The Intervention

A STUDY GUIDE BY LIBBY TUDBALL

http://www.metromagazine.com.au
http://www.theeducationshop.com.au
The Intervention: The beginning of the documentary

Extracts from the script:

Fires are a harsh reality of life in the bush … secrets cannot survive a scorched earth …

In 2007, a report from the Northern Territory detailed widespread sexual abuse of Aboriginal children … The Federal Government took extreme action … In the Territory, a wild fire was about to begin … Families would be managed by the Federal government, access to cash and alcohol would dry up. All children would have a medical. Truancy would not be tolerated. Police numbers would increase, Aboriginal townships would be seized for five years, and the permit system to gain entry into communities would be scrapped. Teams of federal police, public servants and soldiers were dispatched into seventy-three remote communities in the Northern Territory.

After the beginning of the intervention, the filmmakers spent twelve months recording personal experiences in four remote communities, near Katherine in the Northern Territory, that are the focus of this documentary.

Thinking about your views before watching the film:

- How much did you know about the Intervention before watching this film?
- Where did you get your information? Do you think your sources are reliable?
- Whose views did you hear? Did you agree or disagree with them? Why or why not?
- Why do you think the filmmakers chose the image of fires and the scorched earth to begin this story?
- What are your reactions when you read the extracts from the script quoted above?

After watching the film: think and talk about how your views on the Intervention have changed and developed.

- Whose opinions and stories have influenced your views and why?
- What hardships do you learn about that indigenous people face in remote communities?
- How is the intervention making these hardships worse? (Discuss, for example: people with no transport; people taken off CDEP programs; people trying to access funds through Centrelink)
- What impact has quarantining the food voucher system had on small businesses?

Background to the story: why was there an ‘Intervention’ in the Northern Territory?

(Note: the views in the following section are drawn from a paper written by Professor J.C. Altman, director of the Centre for Aboriginal Economic Policy Research, Australian National University, Canberra. The paper is available from their website at <http://www.anu.edu/caepr/> and students and teachers can access further references about the Intervention from this link.)

In June 2007, the Little Children are Sacred report written by Pat Anderson and Rex Wild was released, detailing the findings of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sex Abuse. The report provided ‘a horrific and very moving account of cases of child sexual abuse in many Northern Territory communities’, and is believed to have sped up the government decision to intervene and develop the ‘Northern Territory Emergency Response’ (NTER). This decision was led by the then Prime Minister John Howard and Mal Brough, the then Minister for Families, Community Services and Indigenous Affairs.
There are various possible reasons for the Intervention:

- Frustration that the Northern Territory Government had not moved quickly enough in implementing the Anderson/Wild report;
- A desire by Mal Brough, the ambitious and passionate Indigenous Affairs Minister, to cut through political and bureaucratic inertia and speed up action on problems in indigenous communities;
- Electoral and political opportunism based around ‘wedging’ the federal Opposition (that is, using the divisive and controversial nature of the issue to split apart or create a ‘wedge’ in the support base of the Australian Labor Party);
- The need to be seen as taking an initiative in the run up to an election, using the concerted and often sensationalized media focus on Indigenous negatives as a populist aid; and,
- The existence of federal ‘territory powers’ that provide the constitutional rationale for such interventions. (Altman, 2007)

In the recently published No, Prime Minister, political scientists James Walter and Paul Strangio suggest that the NTER is an example of John Howard’s frenzied instinct to control as he contemplated power slipping away.3 … There is a view that the NT intervention was concocted in a few days, mainly by Howard, Brough and two very senior bureaucrats.4

Howard government actions on Indigenous affairs

The Howard Government disbanded ATSIC (the Aboriginal and Torres Strait Islander Commission), reduced consultation with indigenous leaders, and made moves to restrict access to native land title. The government was firmly ‘anti reconciliation, anti the [Indigenous] rights agenda, anti apologizing to the Stolen Generation, anti land rights and anti the diverse intercultural institutions of Indigenous Australia.5

- Suggest reasons why the Howard government took these stances on indigenous affairs.
- Refer to <http://www.anu.edu/caepr/Publications/topical/Altman_AIATSIS.pdf> (p.5) and look at the maps to locate the communities and where groups of indigenous Australians live today.

