul style="list-style-type: none"> • Lead to a comprehensive 3-year plan around the development and management of residential care services. 		
(1)	40	That the allowances and other payments to all carers be reviewed and an ongoing process be established, taking into account: that the foster care allowance should be based on the child's level of need, their age and the location of the placement; that an additional allowance should be made to carers in remote areas in order to account for extra costs required to maintain standards; the need for clear guidelines around discretionary payments to reduce the inequitable use of this form allowance.	Proposal Under Consideration	The review is complete and a draft proposal has been prepared for DCF consideration following which a final proposal will be prepared for decision. Implementation of new rates and allowances by 30/6/12 is expected.
(1)	42	That kinship carers be provided with the allowance at the same rate as general foster carers.	Proposal Under Consideration	Review of carer payments completed. Options for differential carer allowances prepared for consideration based on complexity of the child's needs. This is due to be considered mid first quarter 2012. In line with current policy any new carer rates will apply to both registered non kin and kin carers. A review of informal placements of children not under orders is currently being scoped.
(1)	46	That NTFC immediately acts to address the need for a shift in culture from a focus on carers as providers to carers as partners.	Significant Progress Made	<p>Strategies being implemented to address this recommendation:</p> <ul style="list-style-type: none"> • development of a partnership agreement with Foster Care NT; • introduction of a carer advocacy and carer peer support program; • establishment of a carer learning and development program; • roll out of the carer recognition program, including the Foster and Kinship Carer Excellence Awards. <p>Twelve consultation sessions took place around the Territory to develop the partnership agreement and Carer's Charter. The</p>

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				partnership agreement commenced in September 2011. Carer advocacy training is now completed.
(1)	47	That NTFC adequately funds Foster Care NT to ensure that the organisation is able to develop an effective mentoring and support role for foster carers and to assist in the provision of foster care recruitment, training and advocacy within the Department.	Actioned and Now Ongoing	Additional funding of \$585,000 p.a. was announced 29/10/11 to Foster Care NT. A Service Level Agreement has been finalised. FosterCare NT will commence a new support service in Katherine, re-establish its office in Alice Springs and expand services in Darwin. Increased resourcing will allow FosterCare NT to support carer recruitment and provide support and advocacy for carers in the Northern Territory. The organisation is implementing the FAST program (Foster Care Advocacy Support Team) to provide support and mentoring to foster and kinship carers. Seven FAST delegates have completed training and will support carers in Alice Springs, Tennant Creek, Katherine, Darwin and other centres. Foster Care NT has appointed a new Manager to the service.
(1)	53	That NTFC continues with its implementation of recommendations from recent Coronial Inquests and reports of progress in its annual report.	Actioned and Now Ongoing	DCF's inaugural Annual Report for 2010-11 included a report on recommendations arising from recent Coronial Inquests. Future Annual Reports will report on ongoing progress. A position paper is being developed for the Cumulative Harm Project. Possible Models have been explored and strategic directions identified. Position paper being developed.
(1)	54	That NTFC continues with its implementation of recommendations from the High Risk Audit and reports on progress in its annual report.	Actioned and Now Ongoing	DCF's inaugural Annual Report for 2010-11 included a report on recommendations arising from the High Risk Audit. DCF's inaugural Annual Report for 2010-11 included a report on recommendations arising from the High Risk Audit. Future Annual Reports will report on ongoing progress.
(1)	55	That NTFC continues to support and influence the introduction and implementation of the National Standards for Out of Home Care and reports progress in its annual report.	Actioned and Now Ongoing	DCF's inaugural Annual Report for 2010-11 included a report on implementation of National Standards for Out of Home Care. Future Annual Reports will report on ongoing progress.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
(1)	68	That in consultation with a child's extended family and cultural advisers, all children who are recognised within the category of being under 'Ambiguous guardianship' are urgently and thoroughly assessed and that resolutions are finalised as soon as possible in relation to their guardianship.	No Further Action Required	Status of all children identified as having 'ambiguous guardianship' resolved.
(1)	77	That the NTG makes a clear policy commitment to the progressive implementation of the outsourcing of significant elements of the out of home care program.	Consultation Underway	Funding is progressively being provided to non-government organisations (in 2011-12 funding has been allocated to Balanu (\$483,000), Life Without Barriers (\$551,000), Anglicare (\$3.07m) and Lifestyle Solutions (\$608,000) for out-of-home care services. Work underway to develop a strategic framework for continuum of care. Refer also to response to Recommendation 33.
(1)	78	That NTFC develops a plan which determines which parts of the out of home care system would benefit from outsourcing, what type of organisations will provide services (e.g. non-government agencies, private organisations or companies), mechanisms for regulations and monitoring of services, risk management strategies, how funding levels for services will be determined etc.	Consultation Underway	Funding is progressively being provided to non-government organisations (in 2011-12 funding has been allocated to Balanu (\$483,000), Life Without Barriers (\$551,000), Anglicare (\$3.07m) and Lifestyle Solutions (\$608,000) for out-of-home care services. Work underway to develop a strategic framework for continuum of care. Refer also to response to Recommendation 33.
(1)	79	That given the rapidly increasing costs associated with the placement of children in fee for service placements and the varying levels of placement oversight that are entailed, the plan around outsourcing needs to include a strategy (with targets and timelines) to shift the current fee for service arrangements to negotiated grant-based service agreements with approved providers.	Project Plan Developed	A project plan has been developed. Recruitment for specialist staff to progress this work underway. A review of alternative care is being undertaken. This will include examination of service and cost effective models of alternative care. Refer to recommendation 33.
(1)	102	That NTFC review its policies and procedures concerning communications with parents, kinship carers (and others) who do not have English as their first language. This should result in directives around the issue of interpreters and the provision of written materials in different formats and languages, to ensure that the intentions, proposals and actions of NTFC are clearly	Project Plan Developed	Recruitment has been delayed however a senior professional worker has now been recruited to commence this recommendation with the expectation that they will collaborate with the Aboriginal Practice Adviser.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		understood, particularly where these involve the obtaining of consent.		
(1)	103	That NTFC review all placement arrangements facilitated by case workers and, where children are found to be in improperly arranged 'Family Way' placements, their circumstances are assessed and they should either be returned to their parents or have their placement arrangements formalised.	Project Plan Developed	Project plan developed. This issue has been incorporated into the consultation paper for the 2012 major review of the Care and Protection of Children Act. Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(1)	104	That NTFC takes immediate action to ensure that no officers participate in any placement arrangements that might be considered contrary to the intent and provisions of the Act.	Actioned and Now Ongoing	Placement requirements are outlined within DCF policy and procedures. This has been reiterated to operational staff through a Practice Direction and will form an integral part of the ongoing DCF training. Multiple projects are underway regarding care placements which will see the review of the Resource Manual, Placement matching principles and Carer registration methodology etc.
(1)	117	That the NTG immediately move to implement the major reforms outlined in the body of this Report (Chapter 11) around the delivery of child safety and wellbeing services and interagency collaboration. These include: <ul style="list-style-type: none"> • Development of a 'dual pathway' process for the referral and assessment of vulnerable children and families; • Creation of Community Child Safety and Wellbeing teams for the 20 Growth Towns, and elsewhere; • Expansion of the scope of the current and planned children and family centres to include targeted and indicated services for at-risk children and families; • Development of further children and family centres (as child wellbeing and safety centres) in areas of need; • Establishment of interagency, hospital based Child Safety and Wellbeing teams in urban areas; • Enhancement of the child safety and wellbeing roles of other government agencies and personnel. 	Significant Progress Made	Initiatives at varying stages of implementation: <ul style="list-style-type: none"> • Dual Pathways – stakeholder consultation underway, information sharing legislative reforms being progressed. • CCSW teams – Program Manager recruited & 2 community based staff (Nguuu and Yirrkala) commencing in their communities the first week in December 2011. A further 5 practitioners have been appointed bringing the total number to 7. Following induction, these practitioners are expected to be placed in the following communities from May 2012: Papunya, Lajamanu (also servicing Kalkaringi/Daguragu), Maningrida, Gapuwiyak and Borrooloola. Further recruitment is planned for March 2012 with the aim of having 10 practitioners in post by 30/6/12. • Child and Family Centres – 1 urban, 4 remote – at various stages of consultation/tenure negotiations – additional Centres to be negotiated with Australian Government. • Hospital based Multi-Agency Assessment and Coordination

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				<p>(MAC) teams to be based at Alice Springs & Royal Darwin Hospitals – operational framework provisionally approved subject to consultation with key statutory agency partners which is underway. MAC team coordinator appointed for Darwin and a Policy and Procedures manual is under development.</p> <ul style="list-style-type: none"> • Child Safety Wellbeing Directors' Network established making child safety everyone's business. • Mandatory Reporter Guide - governance mechanism being established.
(1)	122	<p>That NTFC reshape its workforce by:</p> <ul style="list-style-type: none"> • developing a transparent resource allocation methodology across NTFC; • undertaking a comprehensive analysis of roles and functions required and a review of current position descriptions in order to determine the appropriate and most effective role and function for service delivery, paying attention to the: <ul style="list-style-type: none"> • number of personnel; • skills, qualifications and disciplines of personnel; • level of knowledge and skills required; • Professional development needs of workers • Training and education provision. • Developing a range of new positions to meet the requirements of the new model of service delivery • Ensuring the presence and visibility of multiple entry points to and pathways through service delivery for a range of people at various stages of their education and development. 	Significant Progress Made	<p>Strategic Workforce Planning project has commenced. A review of Central Intake has been completed and a new operational model with appropriate resourcing implemented from 27/9/11. Additional professional stream positions have been established in each Regional Office, along with specialist support positions - Complaints Officer, Training Officer, Courts Officer, Cultural Advisor, Practice Advisor and Specialist Services Manager. The Australian Childhood Foundation is conducting an agency wide Training Needs Analysis for DCF which will consist of international and national scans of best practice and agency wide consultation. Analysis will inform content and methodology of delivery of core training at different points and for different roles during the first six months of commencement including: pre-commencement; orientation; pre-service (frontline staff by role); and in-service (staff by role).</p>
(1)	123	<p>That NTFC reviews the specific demands of urban, regional and remote area service delivery and:</p> <ul style="list-style-type: none"> • establishes benchmark caseload ratios to enable acceptable staff levels and appropriate and manageable caseloads; • formulates specific ratios for the three practice areas noting 	Actioned and Now Ongoing	<p>Caseload ratios have been established and incentive based strategies commenced from January 2011. The Department has received additional funding for front-line positions and recruitment to these positions will see reduced pressure on front line staff.</p>

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		<p>the current benchmarks that have not been calibrated for jurisdictions that include remote area practice - Out of home Care 1:15; Family support 1:10; Child Protection 1:6 to 1:15;</p> <ul style="list-style-type: none"> develops specific proposals for remuneration and innovative performance and incentive based strategies (such as provision of housing, rental subsidies, travel allowances, retention bonuses, salary packaging, etc.) and that proposals for remote practice that are equitable for people regardless of their original domicile. 		
(1)	132	<p>That the Department of Health and Families endorses and resources the proposed NTFC supervision policy and:</p> <ul style="list-style-type: none"> ensures that time is allocated to supervision and training of staff by allocating service closure times monitors its application by inviting regular feedback from all staff Includes a CCIS staffing marker regarding worker supervision which is used in management reports ensures that aggregated information from supervision is recorded and conveyed to dedicated senior personnel who can utilise it for refinement of policy, practice, training and workforce development ensures that all staff in senior/supervisory positions have the advanced qualifications and experience to fulfil their role and meet organisational performance requirements instigates a program of supervision training for all senior staff – including team leaders, managers and directors augments supervision with a mentorship model that sends a strong message that staff are valued, supported and assisted to do the work they are required to do develops a comprehensive mechanism for cultural competence that includes an ethical and values framework and that is cross sectoral, cross divisional and cross departmental ensures that team leaders do not carry case management 	Significant Progress Made	Supervision policy launched in September 2011. A Supervision Co-ordinator position has been established and a comprehensive training package has been developed. Training in use of the Supervision Policy and Tools is being rolled out to all offices. Mechanism for cultural competence that includes an ethical and values framework and that is cross-sectoral, cross divisional and cross departmental to be developed. To support culturally appropriate practice on the frontline, a Cultural Adviser position has been established in each Regional Office. Additional professional stream positions are being established in each Regional Office to allow team leaders to focus on staff rather than case management.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		responsibilities so that they can support staff learning and performance and the development of quality services.		
(1)	136	That the NTG reviews the roles and functions of the Children's Commissioner in the light of this Inquiry with a view to amending the legislation to address the needs for: <ul style="list-style-type: none"> • an 'own motion' investigation capacity; • extension of his/her advocacy and complaint management responsibilities to other identified groups of vulnerable children in Northern Territory Government-funded care; • specific powers for the Children's Commissioner to obtain documents, examine persons or carry out any type of investigations as part of his/her monitoring functions; • a broader role in monitoring the implementation of Northern Territory Government decisions arising from any inquiries in relation to the child protection system or the wellbeing of children under the <i>Inquiries Act</i>. 	No Further Action Required	Legislative amendments were introduced on 1/7/11 and increased funding has been provided to the Children's Commissioner.
(1)	137	That the NTG ensures that the Children's Commissioner is adequately funded to carry out any additional functions.	No Further Action Required	Legislative amendments were introduced on 1/7/11 and increased funding of \$0.4m in 2010-11 and an annual increase of \$0.7m from 2011-12 has been provided to the Children's Commissioner.
(1)	142	That NTFC develops an effective complaints management process for clients of the service (and others affected by decisions) that provides for the speedy resolution of complaints. The procedural guidelines for the process should be made available on the NTFC website.	Full Implementation Underway	A Practice Integrity and Complaints Management Branch has been established within DCF. A complaint and feedback management framework and implementation plan that includes an appeal process for professional practice decisions has been developed and finalised. Appropriate communication paraphernalia such as Q&As will be developed as part of implementation planning. Provision for the DCF CE to establish procedures for dealing with complaints about social services provided under the Care and Protection of Children Act , or otherwise relating to the administration of the Act to be progressed through the 2012 legislative review process.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
(1)	143	That NTFC develop an appeals process (either as part of the internal complaints process or separately) that provides for an appeal process for professional decisions independent of the normal line management structures. The procedural guidelines for the appeal process should be made publicly available on the NTFC website.	Full Implementation Underway	Incorporated as part of the 'Compliments, Suggestions and Complaints Policy', which has been approved, within the Practice Integrity and Complaints Management Branch. Provision for the Chief Executive, DCF to establish procedures for dealing with complaints about social services provided under the Care and Protection of Children Act, or otherwise relating to the administration of the Act to be progressed through the 2012 legislative review process.
(1)	146	That the NTG develops and implements a comprehensive community education strategy to highlight key messages about child protection and child wellbeing and to accompany the service delivery enhancements contained in this report. The strategy should: <ul style="list-style-type: none"> • have at least a five-year life span; • must be multimodal (involving radio, TV, printed materials, training programs and discussion forums); • use materials translated into local languages, and • address a range of issues relating to child safety and wellbeing. The strategy should include a review of the various child wellbeing/protection education programs currently in place with a view to preventing fragmentation and duplication. The strategy should include an ongoing impact evaluation component.	Consultation Underway	This work will be outsourced. Quanxi Pty Ltd t/a Michels Warren Munday has been contracted for an initial period of 24 months to undertake this work. It is anticipated that marketing will commence in 2012, with the first phase of work to include a focus on attracting Aboriginal foster and kinship carers.
(1)	147	That the NTG creates a planning, coordination and implementation unit (or team) to be responsible to the Chief Executive of the Department of the Chief Minister, in order to develop, drive and coordinate the reforms in the manner proposed in Chapter 14 of this Report.	No Further Action Required	Strategic Reform and Accountability Team has been established and additional temporary staff distributed across DCF to drive reforms. Team reports via CE, DCF to the CE's Child Protection Taskforce chaired by CE, DCM.
(2)	1	That NTFC undertakes a process of engaging its entire workforce to commit to a strategic plan which clarifies its mission and includes the articulation of values and principles under which it will operate.	Consultation Underway	A draft strategic plan has been developed by KPMG following consultations with senior officers of DCF, NTCOSS, SAFT, the Children's Commissioner and other stakeholders. Further consultation with all internal and external stakeholders is

