

NT Intervention: Macklin Ignores Review Board in Favour of Anecdotes

Minister Macklin has responded very swiftly to reject the key recommendation of the Northern Territory Emergency Response (NTER) Review Board that she appointed: ‘that the current application of compulsory income management in the Northern Territory cease’ and that it should be available on a voluntary basis to community members who choose to have some of their income quarantined for specific purposes as determined by them.

The NTER Review Board, like everyone else, seems to prefer the term ‘income management’ to ‘quarantining’, but the bottom line is that this is the most contentious measure in the Intervention because it contravenes the *Racial Discrimination Act*, is blanket in application and hence makes no distinction between responsible and irresponsible spenders of welfare, and is limited to only Aboriginal people residing in NT prescribed communities and not, for example, to those participating in the Cape York trials.

Where is the horizontal equity even between Aboriginal people?

In the NTER Review Report’s Foreword the Board highlighted that ‘there is intense hurt and anger [in prescribed communities] at being isolated on the basis of race and subjected to collective measures that would never be applied to other Australians. The Intervention was received with a sense of betrayal and disbelief. Resistance to its imposition undercut the potential effectiveness of its substantive measures’.

These are very powerful words uttered by a distinguished Board of three, supported by a team of eleven experts, all hand-picked by the Minister and other independent advisers.

The NTER Review Board’s recommendations were based on visits to 31 communities, meetings with representatives of 56 communities and overall consultation with over 140 different organisations over three months. On top of this, the Board received 222 submissions including mine⁶⁰ and commissioned its own consultancy research much of which has not, as yet, been made public.

Against this, the Minister is pitting her evidence base which seems to consist of two elements. The first is information from stores which indicates that Aboriginal people in prescribed communities are spending more on food, especially fresh fruit and vegetables, and other basics and less on grog. The Minister contends that this is resulting in early evidence of better health

⁶⁰ Jon Altman, ‘Submission to The Northern Territory Emergency Response Review’, (CAEPR Topical Issue 10/2008)
<<http://caepr.anu.edu.au/Publications/topical/2008TI10.php>>.

outcomes for children.⁶¹

If there are stores or household expenditure surveys that can convincingly demonstrate such outcomes then it is incumbent on the Minister to make them publicly available for critical scrutiny. It is surprising that such surveys were not mentioned by the Review Board. The Minister does not countenance the possibility that such increased expenditure, especially on fresh food and vegetables, might result from greater availability of such produce now that community stores need to be licenced to meet minimum Australian standards rather than income quarantining.

The second source of evidence is anecdotal: representations made by unnamed women to the Minister to retain compulsory quarantining because of their fear that if it were made voluntary they would be bullied, presumably by men, to bypass such voluntary options. Such statements are reminiscent of how ex-Minister Mal Brough used to construct his moral authority in order to support his pre-determined actions via shadowy anonymous anecdote.

This is not only a poor basis for evidence based policy making to which the Minister is committed, but it is also demeaning of Aboriginal women's agency, demeaning of men to suggest that they would force their own kin to act against their wishes, and demeaning of the Review Board that tables no such evidence despite widespread consultations.

One can only speculate on why Minister Macklin has taken this surprising route to extend the 'stabilisation' phase and this most draconian and paternalistic measure for a further 12 months. Perhaps she is just being pragmatic knowing how difficult it will be to pass amendment through a hostile Senate?

Or else she hopes that in 12 months' time there will be such a major turnaround in favour of quarantining in prescribed communities that it becomes a positive special measure that is popularly sought and hence not in contravention of the RDA. Or perhaps she is still looking for bipartisanship; Opposition spokesperson Tony Abbott has certainly been first out of the blocks to support this decision.

One has to wonder why a considerable amount of public money, over \$2 million according to Senate Estimates,⁶² has been spent on an independent review if the Minister was just going to cherry-pick from its recommendations. In terms of future reviews and evidence-based policy making the Minister sends a very negative signal, choosing to continue the Howard Government's

⁶¹ Emma Rodgers, 'Macklin overrules key intervention finding', *ABC News* (online), 23 October 2008 <<http://www.abc.net.au/news/2008-10-23/macklin-overrules-key-intervention-finding/551732?section=justin>>.

⁶² Senate Estimates available at <<http://webcast.aph.gov.au/livebroadcasting/Default.aspx>>.

approach of jettisoning expert opinion, in this case a hand-picked expert Review Board, in favour of the ‘person in the street’, in this case the Minister herself.

This is very worrying for the development of effective public policy in an area of enormous complexity that needs hard evidence, transparent and widespread community consultation and the advice of experts; and not recourse to selective anecdote and unsubstantiated generalisations at best, or mere ideology at worst.

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