Background historical realities

The social issues prevalent in indigenous communities in Northern Australia today have their origins in the past. Widespread social problems developed in indigenous communities after their traditional culture and way of life was eroded and in many cases destroyed by the arrival of white pastoralists, missionaries, European disease, and alcohol in the late nineteenth century. Traditional communities could no longer live on their land, and became caught between two worlds. They were increasingly controlled by government Protectors who added to their dislocation and detribalization. In the twentieth century, further erosion of traditional communities, the impact of the Stolen Generations policies, and the issues and tensions indigenous communities faced when they could no longer live as they had in the past, increased the problems.

- Divide your class up to conduct library and internet research on these past issues.

Successive Australian governments and authorities in the states, territories and at the national level made some attempts at times to redress past
wrongs and recognize the unique cultures and rights of indigenous Australians, through for example the Mabo decision and social service programs such as the Community Development Employment program (CDEP) in remote communities. But by 2007, many initiatives had been eroded, and indigenous Australians were still the most disadvantaged social group in the nation. They had higher unemployment rates, poorer housing, less access to appropriate education, worse health statistics, higher rates of imprisonment, and lower life expectancy rates than other Australians.

- Visit <http://www.australia.gov.au/Indigenous_Culture&_History> to increase your understanding of these issues in indigenous history

The Intervention: What happened?

- On 21 June 2007, the Federal Government took control of seventy-three Northern Territory bush communities with populations of over 200, sending in soldiers and police to ‘stabilise’ townships, and teams of doctors and nurses to check the kids.
- The government declared they would ban grog, quarantine welfare payments and scrap the visitor permit system.
- In July 2007, they added the decision to abolish the CDEP scheme, that had been a positive and successful community-based employment scheme in indigenous communities for many years. Instead, indigenous people had to work for the dole on programs such as community clean ups.
- Altman (2007) argued that the compulsory acquisition of township leases would dispossess traditional owners of their land (p.8).
- Government business managers were appointed to run communities and given power and legal rights to attend the meeting of any democratically-elected organization. (Altman, 2007 p. 8)
- On 16 August, these measures were enshrined in Australian legislation that overrode the Racial Discrimination Act and violated human rights: the NTER suite of acts, totalling over 500 pages, were rammed through parliament in a week with scrutiny by a Senate Committee that was convened for just one day (and which received 154 submissions in the available 48 hours). 6
- Brough declared that his aim was to: ‘Stabilise, normalize, exit’ the communities, by 2012, but many commentators have argued that the problems are too deep to be fixed in this time frame.
- On 29 August, in his first visit to the ‘national emergency jurisdiction’, [Howard] indicated that the intervention was actually about ‘mainstreaming’ or ‘normalizing’ remote living Indigenous Australians. 7

Others argue that this is a racist view that does not take into account communities who wish to maintain their own diverse cultures and way of life.
Whole class discussion task: Thinking and talking

• After watching the *The Intervention*, discuss the ways in which the film has increased your understanding of what happened as a result of these government policies.

See the COMPARISON OF KEY VARIABLES table. (Source: 2006 ABS Census of Population and Housing. (cited in Altman, 2007, p.10))

Learning task:

• Look closely at these statistics and in your own words, transform the data into text explaining the difference in each variable between indigenous and non-indigenous people in the Northern Territory.

Exploring varied opinions on the Intervention

The Northern Territory’s Anti-Discrimination Commissioner Tony Fitzgerald said the Federal intervention should be abandoned and the legislation underpinning it should be repealed. He said the intervention has caused confusion, unfairness and inconvenience in remote Territory communities. He is critical of the one-off, short-term health checks and income quarantining measures, and says the suspension of the Northern Territory and Federal race discrimination legislation can never be justified.

• What evidence do you see in the film that is in agreement with Fitzgerald’s views?