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				underway. The plan is expected to be delivered by the second quarter of 2012.
(2)	2	That the NTG develops a clear framework for the inclusion of Aboriginal people in child welfare as the basis of an Aboriginal child safety and well being plan and that measures are developed against each key component of the framework with progress reported annually.	Project Plan Developed	Project commencement activities are underway and progressing as expected, with the delay in the start date of the Project Officer the only exception. A literature and data review has commenced, with findings to be incorporated into the discussion paper.
(2)	4	That there is recognition in the Care and Protection of Children Act of the functions of an Aboriginal Agency or agencies or other recognised entities.	Consultation Underway	To be progressed following agreement on an operating model for the Aboriginal Child Care Agencies. Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	5	That the NTG funds the development, establishment and ongoing work of an Aboriginal peak body on child and family wellbeing and safety, and child protection. This peak body would support the process of the development of child and family wellbeing and safety, and child protection agencies.	Consultation Underway	CEO and interim Board appointed (2 meetings held, next in April), peak named SAF,T (Safe Aboriginal Families, Together). Funding arrangements in place. Negotiations with the peak regarding establishment of the Aboriginal Child Care Agencies, services and funding agreement are ongoing. Documents lodged with DOJ for SAF,T to become legal entity in its own right.
(2)	7	That in consultation with Aboriginal people, including relevant service providers, NTFC should publish a comprehensive practice guide around the application of the Aboriginal Child Placement Principle to be made available to all stakeholders.	Project Plan Developed	Policy development well progressed. Practice guide to be developed following commencement of an Aboriginal Practice Adviser on 5 December 2011. AO7 Aboriginal Project Officer commenced on 16 January 2012 to progress this work.
(2)	10	That the NTG makes a significant and sustained investment in the development (and expansion) of a suite of secondary prevention, tertiary prevention therapeutic and reunification services for vulnerable and at-risk children, families and communities. The majority of these services should be provided by the NGO sector and administered through an enhanced NTFC grants program. The investment in such services should involve new rather than redirected funding and within a five year period, should match or exceed the combined NTFC expenditure	Significant Progress Made	Initiatives to address this recommendation are at various stages of implementation: <ul style="list-style-type: none"> • Therapeutic services have been expanded - four additional therapist positions have been recruited (2 x Darwin, 1 x Katherine, 1 x Alice Springs); • a reunification team has been established in Alice Springs; a new Intensive Family Support Service, funded by the Australian Government commenced in April 2011 and targets families where neglect has been substantiated or high risk

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		<p>in statutory child protection and out of home. The investment program should be based on the analysis of:</p> <ul style="list-style-type: none"> - The reasons that children are coming into contact with the child protection system in the Northern Territory; – Service models that may be relevant to the unique cultural, demographic and geographic realities of the Northern Territory <p>Successful Aboriginal-specific programs and services within the Northern Territory and interstate to inform the service development process - Workforce and training needs in both the statutory and NGO sectors;</p> <ul style="list-style-type: none"> - The development of these services should be underpinned by the principles outlined in Chapter 6; - The suite of service options should include intensive maternal and child support, therapeutic services for children, youth and families, substance abuse treatment, parenting skills development, intensive family preservation, targeted family support, and community development and healing (around issues such as sexual abuse, alcohol abuse, neglect, domestic violence and gambling). 		<p>has been identified for a child aged 0-12 years. \$25m up to June 2014 is being provided Save the Children and Good Beginnings to deliver the program in five sites across the NT;</p> <ul style="list-style-type: none"> • An internal position paper scoping DCF's proposed service footprint, priority client group/s, assumptions underpinning the framework to date, and consistent terminology defining DCF's aspects of business were discussed by the Executive Leadership Group at a Chief Executive policy session on 14/2/12. A consultation approach for engagement with the NGO sector to test the program logic was also agreed upon. Immediate critical steps includes development and endorsement of consistent terminology to define DCF's business as a basis for consultation with the NGO sector. Further to this, Health Outcomes International will work with DCF to develop the program logic followed by consultations with the NGO sector, including Australian Government participation. Development and consultation on the program logic will occur during March-April 2012. • The second DCF NGO Partnerships Forum convened on 2 February 2012, with an expanded membership. The Forum continues to generate strong interest and a willingness from non-government organisations to participate in the reform process. • The Family Support Working group, a sub-group to the Forum, continues to progress the allocation of family support funding in 2011/12 to the Barkly region based on AEDI analysis and agreed service parameters. DCF is working collaboratively with the Department of Families and Housing, Community Services and Indigenous Affairs and Department of Education to align respective investment in family support services in Tennant Creek and outcomes between programs, where possible. DCF has developed a scope of work outlining the intent, key client group/s, focus of the proposed investment, service models and outcomes expected from the investment. This scope of work, once endorsed, will form the

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				<p>basis for further consultation with the NGO sector in Tennant Creek and finalisation of funding agreements for the delivery of enhanced family support services by March 2012.</p> <ul style="list-style-type: none"> • NTCOSS will receive additional one-off funding of \$267,000 in 11/12 to facilitate focused engagement for the reform period and submit to DCF a range of costed initiatives that build NGO workforce and organisational capacity. This is in addition to increased annual funding of \$625,000 p.a. to NTCOSS. • MOS+ provide an accessible and high quality therapeutic counselling service in 90 remote communities across the NT.
(2)	11	<p>That the NTG seeks the cooperation of the Commonwealth in undertaking a strategic review of child and family wellbeing services in the Northern Territory. The review should inform the development and implementation of a joint strategic plan around service planning and funding in order to overcome fragmentation, inefficiencies and duplication and to target services where they are most needed.</p>	<p>Consultation Underway</p>	<p>DCF has been working with the Australian Government (AG), through the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), to ensure new investment in family support services in Tennant Creek supports the existing service system and enhances workforce capability by aligning DCF investment with AG funded family support service models, where appropriate, and to enable linkages between services models that seek to support vulnerable and at risk children and families. This work has required examining existing service options and innovative ways to support and enhance the capacity of the local workforce. Further consultation will be required with FaHCSIA to map NT-wide investment and respond to service gaps in a collaborative, strategic way.</p>
(2)	12	<p>That the NTG undertakes a review of NTFC grants program and secretariat with a view to ensuring that the provision of service grants aligns with the goals and strategic priorities of NTFC, that funding grants are determined by way of a transparent process, that all grants include robust quality assurance and accountability measures, that there is a commitment to progressively implementing a three-year funding cycle, and that the grants section is adequately resourced to administer a substantially enhanced program.</p>	<p>Full Implementation Underway</p>	<p>DCF continues to work with DOH and the NGO sector to roll out an electronic grants management system, with user testing commencing in mid 2012. A new grants management framework is being developed within DCF to reflect the transition of grant making functions to the regions and to ensure that decision making processes adequately and consistently meet best practice grants administration. The implementation of this work is contingent on the system reforms being successfully implemented. The Strategic Investment Framework (refer to</p>

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				Recommendation 10) will underpin transparency and alignment of NGO funding with the goals and strategic priorities of the NTG.
(2)	13	NTFC either extends the 'outcome' timeframe from 24 to 48 hours for matters that do not appear to require an immediate response; or retains the current 24 hour target but intake workers make an initial assessment based only on the information at hand, as is the case in some other jurisdictions.	No Further Action Required	DCF's policy was revised and requires that intakes are completed within 24 hours based only on information at hand.
(2)	15	NTFC formally reviews its internal family support program. This should result in a clear practice framework and accountability measures including the collection and reporting of service data relating to family support.	Project Plan Developed	Project plan is under development, scoping the review in consultation with the Children's Commissioner.
(2)	17	That the recommendations from the two reports from the Office of the Children's Commissioner: 'Report in respect of baby BM' and 'The Interim Progress Report on Intake and Response Process' be implemented as a matter of priority, subject to any over-riding proposals from the current inquiry.	No Further Action Required	Recommendations fully implemented.
(2)	18	That NTFC develops guidelines to the effect that professional notifiers with follow-up information on an open case (i.e. a case formally under investigation of a matter that has been substantiated) have the option of directly contacting the regional office rather than needing to be progressed through Central Intake.	No Further Action Required	Intake policy has been revised to ensure that the ability to directly contact the regional office is directly stated in correspondence to professional notifiers and part of practice. This does not extend to information which would amount to a new / separate notification, which continues to be directed through Central Intake.
(2)	22	That NTFC develops an indicator based on the provision of feedback to be used in reporting on performance.	Actioned and Now Ongoing	CCIS has the indicator and is able to report against it. Reports providing data detailing the provision of feedback to notifiers are available. A random audit of intakes will be cross referenced to the feedback indicator to inform business rules to provide guidance to practitioners. Performance data against the indicator will be incorporated into the 2011/12 Annual Report.
(2)	24	Given that a number of issues have been raised in submission	Project Plan	In the period 1/9/11 to 31/12/11 the Child Abuse Taskforce

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		touching on strategic goals, resourcing, communications and governance, that a joint review of CAT is undertaken by NTFC and NT Police during the first phase of child protection reforms resulting from this inquiry.	Developed	undertook 113 new investigations into alleged abuse of individual children. 82 previously investigated cases were able to be finalised. Positions in the Aboriginal Community Resource Worker Team have been advertised. Terms of reference and the project scope have been agreed to by senior Police and DCF staff. Project officers from DCF and Police have been appointed and will work collaboratively to undertake the review and present an initial report to the Assistant Commissioner of Police, NTPFES and the Deputy Chief Executive, DCF by 1/5/2012.
(2)	25	Given that there has been a significant increase in the number of 'reportable offenders' on the sex offenders register, and that many such offenders are paroled to their home communities, that the NTG ensures there are resources available to maintain the effectiveness of the Reportable Offender Management Unit and to implement a community-based 'child protection watch' scheme linked with the development of Community Safety Plans.	Full Implementation Underway	Officers in Charge of local police stations in communities have a list of registered offenders and report as required. Eight Community Engagement Police Officers (CEPOs) have been deployed to nine identified communities. Drawing from a Community Safety Planning Strategy and associated planning tools developed by the Department of Justice, CEPOs, with the support of DoJ and Government Business Managers, will engage with community residents and stakeholders to develop specifically tailored community safety action plans initially in nine Territory Growth Towns. NT Community Corrections has five regional offices located at Casuarina, Palmerston, Katherine, Tennant Creek and Alice Springs, and three remote offices located at Nhulunbuy, Wadeye and Alyangula. These are further supported by twelve Community Probation and Parole Officers located within these offices, and at Timber Creek, Hermannsburg, Nguiu, Barunga, Lajamanu, Yuendumu and Ti Tree. Staff make regular field trips to remote areas to conduct face-to-face supervision of offenders, and collateral checks within the community. In addition, they work closely with Police and other community groups and organisations within each location. High risk convicted sex offenders found suitable for a community based order and who are not residing in remote communities, are treated for their sexual offending behaviour on an individual basis by psychologists. NT Correctional Services is currently developing an alternative solution in regard to the treatment of

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				high risk offenders from remote communities, to be delivered in towns prior to the offender going back to their community.
(2)	26	That the NTFC Policy and Procedures Manual be formally reviewed with a view to actively encourage workers to adopt a collaborative approach to practice with respect to intake assessment, investigations and case planning.	Project Plan Developed	A project proposal has been developed. Recruitment of Technical Writer underway. Expected commencement first quarter 2012.
(2)	27	That the NTFC Policy and Procedures Manual be reviewed and reworded to embed the principle that engagement and collaboration with the family and extended family should be considered part of normal child protection practice where the child's safety is not compromised.	Project Plan Developed	A project proposal has been developed. Recruitment of Technical Writer underway. Expected commencement first quarter 2012.
(2)	28	That NTFC evaluates current intake and assessment functions to determine the skills, qualifications and training that are required and whether these are functions that need to be performed by P2 classified workers.	Actioned and Now Ongoing	Following a review, a number of significant changes have been made, to the Central Intake Service, including moving to 24/7 operations utilising new call centre technologies. Extensive training provided.
(2)	29	That NTFC engages in a community consultation process to develop a formal policy on permanency and stability planning and consider whether any legislative changes are required.	Consultation Paper Developed	Consultation paper developed. Internal and external stakeholders are currently being consulted.
(2)	30	That NTFC reviews its policy relating to the ongoing risk management of open cases (as initially recommended in the High Risk Audit report – recommendation 7) in light of the new Structured Decision-Making risk instruments that are being introduced, with a view to ensuring that regular assessments are undertaken, the results recorded and the appropriate action taken.	Actioned and Now Ongoing	Underway through use of new SDM tools that require risk reassessment no more than 90 days after completion of the original case plan and every 90 days thereafter.
(2)	31	That an Aboriginal Family Group Conferencing model and/or other culturally appropriate models be developed and progressively implemented to cover all key service regions of the Northern Territory; that the programs are formally evaluated; and	Pilot Underway	Family Group Conferences re-commenced in Alice Springs in October 2011. As at 31/1/12, thirteen Family Group Conferences had been held. The Family Group Conferencing model is now established as a viable and acceptable Aboriginal family decision

