



MacKillop Family Services Ltd (ABN 79 078 299 288)

Office of the CEO

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Dear Senators,

Re: The Northern Territory Emergency Response Bill and associated proposals

MacKillop Family Services is one of the largest providers of child and family services in Victoria. It was formed in July 1997 as a refounding of seven child welfare organisations of the Sisters of Mercy, Christian Brothers and the Sisters of St Joseph. MacKillop aims to build community, to reconnect families as much as possible, and to empower them to take control of their decision-making.

We are greatly concerned that the strategies contained in legislation currently under consideration by Parliament are not informed or supported by evidence or consultation with the relevant communities.

In a statement issued last year by the Sisters of St Joseph at the launch of *The Hour Has Come – Working Towards a Justly Reconciled Australia*, Sr Joan Healy stressed the importance of approaches that strengthen families:

“Our experience with children needing protection from abuse within defined communities in the APY Lands, in the Kimberly region of Western Australia, in the conflict zone of North Western Cambodia, in the ‘invasion’ areas of destitute communities on the outskirts of Lima, and in Aboriginal communities in NSW bring us to a similar conclusion. Instead of separating children from community and family it is more effective to enlist caring people from a community to support the child in the family in the community.” She went on to say “Family breakdown is a social problem and lasting solutions address underlying social causes..... where there are multi-generational problems with child protection, underlying causes must be examined with compassion and skill and solutions crafted to suit the particular context what works for one does not necessarily work for another. Each Indigenous community is unique.”

It is difficult to see how some of the approaches in the proposed legislation can be seen as strengthening as they seem to eat away at some of the fundamentals of identity, justice and control. It is our experience that simplistic responses to the needs of already marginalized families have the potential to backfire. MacKillop Family Services believes that families and communities need to be supported to address their difficulties and this can only be achieved by a more comprehensive and coordinated approach building on the knowledge within the communities about ‘what works’. The reduction of discretionary income has the potential to further marginalize these families and to create disincentives to seeking help when it is needed

Of particular concern are the highly interventionist approaches associated with land ownership, administrative arrangements and the suspension of the Racial Discrimination Act. There is no evidence that these approaches will provide direct benefits to children or families and a great risk that they will contribute to further disenfranchisement.

MacKillop supports the call by the Secretariat of National Aboriginal and Islander Child Care (SNAICC), the Combined Aboriginal Organisations of the Northern Territory and ACOSS to allow sufficient time for proper consideration of the Bill and consultation with the communities and those who can best provide advice on an appropriate response to the long-running crisis within remote communities.

Concern about the approach is widespread in the community. Although Minister Brough has undertaken extensive consultation with Indigenous communities since taking on his portfolio, many of the measures contained in the legislation do not appear to have support of the indigenous community or to be clearly linked to the goal of improving the safety and health of children. The risks of failure are great, as history has shown. A key factor in success will be the support of the communities and a strategy based on evidence.

We respect that the intentions of the strategy are positive and welcome the political and financial commitment of Government but request your support in ensuring that the approach is thoroughly considered and supported by evidence that it is likely to be successful, building on the knowledge and strengths within indigenous communities and those who work with them.

Yours sincerely,

Paul Linossier
Chief Executive Officer