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		that they are funded (in time) as part of the normal budget process.		making model in Alice Springs, able to be progressively implemented to cover all regions of the NT.
(2)	32	That NTFC develops and implements a comprehensive response plan (as detailed in Chapter 8) around the needs of protected young people who come to its attention as recommended in this Report and in the High Risk Audit, including the creation of a new 'youth at risk' outcome category for Central Intake.	Significant Progress Made	A model and policy for youth safe places has commenced in Alice Springs and commenced in Darwin on 12/10/11. A Protected Young People Project is underway, involving establishment of a working group, terms of reference, reviewing NT data and demographics, other jurisdictional approaches and consulting stakeholders. A new outcome category has been developed to differentiate between responses to allegations of child abuse and responses to young people who are engaging in dangerous behaviour. The public can make referrals to the Alice Springs Youth Street Outreach service through the 24/7 Central Intake service. Youth safe places are now operating in both Alice Springs and Darwin. In June 2009 the NTG announced a package of \$13.9M capital and \$11.4M recurrent operational funding for secure care. Two short-term beds will be reserved in the Darwin and Alice Springs Mental Health for children and young people & two eight-bed group houses are being constructed in Darwin and Alice Springs for medium-term support. Proposal for legislative amendments to the Care and Protection of Children Act to enable secure care services to be implemented will be considered during the first half of 2012. Three therapeutic youth camps are currently funded to provide intensive intervention with at risk youth.
(2)	34	That NTFC considers partnering with another jurisdiction in the development and implementation of its residential care plan.	Consultation Underway	Review being progressed with input from Queensland, New Zealand, New South Wales, Victoria and South Australia
(2)	35	That NTFC reviews the organisational structure of Out of Home Care and Alternate Care services with a view to consolidating and rationalising them into a single policy and practice entity.	Project Plan Developed	Under the new DCF structure, out of home care and alternate care services are integrated at the operational level in new regional structures. Supporting policies and procedures are under development.
(2)	36	That regular 'refresher' courses are held for all staff about the application of legislation, policy and procedures with respect to	Actioned and Now	DCF has updated and released a training calendar for February to June 2012, incorporating training on: out of home care;

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		children in care.	Ongoing	therapeutic crisis intervention; and domestic violence in the context of child protection. A 'DCF Training Activity Report' is now being produced monthly to monitor compliance with orientation and mandatory training. Internal and external consultation undertaken as part of the major review of the Care and Protection of Children Act has demonstrated a need for additional training for staff, particularly in relation to relevant legislation and court processes. This feedback will inform a review of core training.
(2)	37	That NTFC progressively adopts the Looking After Children framework (or an amended version appropriate for Aboriginal children) to provide a comprehensive case management framework for children in the care system to help ensure their developmental needs are addressed.	Project Plan Developed	Literature reviewed. Models explored. NT data and demographics being reviewed. Options paper being developed.
(2)	38	That NTFC develops a charter for children and young people in care.	Project Plan Developed	A draft project plan has been developed and recruitment to a temporary P3 position underway. Recruitment to be completed in second quarter 2012.
(2)	39	That NTFC reviews the roles played by the Aboriginal Community Workers and the recently appointed Remote Aboriginal Family and Community Workers to assess whether they might play a more specific role in the case management and support of children in care.	Project Plan Developed	Review to commence in March 2012 with a Project Officer appointed to commence on 27/2/12. Initial project scoping has occurred with regard to the Departmental Workforce Strategy.
(2)	41	That a validated tool of assessment for children entering out of home care be developed and implemented which will assist with the matching of a child with a carer and will determine the rate of allowance to be paid. The assessment process must provide for review and reconsideration.	Proposal Agreed, Implementation Set to Commence	In-principle agreement has been given by SA for the NT to adapt its Complexity Assessment to be piloted from January to March 2012.
(2)	43	That where 'Family Way' arrangements are facilitated by NTFC, the carers are eligible for establishment or discretionary payments and that they be assisted and connected to other	Project Plan Developed	A project plan has been developed. During the first quarter 2012 a senior policy officer will commence this work.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		financial supports available through the Commonwealth and NT governments. The needs of children and care providers should be assessed when the arrangement is negotiated.		
(2)	44	That a process be developed and implemented which will ensure all allowances/payments to carers are processed quickly and carers receive their entitlements promptly.	Consultation Underway	Review of carer payments completed. Options for differential carer allowances prepared for consideration
(2)	48	That NTFC implements measures to monitor quality of practice and decision-making based on existing guidelines for foster and kinship care (NTFC Policy and Procedures Manual).	Project Plan Developed	A project plan has been developed.
(2)	49	That recruitment strategies continue with an emphasis on Aboriginal carers in remote and rural locations to increase the number of children remaining close to their families. Strategies such as nominating a few carers in the community to provide placements for children at short notice, should be trialled.	Significant Progress Made	Recruitment strategies were rolled out across the Territory, including at regional shows and remote festivals, between May and July. The campaign resulted in more than 100 enquiries. Expressions of interest were sought from non-government organisations to process inquiries and complete assessments of prospective foster carers with Life Without Barriers selected as the successful applicant. Assessments commenced on 1/2/ 12 and it is anticipated that all active inquiries will be completed within 6 months. A social marketing campaign has been scoped in January 2012 that will incorporate a focus on recruitment of Aboriginal carers. Discussions with DHLGRS have commenced regarding housing allocation in remote communities. Plans are well advanced for the establishment of house parent model homes in Katherine and Alice Springs. A proposal has been advertised and submissions are under consideration.
(2)	50	That a plan be developed around the resourcing and upskilling of existing carers to assist with the retention of existing carers.	Significant Progress Made	A comprehensive learning and development program has been implemented and a peer support program established. Changes to carer reimbursements will also support retention.
(2)	51	That NTFC facilitates the development of a 'charter' for all carers which sets out expectations, rights and responsibilities. A charter will confirm the important role of all those involved in out of home	Project Plan Developed	Charter is currently under development and consultation has commenced.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		care play in the child's life. It can also be used to determine policy, standards and procedures and for training of carers and staff.		
(2)	52	That the portions of the NTFC Policy and Procedures Manual pertaining to out of home care be available online to the public.	Project Plan Developed	Policies and procedures for the care system are under development and will be made available online once completed.
(2)	56	That the NTFC Policy and Procedures Manual is worded to support the requirement that, unless it is demonstrably in the best interests of a child, a child who has been deemed to be in need of care should be placed in a kinship care placement rather than a 'Family Way' arrangement.	Project Plan Developed	Project plan developed.
(2)	57	That clear policies and procedures need to be developed to guide staff about the circumstances in which informal 'Family Way' placements are acceptable and what continuing case management obligations exist.	Project Plan Developed	Project plan developed.
(2)	58	That NTFC develops a detailed practice guide around kinship care recruitment, assessment, support and training that includes the 'enabling' principle, details of support options available to carers, and baseline requirements for all kinship/specific carers.	Pilot Underway	Winangay Assessment tool is being piloted.
(2)	59	That NTFC collects a range of care provider data as outlined in this Report and annually report on progress towards 'closing the gap' in standards of care provided for relative and non-relative care providers.	Project Plan Developed	Baseline being established
(2)	60	That NTFC develops a kinship care unit to assist with the recruitment, assessment, registration, support and training of kinship and specific carers and that consideration is given to progressively outsourcing these functions to local ACCAs as their capacity is developed.	Consultation Underway	Two Carer Registration Review Teams (CRRT) will be established – one in Darwin and one in Alice Springs. Currently four P2 Advanced Practitioners who continue to focus on Kinship Carer assessments and registrations and the re-registration of Carers who currently have children in their care. A P3 Team Leader has been successfully recruited to, which will oversee these two assessment teams. Recruitment is continuing for three

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				P2/AO6 staff and two AO4 Aboriginal Community Workers for these teams. Late in 2011 NGO Life Without Barriers (LWB) was successful in its tender to provide timely and robust screening, assessment and pre-approval training of potential carers. LWB commenced assessments on 1/2/12. Discussion with SAF,T are ongoing in relation to an operational model for ACCA's.
(2)	61	That the provision of intensive family support to prevent unnecessary placements be prioritised by the NTG and that services are developed and funded accordingly.	Project Plan Developed	A project proposal has been developed and a Senior Policy Officer has been recruited.
(2)	62	That where reunification is the intended outcome, then support and therapeutic services to birth families should be provided whilst their child is in placement to enable this outcome to be realised.	Consultation Paper Developed	Consultation paper developed. Internal stakeholders are currently being consulted.
(2)	63	That if it is clear that reunification is going to be the goal, this should be written into the case plans from the start to help determine the nature of the support services needed by the parent/s and to provide clarity and focus for the new foster carers.	Pilot Underway	Care planning processes developed. Draft policy, procedures, guidelines and tools developed. Recruitment completed. Pilot care planning processes underway.
(2)	64	That if reunification is a goal of a child's case plan and this changes for any reason, a case conference involving the child's family must be held to discuss and formulate a new plan.	Pilot Underway	Care planning processes developed. Draft policy, procedures, guidelines and tools developed. Recruitment completed. Pilot care planning processes underway.
(2)	65	That a unit or group of staff within out of home care be created to focus on developing reunification services and strategies and to provide expert advice to work units across the Northern Territory.	Pilot Underway	A reunification team has been established in Alice Springs, aligned to the child protection team rather than out of home care. Discussions are continuing internally regarding the review of the pilot reunification team and rolling the initiative out to other service centres. Since 1/9/11 to 31/12/11, the reunification team in Alice Springs has reunified 52 children with their families (including extended family). This amounts to 27 families working with the reunification team. DCF is now planning to roll the

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				initiative out to other service centres.
(2)	66	That NTFC develops and appropriately funds specifically therapeutic options for children and young people with high needs such as therapeutic residential care, secure care, therapeutic foster care and a range of therapeutic counselling and treatment services (including Tier 3 services).	Full Implementation Underway	Four additional therapist positions have been recruited (2 x Darwin, 1 x Katherine, 1 x Alice Springs) expanding the availability of therapeutic services. Care model under examination. See also secure care report in response to Recommendation 32. Temporary officer engaged to undertake a review of alternative care. Report due by February 2012. A profile of children in care is being undertaken and analysis provided during the first quarter 2012. Draft policy and procedures for carers and care environments nearing completion. Draft Standards of Care and Draft Breach procedures developed.
(2)	67	That negotiations for fee for service placements should be conducted by specialist staff within the out of home care unit in order to centralise and standardise this function to staff who have relevant knowledge and expertise.	Proposal Under Consideration	Policy and procedures have been developed and staff have been recruited to assist in Darwin and Alice Springs. Discussions have been held with providers regarding the proposed changes. An audit of current procurement processes has been completed. DCF will transition to approved grants processes by the end of 2012. A High Cost Placement unit is being established within the Department, a project plan is being developed and will review current fee for placement, this unit will act as a directorate and a support for Regional Services.
(2)	69	That there is specific reference in the NTFC Policy and Procedures Manual to issues arising in work with children who have a disability.	Project Plan Developed	A project proposal has been developed. A senior policy officer will progress this work.
(2)	70	That a review be undertaken of children with a disability in out of home care focusing on the reasons for entry into this type of care and the appropriateness of NTFC rather than Aged and Disability, providing for their needs.	Project Plan Developed	A project proposal has been developed. A senior policy officer will progress this work.
(2)	71	That proposals for interstate transfers be assessed by a panel in the relevant NTFC office comprising at least the Interstate	Project Plan Developed	A project proposal has been developed. A senior policy officer will progress this work.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		Liaison Officer, the caseworker, and where appropriate, family members and current foster or kinship carers.		
(2)	72	That an independent body is auspiced to review investigations into allegations of 'abuse in care' undertaken by the Department of Health and Families. The Office of Children's Commissioner would be an appropriate body to take on this role.	Actioned and Now Ongoing	DCF Chief Executive wrote to the Children's Commissioner on 1/11/11 proposing a process for implementing this recommendation. The Children's Commission responded by letter dated 23/1/12 confirming that he is prepared to take on this role as it falls within the scope of his functions under the Act. However, the Children's Commissioner has expressed a preference for the process of review to be explicitly mandated by legislation to provide clear, ongoing authorisation and responsibility. A legislative basis for this recommendation will be considered and progressed through the 2012 legislative review process for the <i>Care and Protection of Children Act</i> .
(2)	73	That the newly developed transition from care policy be implemented consistently with respect to all young people leaving care and a formal reporting program on After Care Services and compliance with legislation and policy to be developed.	Project Plan Developed	The current transition from care policy has been reviewed with input from CREATE to meet National Standards for Out of Home Care and the Board of Inquiry recommendation. Practice guidelines have also been developed. Over the next 6 months, the Department will review the appropriateness of current tools such as the leaving care plan template and modify these tools as required.
(2)	74	That transition plans be developed jointly with the young person, their case manager and the relevant out of home care staff member.	Full Implementation Underway	Practice guidelines have been developed to provide frontline workers with additional guidance which includes the development of these with the young person, carer and other relevant stakeholders.
(2)	75	That specific training for all out of home care staff be made available to ensure best practice in transition from care.	Consultation Underway	In partnership with CREATE Foundation NT, DCF is reviewing its training modules and updating as required. Additional funding of \$325,000p.a. is being provided to CREATE which will significantly expand its services in the NT . Out-of-home care introduction training being provided to DCF staff. This program is delivered as part of the core training modules for all frontline staff. Components of the program are co-facilitated by CREATE.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				The content and delivery methodology of this program will be reviewed and considered as part of the training needs analysis commenced by the Australian Childhood Foundation in December 2011.
(2)	80	That the Act be amended to make clear what powers, rights and responsibilities are included as part of 'daily care and control' and 'parental responsibility'.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	81	That the Act provide for parental responsibilities to be divisible with some parental responsibilities able to be retained by parents while other parental responsibilities are able to be assigned to other people.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	82	That the Act be amended to provide for division within the orders. That is, a distinction in the order between daily care and control and parental responsibility. Parental responsibility should not include daily care and control.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	83	That the Act enshrine as a principle that only in the most extreme circumstances should parents be excluded from exercising all parental responsibilities and that the making of such an order should be a last step and only granted when it is clear that reunification is not possible and that the child is to remain in out of home care permanently.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	84	That the Act be amended to provide that the Court must not make an order allocating parental responsibility unless it has given full consideration to the principles set out in sections 7 to 12 and is satisfied that any other order would be insufficient to meet the needs of the child or young person.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	85	That the Act be amended to provide a protection order that may only be granted if the Court is satisfied that the granting of the order would ensure the resulting standard of care of the child	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		would overall be significantly higher than the standard presently maintained in respect to the child.		
(2)	86	That regulations relating to the convening of Court ordered mediation be made and that both CEO and Court ordered mediations form an active part of the child protection system across the Northern Territory.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	87	That a senior officer of the NTFC, or their legal representative, be a permanent member of the Local Court Users Group.	Consultation Underway	Family Matters Court users group established with representatives from DCF. This will achieve the same outcome as that intended by the recommendation.
(2)	88	That the Act be amended to provide that the Court can make an order that a child has contact with a parent or other person significant to the child.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	89	That the introductory clause of Section 12(3) of the Act should be amended to read 'An Aboriginal child should, as far as practicable, and consistent with Section 10, be placed with a person in the following order of priority...'	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	90	That the Act be amended to allow undertakings by parties to proceedings to be recorded by the Court.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	91	That Subdivision 3 of Division 4 of Part 2.3 of the Act clearly distinguishes between short-term and long-term protection orders and specifies that the focus of a short term order is reunification with the family.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	92	That the Act more prominently recognise the importance of reunification in Part 1.3 of the Act and expressly that the Court must have regard to the principles in Part 1.3 in making orders.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
(2)	93	That the Act be amended to include the concept of 'safety' in the definition of 'wellbeing'.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	94	That the Act be amended to provide that short-term orders be made for a maximum of two years, with one possible extension of one year, and that care plans submitted to the Court should include detailed reunification planning.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	95	That the Act be amended to provide that if, at the end of the period of the short term order(s), reunification was not possible, then a long-term order shall be made for out of home care with the care plan to reflect this.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	96	That the Act provide for Aboriginal children or young people to have a report prepared by a culturally appropriate person for inclusion in the care plan, detailing how the child or young person's connection to their community, culture and spirituality is to be maintained.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	97	That the Act be amended to provide that, in the absence of any application having been made under sections 136 or 137, a short term protection order under Subdivision 3 of Division 4 must be reviewed by the Court annually, or at least at any lesser interval determined by the Court.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	98	That the Act be amended to provide for the Court review of any long term order in the discretion of the Court, and having full regard to the protected child's need for stability.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	99	That the Act be amended to remove the prohibition on the Department from taking a child into provisional protection if a protection order or temporary protection order is in force for the child.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	100	That the Court consider making practice directions in relation to	Consultation	A Practice Direction has not been made as at 21/2/12 although

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		situations where parental consent is relied on, to ensure that information provided to parents is accessible, comprehensive, timely and consistent with the provisions of the Act.	Underway	the Chief Magistrate has a general practice direction concerning the Family Matters Court under development. This specific recommendation was raised at the Chief Magistrate's Practice Direction meeting on 21/2/12 and consultation with the Chief Magistrate ongoing.
(2)	101	That the Court consider making Practice Directions in relation to obtaining informed consent from parents where English is not a parents' first language.	Consultation Underway	A Practice Direction has not been made as at 21/2/12 although the Chief Magistrate has a general practice direction concerning the Family Matters Court under development. This specific recommendation was raised at the Chief Magistrate's Practice Direction meeting on 21/2/12 and consultation with the Chief Magistrate ongoing.
(2)	105	That the Act be amended to provide that each protection order must be reviewed by the Court within 3 months but not less than 1 month prior to the date on which it would otherwise cease to be in force (and that the order remains in force until the review has occurred).	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	106	That the Act be amended to provide that, subject to the Court's review, upon a protection order ceasing to be in force, NTFC must return the child to his or her parent(s).	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	107	That, if necessary, the Act be amended to provide that in all cases, children cannot be removed from the Northern Territory with the intention of residing interstate without the consent of their parent(s). Where this consent is not forthcoming or the parents cannot be contacted, an order of the Court is required for such removal.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	108	That the Act be amended to make it clear that the removal interstate of children in care for purposes of holiday, schooling, sporting or medical care does not require parental consent or a court order.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
(2)	109	That CCIS be modified to enable care plans with a fundamental and mandatory structure and content be quickly and easily produced by practitioners.	Pilot underway	Care planning processes developed. Draft policy, procedures, guidelines and tools developed. Recruitment completed. Pilot care planning processes underway. Coordinated and established a working group met on 22/9/11 and 15/11/11 to review a case plan concept demonstration in CCIS.
(2)	110	That NTFC annually reports on compliance with sections 70, 71, 73, 74 and 76 of the Act with respect to care plans.	Project Plan Developed	This has been raised as a priority through the DCF Information Management Group. Discussions will be commencing in early March in relation to the development of a CCIS enhancement proposal. There is a dependency on completion of recommendation 109 before recommendation 110 can be completed.
(2)	111	That the NTG establish a single court with jurisdiction to hear and determine both child protection and youth justice matters in isolation from adult courts.	Consultation Underway	A single youth court requires cross agency commitments and collaboration. DCF has sought advice from Department of Justice (DOJ) on this recommendation being progressed through the work of the Youth Justice unit in DOJ, the modifications to the courts infrastructure in Darwin and Alice springs and the changes to the summary court of jurisdiction. A response from DOJ is underway.
(2)	112	The Act be amended to provide that NTFC can accept a notification of concern about an unborn child and make provision for the immediate care and protection of the child when born.	Consultation Underway	Consultation paper developed for release by early March 2012. Amending Legislation to be introduced in late 2012.
(2)	113	That the Act be amended to: <ol style="list-style-type: none"> 1. provide a workable framework that permits and encourages the exchange of information between public sector organisations, between these organisations, the non-government sector and, where appropriate, individual community members, where that exchange is for the purpose of making a decision, assessment, plan or investigation relating to the safety and/or wellbeing of a child or young person; and 2. provide that, to the extent that provisions are inconsistent, 	Consultation Underway	An amending Bill was introduced to Parliament on 16/2/12 that will permit and encourage the exchange of information between Government agencies, the non Government sector and where appropriate individual members of the community. The Bill will be debated in the March 2012 Sittings. Work is also underway to develop the required protocols and guidelines. Flexible delivery options for information sharing training is being investigated

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		that the Information Act (NT) should not apply.		
(2)	115	That NTG agencies work with the non-government sector to jointly develop information sharing principles to guide the development of legislative amendments and inform practice changes.	Consultation Underway	Amending Bill was introduced on 16/2/12. Protocols, guidelines and training to be developed.
(2)	116	That government agencies and non-government organisations work jointly to develop cross sector operational guidelines around collaborative practice and information sharing, and that related training programs reflect these guidelines. The guidelines should be publicly available, including on government agency websites.	Consultation Underway	Amending Bill was introduced on 16/2/12. Protocols, guidelines and training to be developed.
(2)	118	To further the principle that child wellbeing and safety is 'everyone's business', that a senior officer in each Northern Territory Government department be responsible for relevant policy development, as well as the oversight of child safety and wellbeing issues arising in the business of that department. Further, that the precise child safety and well being roles of these officers be negotiated with the implementation unit to be established following this Inquiry and should include the promotion of collaborative practice.	Actioned and Now Ongoing	Child Safety Wellbeing Directors' Network established and meeting bi-monthly. Annual Plan to underpin collaborative work in the first quarter 2012.
(2)	119	That NTFC develops a comprehensive workforce strategy based on clearly stated values and principles that: <ul style="list-style-type: none"> reflects the required progressive move to a strong early intervention focus and service provision that covers the continuum of universal, secondary and tertiary services; involves the employment and continued training of well qualified, culturally aware and competent child safety and protective personnel who can identify risk and work in situations where there is significant risk to children as well as being able to utilise community development approaches for early intervention and preventative services; 	Consultation Underway	Strategic Workforce Planning project underway. Specific Aboriginal and Torres Strait Islander Workforce Plan to be developed. NGO partnership being progressed on a regional and Territory-wide basis, including through additional investment in non-government organisations such as NTCOSS.

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		<ul style="list-style-type: none"> promotes an Aboriginal workforce employment and engagement strategy developed in partnership with Aboriginal advisers and agencies that creates 'on-country' employment, education, training and employment development pathways for Aboriginal people working in family support and protective services from volunteer through to postgraduate level; is characterised by a strong partnership engagement with the non-government sector in planning and implementation. 		
(2)	120	That NTFC develops a model of workforce and resource planning in partnership with the Northern Territory Treasury, Office of the Commissioner for Public Employment and relevant discipline groups at Charles Darwin University, Bachelor Institute, Centre for Remote Health and other relevant training organisations around child safety and wellbeing services.	Consultation Underway	The Australian Childhood Foundation commenced a training needs analysis on behalf of DCF in December 2011. An MOU is also in place with CDU to facilitate employment of graduates and scholarships within DCF. DCF's Strategic Workforce Plans will inform workforce and resource planning.
(2)	121	That NTFC's Workforce Development Unit be reviewed in the light of other recommendations, restructured and accordingly resourced in order to enable a culture of excellence.	No Further Action Required	A Learning and Development Unit has been established within the Corporate Services division with 15 staff and subject to the outcomes of the Strategic workforce planning process is addressing workforce issues and learning and development needs. A Workforce Strategy Unit has been established with 7 staff. Recruitment and Workforce Support team established with 6 staff. Workforce Reform Unit established with 2 staff. These are all incorporated within Corporate Services Division.
(2)	124	That in conjunction with the Office of the Commissioner for Public Employment, NTFC: Reviews all locations where there is a 'higher than usual' turnover of staff and immediately reviews the circumstances in that region or office. Maintains regular monitoring of staff turnover utilising a mechanism for obtaining regular staff feedback, with a view to setting performance targets for reducing turnover.	Significant Progress Made	With the establishment of regional offices, work is well underway to develop accurate organisational charts. Mapping regional offices establishment will provide accurate HR data and facilitate workforce strategies. A whole of NTPS staff survey was carried out in September/October 2011 and results from this will inform workforce strategies, due in the first quarter early 2012. In addition a 'People Survey' was conducted by KPMG of DCF staff during the week 21 to 25/1111 with 82% staff participation. The results of the survey are being analysed and will inform

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				workforce strategies. Work has commenced on a whole of NTPS exit interviews framework and processes, which DCF will link into. Work is underway to refine current exit interview processes. The DCF Strategic Workforce Planning process will provide the basis for setting performance targets in order to reduce turnover. A confidential email address has been created allowing staff to provide feedback to the CE. The weekly CE's Newsletter reminds staff about this.
(2)	125	That NTFC reviews and evaluates the overseas and interstate recruitment strategies.	Consultation Underway	Will be undertaken as part of DCF's strategic workforce planning. Pending the outcomes of the Strategic Workforce Planning process, DCF has initiated a number of strategies to recruit professional staff. This has included a tender for international and national recruitment for the next three years (this will be a panel contract). A review of the recruitment process is due in April 2012 utilising the whole of government panel contract. RARI, P1/P2 opening vacancy recruitment process, 1800 recruitment hotline and ongoing advertising both nationally and internationally.
(2)	126	That NTFC reviews and implements the NTFC Learning Development Framework and associated strategies to address induction, training, supervision and support needs of the workforce and ensures that induction is compulsory and is conducted before practice staff commence duties.	Consultation Paper Developed	Draft Learning and Development Framework developed, incorporating Board of Inquiry recommendations. Induction and supervision training is built into the training calendar. Participation in mandatory training being audited monthly. Recruitment dates aligned with orientation pre-service training delivered prior to commencement in workplace effective March 2012. DCF to deliver revised core training from March 2012. Training needs analysis will inform core training.
(2)	127	That NTFC adopts a model of cross sectoral and cross disciplinary education and training to promote collaboration, relationships and continuity of care that includes: <ul style="list-style-type: none"> education for education, justice and health staff working with children about the role of NTFC; education for NTFC staff about the role of child and family 	Project Plan Developed	DCF continues to work with NAPCAN in the delivery of Mandatory Reporting of Child Abuse and Neglect training. This training is delivered across the NT, targeting our NTPS partners and the NGO sector. DCF also deliver to all new DOH commencements, through their face to face orientation programs across the NT, on their responsibilities under the Child Protection

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		<p>health nurses and Aboriginal health workers;</p> <ul style="list-style-type: none"> the utilisation of funded cadetships and traineeships. <p>Further, that the Department of Health and Families considers making a joint appointment with the Discipline of Social Work in the School of Health Sciences at Charles Darwin University in order to encourage practice support and research between the two organisations and facilitate the development of career pathways.</p>		<p>Act as well as providing them with a booklet which clearly articulates mandatory reporting obligations. DCF also responds to specific requests to deliver to work groups across the NTPS, to date this has included DOH, DOJ and DET staff. Work continues on the development of an eLearning tool which will support this training.</p>
(2)	128	<p>That Department of Health and Families organises for an independently conducted morale survey with all NTFC staff (possibly to be conducted in conjunction with the Office of the Commissioner for Public Employment) and establish performance measures by which to calculate the improvement of staff morale and use as a benchmark for regular re-assessments.</p>	Full Implementation Underway	<p>A "People Survey" was conducted by KPMG of DCF staff during the week 21 to 25/11/11. Survey results will be released in mid March 2012 at the DCF Managers' Forum. The response rate was 82%. In addition to the on-line and paper-based People Survey, there will be a supplementary information gained from consultation with the DCF remote services staff. This is being planned with Regional Services and is likely to be conducted in May 2012.</p>
(2)	129	<p>That NTFC undertakes exit interviews of all departing staff and that these are audited by the Office of the Commissioner for Public Employment.</p>	Consultation Underway	<p>OCPE is conducting a whole-of-NTG project in relation to exit interviews in which DCF will participate. Workforce reform is currently reviewing DCF exit interview processes and this will be linked into the work done by OCPE.</p>
(2)	130	<p>That an independent review of NTFC is conducted with a focus on care and support of workers, work conditions, treatment of staff and workplace protection.</p>	Full Implementation Underway	<p>The results of the "People Survey " (see comments against recommendation 128), is due for release in March 2012. KPMG are undertaking a comparison People Survey results and the results of NTPS survey conducted in August 2011. This will provide rich data on staff's views on these issues. A draft response plan will be developed by the DCF Executive Leadership Group (ELG) for discussion with staff in March 2012. Individual members of the ELG will sponsor and be responsible for the implementation of issues and themes in the response plan.</p>
(2)	133	<p>That NTFC develops and implements the role of Practice</p>	Actioned and	<p>Three Practice Advisor positions have been created with one in</p>

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		Advisers in all operational offices	Now Ongoing	each region. Greater Darwin Practice Advisor position has been filled. Both Katherine & Northern and Central Australia region Practice Advisor positions recruitment is at varying stages of completion. As part of the Integrated Service Model Practice Leader positions will be developed and will form a pivotal role within operational offices.
(2)	134	That direct efforts and resources to support Aboriginal Employment Strategy initiatives are implemented.	Full Implementation Underway	<p>Strategic Workforce Planning and Aboriginal and Torres Strait Islander Workforce Plan will address this recommendation. The DCF People Survey will inform workforce planning as will information from the wider NTPS staff survey. An Aboriginal and Torres Strait Islander Staff Forum was held in early 2011 to discuss workforce planning needs and key workforce issues impacting on them. DCF is participating in the DBE Indigenous Employment Program. The CDU MOU, finalised by all parties on 20/1/12, includes provision for scholarships for Indigenous people and will incorporate scope to develop a pathways program that will articulate career pathways for Indigenous employees. A post graduate certificate in Remote Health (Child Protection) is being rolled out, with 9 DCF staff, including 3 Indigenous staff, graduating in February 2012. There will be a significant investment in accredited training on offer to staff in this academic year. DCF called for expressions of interest in January 2012 for staff who are interested in completing:</p> <ul style="list-style-type: none"> • the Graduate Certificate in Remote Health (Child Protection Practice) – 20 places on offer with delivery in regional centres (positions will be promoted to DCF staff and NGOs, with additional positions available for RARI participants); • the Diploma of Child, Youth and Family Intervention – 10 places on offer in Darwin and 10 places in Alice Springs; • Certificate IV Youth work – 15 places on offer in Darwin; • Certificate IV Training and Assessment – 15 places on offer in Darwin and 15 places in Alice Springs; <p>Scoping has commenced to offer further accredited training in:</p> <ul style="list-style-type: none"> • Masters by Research in partnership with Menzies School of

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
				<p>Health Research;</p> <ul style="list-style-type: none"> • Certificate III Community Services – targeting our physical stream employees and creating a career pathway for our Indigenous Entry Program employees; • Protective Behaviours Training and Interpreter Accreditation training for our Remote Area Family Community Workers. <p>A project officer has commenced to develop and implement a learning pathway aligned to career pathways. DCF will also continue to participate in the whole of Government Indigenous Employment Program initiatives. DCF also supports and participates in the Department of Health's Stepping Up Program.</p>
(2)	135	That NTFC develops Key Performance Indicators to demonstrate the goals of Aboriginal workforce planning, with annual reporting on achievements.	Project Plan Developed	To be progressed as part of the Aboriginal and Torres Strait Islander Workforce Plan.
(2)	138	That the Office of the Children's Commissioner be funded to employ an Aboriginal person dedicated to investigating issues raised by and affecting Aboriginal children in particular. This position needs to be resourced in addition to roles currently undertaken by the office.	No Further Action Required	Legislative amendments were introduced on 1/7/11 and increased funding has been provided to the Children's Commissioner (see recommendation 137).
(2)	139	That the NTG review the terms of reference of the NTFC Advisory Council and its access to data so as to enhance its capacity to advise the Minister.	Consultation Underway	The Council's position on this recommendation has been canvassed and feedback sought on how arrangements can be improved. Options will be developed for Ministerial consideration in line with the Council's direct advisory function to the Minister.
(2)	140	That NTFC establishes mechanisms for regularly listening to the voices of children and young people regarding their experiences in the care system, for determining their needs, and for implementing improvements to the standard of care and support that is provided.	Project Plan Developed	It is intended that the community visitor model (see recommendation 141) will provide information to DCF regarding the experiences of children in care. DCF provides access to CREATE to work with and directly survey children and young people in care annually.
(2)	141	That a community visitor model be implemented to involve a sampling of children in out of home care, with a view to informing	Project Plan Developed	A scoping exercise to examine legislated and non-legislated schemes in other jurisdictions has been completed. It has been

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		the Children's Commissioner about out of home care issues from the perspective of the visitor, and also from the children being visited.		determined that the new community visitor model for children and young people in out-of-home care will be provided for under the Care and Protection of Children Act . A consultation paper will be released in early March 2012 to commence a major review of the Act.
(2)	144	That the NTG funds the development of an advice and support program for vulnerable families who come into contact with the statutory services of NTFC in both the Top End and Central Australia. This might be developed as part of the service offered by an Aboriginal Child Care Agency, family service or legal agency.	Consultation Underway	Scoping documentation has commenced, clarifying the nature of concerns experienced by families, identifying what outcomes are currently funded that address or may possibly address these concerns, consultation with key stakeholders including Department of Justice, SAF,T, key legal agencies.
(2)	145	That a framework involving performance measures in the domains of input, process, outcome and impact is adopted and appropriately resourced.	Project Plan Developed	A Performance Management and Evaluation Framework project proposal has been developed through the Child Protection External Monitoring and Reporting Committee. Research has commenced on an environmental scan of evaluation and monitoring frameworks. Work had commenced on the program logic but has halted after the departure of the senior project officer. A recruitment process to fill the vacant position of senior project officer is underway and it is anticipated that a successful applicant will be identified by the end of February 2012.
(3)	9	That the NTG explore with the Commonwealth the (trial) development (or expansion of) existing infrastructure in remote areas (eg. women's safe houses, day care centres, health clinics) to provide on community therapeutic residential options for mothers and small children where the latter have been identified as being at risk of removal into foster care because of 'failure to thrive', neglect or otherwise inadequate parenting. The trial of such options would need to include the development of a therapeutic intervention model and staffing/supervision options.	Consultation Underway	NTER evaluation report has been released and the Stronger Futures Bill was introduced to Federal Parliament on 23/11/11. Referred to Senate Committee on Community Affairs Legislation. Negotiations with the Commonwealth in relation to post-NTER funding is continuing. Further work in relation to this recommendation to be progressed over the next 12 months.
(3)	45	That the development of a professional stream for home based	Project Plan	Review of carer payments completed. Options for differential

Urgency	Recommendation Number	Recommendation	Detailed Status - 22/2/2012	Summary of Progress – 22/2/2012
		carers, who are highly skilled and trained, be considered to provide placements for children and young people with high and complex needs.	Developed	carer allowances prepared for consideration. A validated complexity tool is to be applied to enable the differential carer reimbursement to be based on level of complexity. Transforming the Care training for foster and kinship carers continues to be delivered as part of the Department's rolling training calendar. 'Train the Trainer' training has also been provided to foster carers across the NT to support the introduction of a peer support program. A self-paced Learning and Development program for use by foster carers, which has a strong focus on caring for Aboriginal children has also been purchased.
(3)	76	That the After Care Service including a mentoring scheme be moved, when appropriate, to the non-government sector.	Significant Progress Made	Anglicare NT has been funded to provide after care support and brokerage services Territory-wide. The service is for young people who have left the care of DCF or those who are transitioning from care. It provides information, assessment, referral, advocacy, support and some case management. The services provide young people with a Leaving Care Plan that is individualised to meet their needs. Further work on this recommendation is not a priority at this time.
(3)	114	That where government-funded agencies providing for safety and/ or wellbeing of children or young people develop codes of practice in accordance with privacy legislation, their terms should be consistent with the new legislative provisions and consistent with each other in relation to the discharge of the functions of those agencies.	Consultation Underway	Proposal for legislative amendment approved. Amending legislation was introduced on 16/2/12.
(3)	131	That a mentorship program with senior members of Department of Health and Families staff is developed and 'implanted' to promote a supportive work environment for new or junior members of NTFC.	Project Plan Developed	A structured mentorship program to support the Supervision Framework is being developed by the Learning and Development Unit.

APPENDIX H – SIHIP leasing

LAND TENURE AND LEASING ARRANGEMENTS – SIHIP COMMUNITIES¹

Major capital works communities

Town	Land owner	Lease type/ progress
Ntaria (Hermannsburg)	Ntaria Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 40 year s19 housing precinct lease to EDTL. • 10 year sublease to CEO (Housing) for 91 public housing lots.
Yirrkala	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • Lease consultations ongoing
Yuendumu	Yuendumu Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • Lease consultations ongoing
Gapuwiyak	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal) s19 housing precinct lease to CEO (Housing) for 81 public housing lots.
Numbulwar	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal) s19 housing precinct lease to CEO (Housing) for 92 public housing lots.
Angurugu	Anindilyakwa Land Trust	<ul style="list-style-type: none"> • 40 year (with 40 year optional renewal) s19A township lease to EDTL. • 20 year (with 20 year optional renewal) sublease to CEO (Housing) for 215 public housing lots.
Umbakumba	Anindilyakwa Land Trust	
Milyakburra	Anindilyakwa Land Trust	
Milingimbi	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal) s19 housing precinct lease to CEO (Housing) for 105 public housing lots.
Gunbalunya	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal) s19 housing precinct lease to CEO (Housing) for 129 public housing lots.
Wurrumiyanga (Nguiu)	Tiwi Aboriginal Land Trust	<ul style="list-style-type: none"> • 99 year s19A township lease to EDTL • 20 year (with 20 year optional renewal) to CEO (Housing) for 241 public housing lots.
Ngukurr	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal) s19 housing precinct lease to CEO (Housing) signed for 111 public housing lots.
Galiwin'ku	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal) s19 housing precinct lease to CEO (Housing) for 160 public housing lots.
Maningrida	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal)

¹ Sources include CTC evidence, Territory and Australian Governments' Coordinator Generals Reports and CTC research into land titles. Current as at 31 March 2012.

		housing precinct lease to CEO (Housing) for 159 public housing lots.
Wadeye	Daly River/Port Keats Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 20 year (with 20 year optional renewal) s19 housing precinct lease to CEO (Housing) for 214 public housing lots. • 2 s19A ALRA leases to IBA for 40 years for residential purposes on 24 lots in Wudapuli (35kms from Wadeye)
Lajamanu	Hooker Creek Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 40 year s19 lease signed to EDTL over 98 public housing lots. • 10 year sublease to CEO (Housing) for 98 public housing lots.
Borroloola	various	<ul style="list-style-type: none"> • Sublease negotiations over town camps ongoing.

Housing upgrade communities

Town	Land owner	Lease type/ progress
Tara	Tara Community Incorporated	• 5 year s31 NTER lease
Imangara	Imangara Aboriginal Corporation	• 5 year s31 NTER lease
Kybrook Farm	Pine Creek Aboriginal Advancement Association Inc.	• 3 year sublease to CEO (Housing) for 13 public housing lots (expiring 8/2/13)
Eva Valley (Manyallauk)	Manyallaluk Aboriginal Land Trust	• 5 year s31 NTER lease
Acacia Larrakia	Delissaville/Wagait/Larrakia Aboriginal Land Trust	• 5 year s31 NTER lease
Weemol	Arnhem Land Aboriginal Trust	• 5 year s31 NTER lease
Amanbidji	Nagurunguru Aboriginal Land Trust	• 5 year s31 NTER lease
Rittarangu	Yupanalla Aboriginal Corporation	• 5 year s31 NTER lease
Wallace Rockhole	Uruna Aboriginal Land Trust	• 5 year s31 NTER lease
Nturiya	Ahakeye Aboriginal Land Trust	• 5 year s31 NTER lease
Wilora	Wilora Community Incorporated	• 5 year s31 NTER lease
Bulla	Bulla Goorbidjim Association	• 5 year s31 NTER lease
Haasts Bluff	Haasts Bluff Aboriginal Land Trust	• 5 year s31 NTER lease
Canteen Creek	Northern Territory of Australia	• 5 year s31 NTER lease
Robinson River	Garawa Aboriginal Land Trust	• 5 year s31 NTER lease
Imanpa	Imanpa Community Incorporated	• 5 year s31NTER lease
Bulman	Arnhem Land Aboriginal Land Trust	• 5 year s31NTER lease
Engawala	Engawala Community Incorporated	• 5 year s31NTER lease
Atitjere	Atitjere Land Aboriginal Corporation	• 5 year s31NTER lease
Pigeon Hole	Bilinarra Aboriginal Land Trust	• 5 year s31NTER lease
Peppimenarti	Daly river/Port Keats Aboriginal Land Trust	• 5 year s31NTER lease

Town	Land owner	Lease type/ progress
Areyonga	Haasts Bluff Aboriginal Land Trust	• 5 year s31NTER lease
Binjari	Binjari Community Aboriginal Land Trust	• 5 year s31NTER lease
Santa Teresa	Santa Teresa Aboriginal Land Trust	• 5 year s31NTER lease
Ramingining	Arnhem Land Aboriginal Land Trust	• 5 year s31NTER lease • Lease consultations ongoing
Daguragu	Daguragu Aboriginal Land Trust	• 5 year s31NTER lease
Kalkarindji	Various - town	• Lease negotiations ongoing
Kintore	Haasts Bluff Aboriginal Land Trust	• 5 year s31NTER lease
Ali Curung	Warrabri Aboriginal Land Trust	• 5 year s31 NTER lease • Lease consultations ongoing
Gunyangara	Arnhem Land Aboriginal Land Trust	• 5 year s31 NTER lease
Belyuen	Delissaville/Wagiat/Larrakia Aboriginal Land Trust	• 5 year s31 NTER lease
Yuelamu	Yalpirakinu Aboriginal Land Trust	• 5 year s31 NTER lease
Finke	Various	• 5 year s31 NTER lease • Short term lease negotiations underway
Titjikala	Titjikala Social Club Incorporated	• 5 year s31 NTER lease
Wutunugurra	Wutunuguura Aboriginal Corporation	• 5 year s31 NTER lease
Yarralin	Victoria Daly Shire Council	• 5 year s31 NTER lease
Mutitjulu	Uluru-Katjatjuta Aboriginal Land Trust	• 99 year head lease Parks Australia • Authority to manage community housing under discussion with FaHCSIA and Parks
Pmara Jutunta	Ahakeye Aboriginal Land Trust	• 5 year s31 NTER lease
Nyirripi	Yunkanjini Aboriginal Land Trust	• 5 year s31 NTER lease
Minjilang	Arnhem Land Aboriginal Land Trust	• 5 year s31 NTER lease
Willowra	Wirliyajarrai Aboriginal Land Trust	• 5 year s31 NTER lease
Mount Liebig	Haasts Bluff Aboriginal Land Trust	• 5 year s31 NTER lease
Laramba	Laramba Community Incorporated	• 5 year s31 NTER lease
Jilkminggan	Djembere Community Incorporated	• 5 year s31 NTER lease
Barunga	Beswick Aboriginal Land Trust	• 5 year s31 NTER lease
Amoonguna	Amoonguna Aboriginal Land Trust	• 5 year s31 NTER lease
Papunya	Haasts Bluff Aboriginal Land Trust	• 5 year s31 NTER lease • Lease consultations ongoing
Pirlangimpi	Tiwi Aboriginal Land Trust	• 5 year s31 NTER lease

Town	Land owner	Lease type/ progress
Alpurrurulam	Alpurrurulam Land Aboriginal Corporation	<ul style="list-style-type: none"> • 5 year s31 NTER lease
Kaltukatjara	Petermann Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease
Nganmariyanga (Palumpa)	Daly River/ Port Keats Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease
Milikapiti	Tiwi Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • 99 year s19A township lease to EDTL. • Public housing reliant on s31 NTER lease.
Warruwi	Arnhem Land Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease
Naiyu (Daly River)	Catholic Church of the Diocese of Darwin Property Trust	<ul style="list-style-type: none"> • Short term sublease aligned to expiry of s31 leases (18/8/12) for 53 public housing lots.
Beswick	Beswick Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease
Minyerri	Hodgson Downs Community Incorporated & Alawa 1 Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease
Ampilatwatja	Aherrenge Aboriginal Land Trust	<ul style="list-style-type: none"> • 5 year s31 NTER lease • Lease consultations ongoing.

APPENDIX I – Local government reform progress

PROGRESS ON DELIVERING LOCAL GOVERNMENT REFORM BENEFITS²

Forecasted benefits	Key promises	CTC assessment of delivery progress
<p>Real local jobs (Regional service delivery will allow local people to get the real jobs in their communities)</p>	<ul style="list-style-type: none"> • More real jobs for local people • Regional strategies and contracts • School to work transition programs 	<ul style="list-style-type: none"> • Changes to CDEP and Indigenous employment • SIHIP jobs • 500 local government jobs 'guaranteed' by government • Perceived drop in local jobs delivering local government core services.
<p>Better services (There will be minimum service delivery standards for core local government services in every community)</p>	<ul style="list-style-type: none"> • Local government funding spent on local government services • Non-core services properly funded • Planning and delivery of regional services 	<ul style="list-style-type: none"> • Lack of coordination • Insufficient funding for full core service delivery • Insufficient funding for non-core services
<p>Better roads & infrastructure (Modern plant and equipment will be used to improve roads and new money will be used to build better facilities)</p>	<ul style="list-style-type: none"> • Roads money spent on roads • Development of regional facilities • More roads funds and integrated local roads strategy 	<ul style="list-style-type: none"> • No increase in roads funding • Plans to expand shires' local roads, barge and airstrip responsibilities • No shires involved in infrastructure planning
<p>Less humbug (Local communities will deal with issues that matter to them, not complex administration and finance. Community managers and local staff will focus on getting things done)</p>	<ul style="list-style-type: none"> • Focus on service delivery – not administration • Resource sharing across councils • Funding programs coordinated with AG 	<ul style="list-style-type: none"> • Lack of intersectoral collaboration • Continued demand for voluntary advisory work by community members
<p>Stronger voice (Local boards will listen to communities and then work with the regional shire to set local priorities. Regional shires with large budgets will work as equal partners with governments in Darwin and Canberra to get the resources required to sustain small communities)</p>	<ul style="list-style-type: none"> • Local boards will provide a direct link to shire council on local needs and priorities • Regional shires will negotiate as equal partner with NTG and AG • Regular and higher level consultation between shires 	<ul style="list-style-type: none"> • Local boards meet sporadically and are not well supported • Shires not included until late in local implementation plan (<i>Working Future</i>) process
<p>Bigger, fairer share (More funding will be available to local government in the NT. Funding and services will be more evenly distributed across and within communities)</p>	<ul style="list-style-type: none"> • Local communities will receive share of funding not previously accessed • A range of regional development funding programs will be 	<ul style="list-style-type: none"> • Ongoing concerns about shires' financial sustainability – review of financial sustainability • Complex grant acquittal processes • Restrictions on rating through

² The CTC's examination of the benefits delivered by local government reform uses the department's *Reform Benefits* document as the basis for the table's first two columns above. DLGH, *Reform Benefits*, http://www.localgovernment.nt.gov.au/history/community_engagement/benefits, accessed 30 December 2009.

Forecasted benefits	Key promises	CTC assessment of delivery progress
	accessible	conditional rating <ul style="list-style-type: none"> • Unresolved what and how shires will pay for leases of facilities.
Healthier country (Regional approaches to pest control, waste management, litter removal, housing services, water and sewerage will improve the environment and create jobs for local people)	<ul style="list-style-type: none"> • Improved community health through better and locally managed environmental health services • Increased training and employment opportunities • Integrated whole of government service delivery on environmental health issues 	<ul style="list-style-type: none"> • Lack of local government involvement in social infrastructure planning • Lack of coordination on delivery of essential services • Delivery of additional services/ planning under <i>Working Future</i> and SIHIP
Extra opportunity (Regional approaches to employment and training; business development and service delivery will create careers and enterprise opportunities for people in all bush communities)	<ul style="list-style-type: none"> • Local business development opportunities • Regional economic development plans and employment and training programs • Managed approach to remote area exemptions and CDEP reforms 	<ul style="list-style-type: none"> • Ongoing issues addressing education, training and employment and shared responsibility • Unresolved land tenure issues • Limited private businesses/ enterprises established in bush
Greater reliability (Stable local government administrations and higher quality managers will ensure service delivery standards are maintained and money is spent with greater accountability)	<ul style="list-style-type: none"> • Reliable service delivery • Targeted training and development of elected members • Strong platform for financial management and other business system development 	<ul style="list-style-type: none"> • Continued high turnover of CEs and Shire Presidents • Training needed for elected members • Problems with IT and financial planning systems • Problems with service delivery in Mutitjulu
Better future (Every community will have access to youth development, festivals and events; parks and gardens and other local government services that makes lives happier and healthier)	<ul style="list-style-type: none"> • Greater participation in the workforce • Greater participation in community initiatives and programs • New local governments capable of helping people in remote areas participate in the social and economic life of the Territory. 	<ul style="list-style-type: none"> • Sense of loss of community • Perception of less local government support of community events • NTER (the Intervention) and local government reform connected in people's minds • Related to improvements in employment and training and <i>Working Future</i> aims

APPENDIX J – Recommendations and responses

CTC RECOMMENDATIONS STATUS³

CTC

	Recommendation	Government's Response
	<i>First Report 24 Feb 2010</i>	<i>Response to 1st Report 4 May 2010</i>
1. SIHIP	Governments note that the CTC considers the NTG is still the best positioned government to manage SIHIP.	Noted. SIHIP is an important first stage in addressing Indigenous housing need. The Government recognises that this requires a strong and committed partnership between the NTG and AG, non-government associations and communities over many years to resolve.
2. SIHIP	SIHIP be allowed to roll out its refurbishments and rebuilds to the standards originally promised.	Noted. In August 2009 the SIHIP review established program parameters for what constitutes a rebuilt and refurbished house. Refurbishments will range in cost from \$20,000 to \$100,000 per house with an average cost of \$75,000. The average cost for rebuilds is \$200,000 and will focus on returning houses to full functionality. Refurbishments will be supplemented by DHLGRS repairs and maintenance program. This will see houses further upgraded in a programmed way and will occur via service agreements with Shires or other contracted parties.
3. SIHIP	The NTG work with the AG to ensure that stock from SIHIP meets minimum Territory Housing standards.	Agreed. The NTG and AG will continue to work toward ensuring stock is at an appropriate standard.
4. SIHIP/ Remote housing	The transition period from a new, rebuilt or refurbished house being completed and handed over to new tenants be streamlined to minimise delay.	Agreed. Refurbishments, Scoping and Handover Guidelines have been developed by Remote Housing NT and detail a transition process from construction to handover aimed at minimising any time between completion and occupancy. On the ground, the alliances and regional housing property and tenancy management staff work together within these guidelines to ensure that handovers are undertaken within required timeframes.
5. SIHIP	The \$13.5 million set aside in Tennant Creek for infrastructure be used for the construction of new houses and the infrastructure money is sourced from the NPA.	Noted. The Government's discussions with Julalikari Council Aboriginal Corporation indicate that their priorities are that infrastructure upgrades to bring the community living areas up to the same standards or better than the town area of Tennant Creek are the priority for SIHIP funding.
6. SIHIP	A scope of infrastructure works for SIHIP be published, providing detail of who will do what when.	Agreed. Once the scopes of work for each community have been finalised and the procurement methodology agreed, these details will be published.
7. SIHIP	All new, rebuilt or refurbished houses when handed over to Territory Housing have a publicly available final cost that	Noted. Apportioning parts of costs to individual houses to get an accurate house by house figure will involve additional staff time and resources we believe would be better focussed on delivering houses. It is the Government's intention that the total

³ This table provides edited information on CTC recommendations and the NTG's responses. For full details see original recommendations in reports and NTG responses in tabled response documents. CTC related reports and responses available at <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/reports.shtml>. Animal Welfare Governance Sub-Committee related reports and the response available at <http://www.nt.gov.au/lant/parliamentary-business/committees/ctc/animal-welfare/reports.shtml>.

	Recommendation	Government's Response
	includes an administrative component.	expenditure on the houses in each community will be published. This information will be drawn from the quarterly financial report as indicated in response to recommendation 8 and will include total cost and number of houses or work done.
8. SIHIP	The NTG and AG provide the CTC with a detailed financial report of the SIHIP project every quarter.	Agreed. A detailed financial report will be provided at the end of each quarter.
9. SIHIP	An audit be done by an independent auditor at the completion of the process to determine the usefulness of the alliance model, including an assessment of the profits returned by the Alliances through the process.	Agreed. An independent audit / review of the alliance contracting methodology will occur at the end of the current construction program.
10. WF ⁴	IBA schemes supporting the private ownership of houses on Aboriginal communities be actively encouraged by the NTG and private financial institutions, especially in communities where the SIHIP program is presently operating.	Agreed. An output of the Remote Indigenous Housing NPA is to develop homeownership possibilities and NTG and AG have been working with IBA and the OTL to facilitate homeownership in those communities where long-term secure tenure has been established. Government is working with commercial financial institutions to enable the availability of mainstream finance for residents and businesses in the 20 Territory Growth Towns identified in Working Future.
11. SIHIP	That every 6 months training and employment data for SIHIP is made publicly available. This data is to include a breakdown of employee and sub-contractor numbers, labour hours, training hours on-site and in the class room, and the types of trades and certificates that people are being trained in.	Agreed. Training and employment data will be provided as recommended. The further breakdown of data to the level of subcontractor numbers, training hours onsite and in classroom is not currently collected and would be an additional cost to the program. The data currently collected allows Government to oversight the program in terms of the Indigenous employment key performance indicators and outcomes without placing additional levels of reporting burden on the Alliances.
12. LG ⁵	The NTG amend legislation to enable shires to increase their own revenue base, such as through service fees in remote Aboriginal communities where they provide services.	Noted – will be considered as part of future review of the LGA. Shires collect rates on land tenements and charges for services such as waste management. Aboriginal Land Trusts and Commonwealth land are exempt from rates; however, land leased from an Aboriginal Land Trust is rateable. Shires may also charge fees for miscellaneous direct services such as cleaning, hire of equipment or dog registration. Most rates in shire areas are capped until the end of 2010–11 year. Charges are not capped.
13. LG	The Minister for Local Government establish a working relationship with shires and municipal councils based on the model of the Capital Cities Committee to improve on the delivery of	Agreed. The Capital Cities and Palmerston City processes are working well. The Minister for Local Government has also established a process for direct consultation with presidents and mayors. Elements of the Capital City charter will be considered in developing revised local government Regional Management Plans.

⁴ Working Future.

⁵ Local government.

	Recommendation	Government's Response
	services and community development.	
14. LG	The NTG immediately increases the establishment funding that was provided for new shires, taking into consideration the unexpected costs from ShireBiz.	Noted. DHLGRS has met the cost of re-configuration of the ShireBiz system, established as part of local government reform, to meet the needs of individual Councils. It is also funding upgrades of new system modules requested by Councils. The Government is currently considering a range of funding requests submitted by LGANT. More detail on our position will be provided in the future.
15. LG	The NTG improves the available elected members training program to increase the knowledge and understanding elected members of shires and municipals have of the reformed LGA and their legal and financial responsibility under the Act. Further, that the Government investigates the possibility for this training to be delivered independently.	Agreed. The NTG and AG are working together to implement improved coordinated training for elected members. The project is proceeding in consultation with LGANT and with direct input from shire council elected members, and will have a key focus on leadership and governance for presidents and mayors.
16. WF	The NTG resolves the status of road corridors to Growth Towns through Aboriginal Trust Land with appropriate land councils.	Agreed. The status of road corridors to Growth Towns through Aboriginal Trust Land with appropriate land councils is being progressed by the DHLGRS. Legal advice is currently being prepared by the Department of Justice.
17. LG	The NTG finalise the handover of roads to shires, by: <ul style="list-style-type: none"> (a) Consulting with shires on the proposed roads for hand over; (b) Auditing the state of roads and identifying all works required before handing the roads over; (c) Upgrading roads to a satisfactory standard prior to handover; and (d) Identifying on going funding for these roads. 	Agreed. <ul style="list-style-type: none"> (a) A working group comprising Department of Lands and Planning (DLP), DHLGRS, NT Treasury and LGANT (acting on behalf of the shire councils) is coordinating the preparation of a NT submission to the AG seeking additional funding for the NT's local government road networks. (b) DLP is currently coordinating a road hierarchy audit of all roads within 50km of the identified Growth Towns together with all roads on the NT Grants Commission local roads database. DLP's database can provide the required information on the 8 500km of roads proposed for handover to the shires. (c) A gap analysis will be undertaken to determine the resources needed to bring these roads to an appropriate standard for their level of use and overall importance. (d) Subject to the completion of the analysis, a submission will be developed that will demonstrate the high level of under-funding that exists under the Grants Commission methodology for NT roads and seeking additional funding from the AG to address this shortfall (see response to recommendation 18 regarding funding received by the South Australian (SA) Government).
18. LG	The NTG seek an explanation from the AG for why there has been no increase in road funding in the newly incorporated shires, as there was for the Pitjantjatjara Council.	Agreed. Work is currently under way to prepare a detailed case for presentation to the AG regarding road funding in the NT. SA receives supplementary AG funding for all local roads, not only for the Anangu, Pitjantjatjara and Yankunytjatjara lands. The arguments that were successfully put forward by the SA Government a number of years ago are being investigated to determine their relevance to the NT.
19.	Public servants be instructed that when briefing the Council	Noted. The Territory's public servants play an important role in the social and economic development of the Territory. They work

	Recommendation	Government's Response
Admin	they should be fulsome and forthcoming with information on all occasions when advising the CTC.	hard and provide professional advice to Government at all times. It is the view of the Government that public servants already provide full and comprehensive information at all times when advising the Council.
20. Admin	The Government provide a secretariat that is staffed with sufficient expert and other resources, if the Council is to achieve its aims.	Agreed. Government has agreed to provide the Council with a secretariat of 3 staff comprising a Committee Secretary, Executive Officer and an Administrative Officer to assist the Council in the performance of its role.
21. Admin	CTC reports must be timely and handed directly to government for immediate advice as to what action will be taken in relation to the report.	Agreed. The NTG will respond in a timely manner to a report of the Council, and table its response in the Legislative Assembly within 3 months of the date a report is received as required by paragraph 14 of the Council's Terms of Reference.
Second Report 6 May 2010		Response to 2nd Report 18 August 2010
1. Power supply	The Power Water Corporation (PWC) send the results of the PWC and NT Gas investigations into events leading up to and on the day NT Gas stopped supply to the Weddell Power Station.	Agreed. The PWC is finalising its investigations into the events and will provide a report to system participants and the Utilities Commission by June 2010. A copy of the report will also be provided to the Council at the same time.
2. Power supply	The final report from the discussions between NT Gas, APA Group, PWC, Worley Parsons, the regulator and Eni which identified risks and recommendations on the release of early off-specification gas (EOSG) be released to the CTC.	Agreed. The BGP Early Gas Safety Management Study Report will be attached to the incident investigation and provided to the Council in June 2010. ⁶
3.	The Minister for Essential Services and the Treasurer attend a CTC hearing to determine their involvement and level of knowledge of what transpired.	Disagree. The NTG's position regarding the appearance has not changed. At the time the Council was established, the NTG publicly stated that while the Council will be able to call senior public servants and, in some cases, private citizens involved in the delivery of such programs being considered by the Council, it is not intended that ministers appear before the Council in the interests of keeping politics out of the Council as much as possible, however, ministers would continue to answer the Parliament through Questions Time and the Estimates Committee.
4. DV stats	Statistics used by the Department of Justice (DOJ) and the NT Police relating to reporting of crime, especially domestic violence-related crime, be accurate and consistent with one another or if not, explanations be given to interpret the differences.	Noted. The NT Police and DOJ recorded offence crime statistics are accurate and consistent for the whole of the NT. However the statistics will continue to differ at the regional level. In relation to reporting Domestic Violence related assault offences, NT Police and DOJ have agreed that in the future these statistics will only be released by DOJ, thus eliminating the risk of any confusion.
5.	Minimum reporting times for	Noted. At the discretion of Cabinet, DOJ currently publishes

⁶ In its response to the 2nd report, the NTG included additional comments to respond to what it saw as three inaccuracies in the CTC's conclusions (on pages 7- 9 of the Second Report) in relation to the early off specification gas. See NTG, *Response to 2nd Report*, pp.7-8.

	Recommendation	Government's Response
DV stats	crime statistics be reviewed to reduce the volatility in the numbers.	recorded crime statistics on a quarterly basis. NT Police and DOJ are considering options to reduce the frequency at which these statistics are published and to extend their scope of content. It is anticipated that a joint proposal will be presented for consideration of the respective Ministers in July 2010.
6. WF	The NT and AGs re-establish government offices in Growth Towns to prevent overloading shires and non-government organisations.	Noted. As stated in the 2010-11 NT Budget Overview, the NTG will work in conjunction with the AG and local governments to plan the staged roll out of government business centres in Growth Towns.
7. WF	The AG and NTG review the number of advisory boards and reference groups that governments are requiring Growth Towns establish.	Agreed. This matter has been considered by the NT Coordinator-General for Remote Services and reviewed by the SDCU in DHLGRS. Actions to limit the number of advisory boards and reference groups are being implemented as part of the Local Implementation Plans being developed for each Growth Town.
8. WF	The AG review Home Ownership on Indigenous Land (HOIL) to ensure the housing standard meets existing agreed national standards for Indigenous community housing.	Agreed. DHLGRS will write to IBA seeking their confirmation that funds from the HOIL program are to be used to construct dwellings that meet existing agreed national standards for Indigenous community housing.
9. LG	The NTG permit shires to develop an organisation structure without requiring approval from the government.	Agreed. The LGA outlines essential qualifications for shire CEOs to ensure that only appropriate and suitably qualified people are appointed to the position of CEO. Under the Act a shire CEO is responsible for the appointment of staff in accordance with a staffing plan approved by the shire council. DHLGRS monitors these requirements to ensure their compliance with the Act and provides advice to Shires in developing their organisational structures and governance issues.
10. SIHIP	Refurbishment of housing include all work to return houses to functional houses that allow for healthy living, including the ability to keep houses clean.	Agreed. In August 2009 the SIHIP Review established program parameters for what constitutes a rebuilt and refurbished house. The objective of the refurbishment program is to ensure key areas in houses that are essential to healthy living are fully functional and safe in each community. Refurbishments will be supplemented by the DHLGRS remote repairs and maintenance program.
11. SIHIP	Both Governments publicly acknowledge their shortcomings in implementing SIHIP.	Noted. The August 2009 SIHIP Review resulted from concerns of both the NT and AG about the delivery of SIHIP to that date. Changes to the management of SIHIP have been implemented as recommended by the Review. This was noted in the independent PRA recently undertaken. Both the NT and AG remain committed to delivering housing targets set under SIHIP by 2013.
12. SIHIP	In the interests of transparency and accountability, both Governments establish independent building supervision and certification as part of SIHIP works.	Agreed. The <i>Building Act</i> applies to Declared Building Areas of the NT. Declared Building Areas cover the larger urban localities and some rural localities but generally exclude industry-owned mining towns, Aboriginal communities and pastoral properties. In accordance with the requirements of the <i>Building Act</i> , where SIHIP is constructing houses in declared building areas, they are obtaining building permits and outside building areas SIHIP is requiring certification of houses as if they were in declared building control areas. All standard certificates must be presented at handover of houses to Territory Housing asset managers, who also have a responsibility to ensure works being

	Recommendation	Government's Response
		handed over are at an appropriate standard. To supplement the quality monitoring for the Program, a new independent, quality assurance team is in the process of being established to inspect and assess new houses and refurbishments delivered under SIHIP. Both Alliances already engage an independent third party to provide engineering reviews, certification of compliance and interim approval as part of their operations.
13. SIHIP	The NTG provide a report detailing monies paid to Earth Connect and work undertaken up to the termination of its contract.	Noted. Accounts are being finalised with Earth Connect Alliance, however there will be no monies paid to Earth Connect as a result of ending this alliance.
14. SIHIP	Detailed costs for the remainder of the work allocated to Earth Connect be provided to ensure Territory Alliance has sufficient funds to complete this work.	Noted. Any additional costs necessary to fully mobilise Territory Alliance to complete Earth Connect Alliance's works will be met. This will ensure there is no impact on commitments made to any community where works are transitioning from Earth Connect Alliance to Territory Alliance.
	Third Report 23 November 2010	Response to 3rd Report 24 February 2011
1. SIHIP	SIHIP construction only be of housing designs that will deliver the longest possible useful life and low maintenance requirements.	Agreed. A requirement for all new houses delivered under SIHIP is that they are designed to achieve a built life of 30-40 years. Current Program Design Management Plan requires a Value Management exercise on all design elements and construction procedures and includes fixtures, fittings and equipment. SIHIP has aligned with DHLGRS Remote Housing Asset Management Strategy to ensure all fixtures and fittings in all community housing assets are robust, fit for purpose, and standardised. Design Performance Specifications and design experience from past Indigenous housing programs have been collated in the SIHIP Library and are referred to by the SIHIP Alliance Design Team and applied to SIHIP to maximise the build life of the completed dwelling. Solid wall solutions will be the preferred solution in communities where new house designs are yet to be finalised.
2. SIHIP	The Territory and Australian Governments urgently consider transferring SIHIP refurbishment funding from alliances to shires or other local organisations to undertake refurbishments.	The Northern Territory Government has agreed to pursue this with the Australian Government. The NT and AGs have committed to pursue 'best for program' outcomes in all delivery aspects of SIHIP. An ongoing review of the delivery of refurbishments is being undertaken. Shires and local Indigenous enterprises are continually being assessed for their capacity to deliver construction works. Alliances are required to undertake these assessments both for the delivery of parcels of works or works by trade. This has already delivered successful results in Nguuu, Tennant Creek, Alice Springs, Wadeye and Grootte Eylandt. The NTG is pursuing with the AG possible options for greater involvement of Shires and other local organisations in the refurbishment work.
3. SIHIP/ Remote housing	SIHIP program managers provide the CTC with details of the 'programmed way' DHLGRS repairs and maintenance funding is being used to complete SIHIP refurbishments.	Executive Director of Remote Housing will provide further details to the CTC of plans to ensure the co-ordination between SIHIP refurbishments and the repairs and maintenance program. The Remote Housing program covers both construction and repairs and maintenance works in remote communities. Scoping is carried out on each package of works to identify which works are refurbishments and which should be managed via the repairs and maintenance program. Works are then coordinated with repairs and maintenance service providers to achieve best results to meet community housing needs. To gain the best

	Recommendation	Government's Response
		outcomes for remote housing, construction under SIHIP and repairs and maintenance and tenancy management need to be co-ordinated and integrated to the highest possible degree.
4. Remote housing/ LG	The CTC be provided with the full details of all conditions and service requirements of housing repairs and maintenance funding paid to shires.	Agreed. Details have now been provided to the Council of Territory Cooperation. Service Level Agreements are in place for all Shires. The Service Level Agreements set the conditions and service requirements and incorporate regular performance monitoring and reporting. Details of the Service Level Agreements with the Shires have been provided to the Council. If specific Shire detail is required, this can also be provided with the agreement of the specific Shire.
5. SIHIP	A scope of works be published for the three Tennant Creek town camps where infrastructure works are underway.	The scope of works in Tennant Creek will be provided to the Council. Infrastructure works in Tennant Creek town camps are to an urban subdivisional standard including roads and drainage and PWC guidelines and requirements. The Scope of works in Tennant Creek will be provided to the Council by the date of the next hearing.
6. SIHIP	(a) A greater level of consultation occur with shires on how SIHIP subdivisions are planned; and (b) Details be provided of the planning processes followed for designing SIHIP subdivisions and who participates in the processes.	Agreed. At this time, Remote Shire Councils do not have subdivision guidelines and SIHIP are utilising guidelines developed specifically for the program. It is acknowledged that Shire Councils are important stakeholders and program managers will consult with and involve Shire Councils in future works planning. At a meeting of the Shire Council Environment, Transport and Infrastructure Reference Group (Shire Council Infrastructure Directors) in Nhulunbuy on 5 November 2010, standards, design, construction and asset handover was discussed with SIHIP representatives. Current SIHIP infrastructure planning and approval processes include standard design and approval processes involving the Department of Lands and Planning and the PWC.
7. SIHIP/ Remote housing	All cases of apparent malicious and wilful damage to public housing be reported to Police, as part of the tenancy and asset management systems.	Agreed. The policy in relation to malicious and wilful damage is aligned with that applying to urban public housing, whereby instances of malicious and wilful damage are reported to Police. The usual rules of evidence apply as to whether the Police will decide to move to prosecution or not.
8. SIHIP	The NTG honour its commitment to provide a detailed financial report on SIHIP each quarter.	Agreed and provided. A detailed quarterly report is provided to the CTC. Remote Housing NT will continue to work with CTC Secretariat to provide additional information where it is required. The December 2010 quarterly report has been provided to the Council and included additional information in consultation with the CTC Secretariat.
9. SIHIP	The NTG provide details of how the outcome of delivering healthy homes will be monitored and evaluated.	Agreed. DHLGRS chairs the Healthy Homes Working Group under the Board of Management within the DHLGRS Regional Operations Centre. Condition assessment before and after the program will provide a basis for analysing the improvement in housing amenity across communities. Regular reporting to the Board of Management is in place and ongoing monitoring through the Local Implementation Plans tracker. DHLGRS agrees to provide further detail on this to the Council prior to the next hearing.
10. LG/ WF	DHLGRS develop memorandums of understanding or agreements with all shires to improve coordination between	Agreed. The Department now has a single point of contact for the shire councils. DHLGRS has undertaken a functional assessment that has identified improvements that are achievable within the organisation structure, aimed at improving the engagement between the agency and all shire councils,

	Recommendation	Government's Response
	governments and establish a single point of contact.	predominantly aimed at increasing the capacity of regional offices to provide a first response to council issues. As part of the functional assessment, the DHLGRS has put in place a new Senior Executive Director of Local Government and Regional Services. This position and its underlying local government functions will act as the single point of contact for Local Government.
11. LG/ WF	The NTG: (a) tell the AG that the closure of CDEP will have a detrimental impact on Aboriginal communities; and (b) work with the AG to achieve the maintenance of the CDEP program.	Supported. The NTG has previously made a number of submissions and representations to the AG concerning the impacts of the cessation of CDEP as a waged program. In its submission to the Northern Territory Emergency Response Review Board (September 2008), the NTG submitted that: <ul style="list-style-type: none"> • CDEP should require the transition of people to work where jobs are available, support mobility for those individuals who chose to move to obtain work and provide a wage and incentives regime where there is currently a substantial jobs gap in the local labour market; and • mechanisms must be put in place ensure that CDEP is not used as a mechanism to avoid income management (by strictly applying eligibility criteria for entering the CDEP program based on the behavioural triggers for income management; and by strictly applying employer-employee responsibilities while participating in the CDEP program). Despite the NTG's view (and similar views of a number of Indigenous organisations concerned at the proposed changes to CDEP), the AG's stated intention is to end CDEP as a waged program by July 2011. Effectively CDEP will become another employment program to support welfare recipients. Consequently, DHLGRS will continue to discuss with the AG the need for a replacement program or programs that maintains the best attributes of the former CDEP program, while acknowledging that certain elements of the former CDEP program may not have worked to achieve the employment outcomes both governments would support. DHLGRS is also partnering with LGANT and the shire councils to develop workforce planning capacity to help support the long term strategic planning of shire councils for the development of existing and potential remote Indigenous staff to increase the workforce capacity of shire councils.
12. LG	The NTG provide a report to the CTC on the number of current local jobs in local government by shire and community and the number of jobs that existed prior to local government reform.	Supported. The NTG agrees that there is a need for improved reporting on local government workforce data and DHLGRS, LGANT and shire councils will develop a template and reporting framework to deliver workforce data, including Indigenous employment data. Data collected from shire councils will be reported by DHLGRS. The only data that is available at this time however comes from some preliminary doctorate research conducted through the Charles Darwin University, based on an assessment of council records pre-July 2008 and in the first half of 2009, that shows a significant growth in council employment from 1 660 persons with the former community government councils to 2 300 persons with the shire councils in both core and agency related services.
13. LG	The NTG provide information about ongoing additional funding it has identified that will assist shires in delivering the full range of services.	No additional funding will be provided at this time. Funding for local government is a national issue that has been highlighted through a number of state and national local government financial sustainability evaluations. Local government in the NT is limited in its revenue raising capacity due to the small population base, the huge areas of land and, in the case of the

	Recommendation	Government's Response
		regional shire councils, the prominence of Aboriginal Land. DHLGRS will negotiate for the development of shared understanding of service levels and standards and seek agreement on the costs of the required level of service delivery to ensure that there is a realistic expectation of service standards within existing financial resources available to shire councils.
14. WF	The NTG urgently establish a NT statutory lease-holding entity or negotiate with the AG for the transfer of the Office of Township Leasing.	Agreed. The implementation of this recommendation will require agreement on a process in conjunction with the AG, which has responsibility for appointment of statutory leasing entities under section 19A of the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (Cth). Preliminary discussions have taken place with Commonwealth officials on this issue. In order for a NTG statutory lease-holding entity to be effective, its establishment should also involve close consultation with all four Land Councils. Ongoing discussions are taking place with Land Councils on preferred future approaches to leasing, particularly in the Territory's larger remote towns in the Northern Land Council and Central Land Council areas. With the five-year leases to the Commonwealth under section 31 of the <i>Northern Territory National Emergency Response Act 2007</i> (Cth) set to expire in August 2011, the Northern Territory Government is seeking formal negotiations to commence in early 2011.
15. WF	Existing township leases not be used as a template and the Northern Territory Government insist on head lease terms for Territory Growth Towns that exclude the need for permits.	Agreed. The NTG acknowledges that the existing township leases held by the Commonwealth Executive Director of Township Leasing are too restrictive to support a robust property market and investment environment in Growth Towns. This issue was examined in some detail in the second report of the NT Coordinator-General for Remote Services. The NTG is advocating with the AG, Land Councils and local Aboriginal people for township leasing terms to mirror conventional property systems and real estate markets. In particular, the NTG is seeking to ensure that leasehold property on Aboriginal Land can be registered, transferred, mortgaged, developed and accessed in a similar way to real property off-Aboriginal Land. As Township Leases are agreed under the provisions of the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (Cth), the NTG's current capacity to influence township lease terms is limited when compared to the statutory roles of the Commonwealth Government, Land Councils and Traditional owners (however, note the response to Recommendation 14 above). The NTG acknowledges that head lease terms should provide those who hold subleases (and where relevant their family, staff, contractors and customers) with the ability to freely access sub-leased assets. This does not, however, necessarily require the removal of all permit restrictions in and around Territory Growth Towns.
	Recent community trips 31 May 2011	Response to Trips report 18 August 2011
1. SIHIP	The government and Alliances review the consultation process they undertake as part of determining SIHIP scope of works and throughout SIHIP's delivery in communities.	Agreed and ongoing. Housing Reference Groups (HRG) in each community are the focus for consultation in respect of housing works to be undertaken under SIHP. At times, broader (open) community discussions and forums are held to enable all in the community to express their views and for them to have the opportunity to ask questions in respect of housing works and tenancy and property management issues. Consultation processes were significantly reviewed and refined following the 2009 SIHIP Review to ensure a more balanced and consistent approach was adopted to allow for community input into decisions regarding housing scope. Improvements in

	Recommendation	Government's Response
		consultation processes are continually being made and Remote Housing NT has been working with communities to develop communications material to assist in the dissemination of information more broadly across communities. An important part of the learning process is also that the HRG and other community members be shown works as they are undertaken and presented pictorial evidence after the work is completed to ensure they have a good understanding of what is or has been done, given much of the work is in the structural and safety (i.e. electrical) elements that may not be as apparent as aesthetic work (i.e. painting).
2. SIHIP	Maintenance requests for SIHIP houses be monitored for at least 12 months after handover to track if and where there are problems with housing components.	Agreed. On completion of works under SIHIP, houses are inspected for work defects by Territory Housing's Asset Management Officers and a list of works (if minor in nature) is compiled for completion during the Defect Liability Period. All houses that have had work completed under SIHIP have an inspection six months after handover just prior to the expiry of the Defect Liability Period. At this time any defects in works or asset components identified as faulty are raised with the Alliance for rectification. A condition inspection is also completed at this time. In keeping with the recommendations from the CTC, processes are being refined to further ensure maintenance requests received on houses that have had work completed under SIHIP are monitored and checked to confirm who is responsible for possible defects and/or if any warranties are applicable. In addition to this monitoring, all houses are planned to be assessed every six months with an Asset Management Officer carrying out a full condition assessment inspection on each property. The condition assessment used for Remote Housing stock to assess/record asset condition details and asset information for the purpose of planning and maintenance.
3. SIHIP	The government ensure that all newly installed components as part of SIHIP have adequate warranties through either manufacturers or the associated Alliance.	Agreed. All manufactured products have warranties and guarantees. Documentation of these warranties is provided to regional housing officers as part of the handover process.
4. SIHIP	Tenants are trained in use of all components of refurbished or rebuilt houses prior to occupying a house and that this become part of the tenancy support program.	Agreed. Tenants and their families are provided with Intensive Tenant Support (ITS) when moving into new, rebuilt and refurbished houses which comply with the <i>Residential Tenancies Act</i> requiring tenants to sign formal tenancy agreements. The ITS program is tailored according to tenants' needs and delivered via 'face to face' visits in a flexible, culturally appropriate manner. ITS is delivered in three phases over an approximate 6-12 week period of time: phase one – Pre handover engagement; phase two - handover/sign-up tenancy agreement including property condition report; post-handover/follow up support. The program covers six topic areas: understanding the tenancy agreement; transitional arrangements; managing money and resources; managing visitors and crowding; household orientation and functionality; and maintaining a safe, healthy and hygienic home. The ITS program is delivered by departmental staff in collaboration with local Community Housing Officers who are employed in the main under tenancy management service level agreements with Shire Councils. To date 1400 households have had intensive tenant support. The ITS and hand over process is currently being reviewed to ensure that the 'household orientation and functionality' section of the ITS program appropriately covers off training in the use of new components.

	Recommendation	Government's Response
5. SIHIP	<p>The government provide information about the sustainability of SIHIP employment and training and about how government is measuring and reporting on the sustainability of SIHIP employment and training for Indigenous people.</p>	<p>Supported. Within the report currently provided each quarter to the CTC, the Council will continue to receive updated information on employment and training, including the number of Indigenous employees whom have worked in the program for 13 and 26 weeks or longer. It is acknowledged that sustaining Indigenous employment for long periods has been a challenge, especially in smaller communities where work in the housing program has been undertaken within short timeframes. Even so, the success of the program in respect of Indigenous employment and workforce development is unprecedented as acknowledged with the winning of the top award (Chairman's Award) in the recent Northern Land Council Indigenous Employment Awards.</p> <p>Alliances develop training and employment opportunities for each Indigenous employee based on their individual aspirations, levels of literacy and numeracy, and formal training and education. The program is also fostering local employment through working with Indigenous organisations. Indigenous workforce calculations used as the basis to monitor alliance performance utilise Full Time Equivalent (FTE) information which itself is based on hours recorded in individual timesheets. A brokerage model, funded by the Department of Education, Employment and Workplace Relations (DEEWR), will assist Indigenous people who have been working in the Program for 26 weeks or more into other opportunities. Generally these employees are those working in larger communities where construction of new housing is taking place. The Broker will identify employment options and work with each eligible Indigenous person prior to the end of his or her employment in the Program.</p> <p>Under current Service Level Agreements (SLAs) for tenancy and property management between Territory Housing and local government Shires, Shires are required to have performed services utilising Indigenous workforces (40% stipulated for property management – repairs and maintenance and 50% stipulated for tenancy management). This performance requirement has and will continue to see build up in sustained Indigenous employment in remote community repairs and maintenance. Job Services Australia (JSA) providers assist those workers who exit the Program prior to 26 weeks.</p> <p>Further to the Indigenous employment requirement under the SLAs, a Housing Management Program is currently under development with the Shires that will target Indigenous workforce development in activities including fencing, painting, landscape maintenance and tenancy sustainability programs. The Housing Management Program will work with a working group that has been established to focus on the employment of Indigenous workers coming off SIHIP in identified program communities. DHLGRS staff will provide Shires with information relating to work experience and training received by SIHIP workers and will work closely with the alliances and Job Service Australia Providers to ensure SIHIP employees are given priority in the employment process.</p> <p>The commitment by the NTG to provide funding under the Indigenous Jobs Development (matched funding for core services) is also key to the continued support of sustained employment of residents in remote communities of the Northern Territory.</p>

	Recommendation	Government's Response
6. LG	The CTC is given an update on the progress of the review of the Local Government Act and of its recommendations for service fees to be re-introduced.	<p><i>Local Government Act:</i> Several aspects of the <i>Local Government Act</i> and subordinate legislation are being reviewed. Provisions in the <i>Local Government Act</i> regarding council members also being council employees are under review. Provisions in the Local Government (Electoral) Regulations regarding the vote counting system and the requirement for a nomination deposit are being reviewed. These reviews are in the final stages of consideration and if changes are to be made, it is expected that they will be in place prior to the next local government general elections in March 2012. Provisions in the Local Government (Accounting) Regulations regarding tenders are also being considered to streamline the procurement process for councils.</p> <p>Rates and charges: Under the <i>Local Government Act</i> councils declare rates and charges which are paid by lessees or occupiers of land. Indigenous home owners (who have leases from the Office of Township Leasing) are liable for payment of council rates and charges. In cases where there is a landlord, it is usual for the landlord to pay rates and charges. Councils may also provide services on a "fee for service" or a "user pays" basis. Most councils resolve services and the fees for these services as part of their budget each year. Fees can be for services such as equipment hire, photocopying, dog registration, or for other services the council provides, such as a ferry service. The CTC report states that feedback from Tiwi residents is that the "current way is not working" because residents have to budget for a range of payments, depending on what services they use. The Department of Housing, Local Government and Regional Services will work with Tiwi Islands Shire Council and residents to promote understanding of rates, charges and fees. Prior to local government reform some councils levied service fees or poll taxes. Councils are not legally able to levy such taxes.</p> <p>The Government has decided to conduct a review into the financial sustainability of the shire councils. This review will, amongst other things, look at the own source revenue (from rates and charges) that are currently able to be generated by the shire councils and at the required service delivery levels expected of each shire council insofar as core services as concerned.</p>

Animal Welfare Governance Sub-Committee

	Recommendation and date tabled	Government's Response and date tabled
	Final Report 26 October 2011	Government Response 1 December 2011
1.	The <i>Animal Welfare Act</i> clearly identify agency administrative and enforcement responsibilities by stipulating that officers and inspectors refer substantiated complaints for investigation to the responsible agency identified in the <i>Administrative Arrangement Orders</i> .	Agreed. The <i>Animal Welfare Act</i> will be amended to stipulate that all authorised officers and inspectors must refer all potential breaches of the <i>Animal Welfare Act</i> to the Animal Welfare Authority. The Animal Welfare Authority is responsible for investigating and determining whether complaints are substantiated. Standard operating procedures will also be implemented across relevant government departments.
2.	Government policy reflect that a single agency is responsible for the <i>Animal Welfare Act</i> by	Agreed. Standard policy and operating procedures will be implemented across relevant government departments to ensure clarity regarding the responsibility to refer potential breaches of

	Recommendation and date tabled	Government's Response and date tabled
	stipulating that all investigations under the Act are referred to that agency.	the Act to the Animal Welfare Authority for investigation.
3.	The Act's time limit on commencement of proceedings against an offence be extended to at least two years.	Agreed. The <i>Animal Welfare Act</i> will be amended to extend the time limit for commencing proceedings from 12 months to two years.
4.	The Animal Welfare Authority has appropriately skilled and qualified inspectors.	Agreed. The <i>Animal Welfare Act</i> will be amended to allow the Animal Welfare Authority to specify skills, qualifications or experience required of the inspectors. Amending the <i>Animal Welfare Act</i> will reinforce the actions already taken at an operational level by the Department of Housing, Local Government and Regional Services to ensure that animal welfare inspectors and officers have appropriate investigative qualifications.
5.	All government employees with an inspectoral role must be appropriately trained.	Supported, but requires further assessment of practicalities and potential consequences. This recommendation is wider than animal welfare. Further assessment and discussion across government is required prior to implementation. The Animal Welfare Authority has already implemented training in investigations for Animal Welfare Inspectors.
6.	Develop and implement a whole of government protocol to investigating offences under Territory legislation by using appropriately trained people as expert investigators.	Supported, but requires further assessment of practicalities and potential consequences. Similar to CTC recommendation 5, this recommendation is wider than animal welfare. Further assessment and discussion across government is required prior to implementation.
7.	Amend the Act to give appropriate investigatory and monitoring powers to the Animal Welfare Authority and to other authorised officers.	Agreed. The <i>Animal Welfare Act</i> will be amended to clearly specify the role and powers of the Animal Welfare Authority and that its functions are supported by authorised inspectors and officers.
8.	The <i>Animal Welfare Act</i> clearly describes the Animal Welfare Authority's structure, role and enforcement provisions.	Agreed. The <i>Animal Welfare Act</i> will be amended to clearly specify the role of the Animal Welfare Authority and that its functions are supported by authorised inspectors and officers.
9.	Government investigate ways to include all cattle stations, irrespective of their land tenure, under the monitoring provisions of the Pastoral Land Board.	Supported. The Government will, together with key stakeholders, investigate the practicalities and potential consequences of this recommended action and the best way to achieve the intended outcome.
10.	Amended animal welfare legislation stipulate the current edition of relevant guidelines or codes of practice, rather than stipulating a specific edition.	Agreed. This will be achieved through amending the Animal Welfare Regulations to delete reference to a specific edition of the 'Australian Code of practice for the care and use of animals for scientific purposes' and inserting reference to the contemporary code.
11.	Government policy reflect the need for all Territory government employees to report any instances of a potential breach of the Act.	Supported, but requires further assessment of practicalities and potential consequences. Similar to CTC recommendations 5 and 6, this recommendation will affect all Government agencies and will require further consultation across government to determine the best way to achieve the recommended outcome.

	Recommendation and date tabled	Government's Response and date tabled
12.	The Act be amended to include provision for monitoring the compliance of animal ethics committees and that animal ethics committees regularly report to the regulatory authority.	Agreed. The Animal Welfare Act will be amended to enable the effective monitoring of each licensee's animal ethics committee. This will ensure licensees are operating with an effective animal ethics committee.
13.	The Sub-Committee reconvene in six months to scrutinise progress in addressing all recommendations in the report.	Agreed. The NT Government will provide an update on progress and key achievements in six months time.
14.	The resourcing of the administration of the animal welfare function be re-examined as part of any review of the legislation to ensure that the function is funded so that statutory responsibilities can be fulfilled.	Agreed. Significant additional resources have been allocated to the Animal Welfare Branch (Department of Housing, Local Government and Regional Services). Legislative amendments relating to the scrutiny of animal ethics committees are also being considered. Additional resources to perform this function may be required and will be considered as part of the proposed amendments.
15.	The roles and responsibilities of the various agencies involved in animal welfare need to be clearly articulated in legislation.	Agreed. The <i>Animal Welfare Act</i> will be amended to clearly state the role of the Animal Welfare Authority in implementing and enforcing the Act. Standard operating procedures will also be implemented across relevant government departments to clarify the roles and responsibilities of supporting agencies.
16.	An amended Act clarify the coverage of all teaching-related activities that need animal ethics authorisation.	Agreed. This will require further consultation with the education and training sector. It is Government's intention to introduce an amendment to clarify the coverage of the Act in this area.
17.	The development of additional animal ethics committees be addressed by possibly using existing audit committees within departments.	Supported in intent, but requires further assessment. Further assessment and discussion across government and the education and training sector is required in order to determine the most effective options to address this recommendation. Government believes that all animal ethics committees must include a qualified advisor on animal welfare.
18.	Introduce a coordinated, uncompromising dog control program with the goal of decreasing the number of unhealthy dogs in the Territory.	Supported. Government has increased the resources available in this area for the Animal Welfare Authority, regional shire councils and in the non-government sector, but accepts that more needs to be done. Options for an efficient, coordinated response are being considered in consultation with local government and other key stakeholders.
19.	The government immediately address the linkages between the <i>Animal Welfare Act</i> and local governments' responsibilities for companion animal welfare and control as part of reviewing the Act, including adequately resourcing any changes.	Supported. Government has increased the resources available in this area for the Animal Welfare Authority, regional shire councils and in the non-government sector. Assessment of the resource requirements is proceeding as outlined in response to recommendation 18.
20.	The Territory and local government bodies consult the community about the feasibility and desirability of separate legislation for companion animal management and control.	Agreed. The Government will undertake consultations as recommended by the CTC, beginning with the Animal Welfare Advisory Committee to determine the best way of implementing this recommendation. Consultation is also required with the local government sector and the community.
21.	The Australian and Territory	Agreed. The Government has provided significant funding to the

	Recommendation and date tabled	Government's Response and date tabled
	governments address as a priority the inadequate resourcing of animal welfare measures in Indigenous communities.	non-government organisation Animal Management in Rural and Remote Indigenous Communities to work in partnerships with shire councils in addressing animal management issues. The Commonwealth Government has also directed very significant resources to AMRRIC. The Government will seek additional coordinated support from the Commonwealth Government through bilateral negotiations as recommended by the CTC.