Indigenous leader Noel Pearson said:

You know, the whole aim here is not to condemn people for their problems. The whole aim is to support them to get back on their feet again, and to take charge of their own families again.

— 7.30 Report, 19 June 2007

• Why would some indigenous leaders and other Australians have been critical of Pearson for expressing this view?

Associate Professor Claire Smith argued that:

Throughout the Territory, General Business Managers are failing to come to grips with the realities of working in Aboriginal communities in remote areas. Some are under serious stress as they try and implement an unworkable and damaging process. Some stay in a hub community and have made only a single visit to the other communities for which they are responsible, and others lock themselves away from the people they are meant to be assisting. Their incomes are in the realm of $150,000-160,000. Given the main impetus for the intervention; child sexual abuse, there is a case for abolishing this unnecessary new layer of administration and replacing the positions with much-needed night patrols and child protection and family welfare workers.

• In *The Intervention*, what impression do you gain of the life for Trish Canty
• How would you describe her living conditions?
• What evidence is there in the film that local patrols and welfare workers are more likely to be effective?

The Australian Council of Trade Unions (ACTU) commented:

The announcement by John Howard on Friday 22nd June, 2007 on the intervention has been seen by ‘various commentators’ as ‘long-overdue’; ‘cynical’; ‘a wedge’, ‘the wrong approach’; ‘the right
approach’; ‘punitive’; ‘ill-conceived’; ‘Tampa 2007’; ‘Howard’s rabbit’ (in reference to his recent electoral annihilation comment that he had no rabbit to pull out of his hat), plus a number of other views.

• Who do you think these ‘various commentators’ might have been? Suggest reasons for their very diverse opinions?

The ACTU also commented:
No one could deny that there needed to be urgent action taken by the Federal Government on the issue of violence in Indigenous communities. We must remain utterly and completely committed to ensuring that the rights of children are paramount in our consideration of any response. We know that child abuse is not a syndrome that is somehow vested in Aboriginal culture; we know that many non-Indigenous children are victims of child abuse and we know that non-Indigenous people are perpetrators of this same kind of abuse … we must find a way to tackle this crisis for the sake of our Indigenous children …

• Follow the link to the ACTU website cited above to further explore their views on what positive actions can be taken that take into account indigenous community views on appropriate action.

Mick Dodson: (Indigenous leader)
Just about every one of the 500 pages of legislation authorising the intervention breaks our obligations under international human rights treaties we’ve signed up to, particularly the Convention outlawing racial discrimination. Mal Brough admitted he hadn’t read the Sacred Children report which supposedly triggered the intervention, and it was a fair bet he hadn’t bothered to read ‘his’ legislation either. Indeed, it was probably read only by ‘those brave souls in the Senate who voted against it,’ he said, including the Greens.

Dodson said: ‘This is not an intervention. It’s an invasion of people’s rights and liberties. The only positive is that it is a recognition of government failure’.

• Visit <http://www.unicef.org/crc/> to find out what the UN Convention on the Rights of the Child decrees as ‘core rights’.
• After reading this document, assess what rights could be denied under the Intervention?
• Find out why The Australian Greens political party voted against the Intervention.
• Why did Dodson argue that it was discriminatory?

After the change of government: The Rudd government response to the Intervention:
Associate Professor Claire Smith, Flinders University who has worked with indigenous communities for twenty years said:

… Rudd and Macklin held a Summit with Aboriginal people from the Northern Territory to discuss the impact of the intervention. After 11 years of Howard government and an intervention strategy of deliberately working around Aboriginal organisations, this consultative approach is refreshing. It is only through listening to Aboriginal people that the government will be able to help people meet the
challenges faced by their communities.

The announcement of a moratorium on the transition of Aboriginal people from Community Development Employment Projects (CDEP) to Work for the Dole programs speaks to the Minister’s willingness to redress unnecessary distress and to act quickly to address maladministration in the implementation of the intervention.

But Smith also expressed concern about continuing suffering in communities by November, 2007:

... women still had no money to buy food. One of them is responsible for seven children. In a world that is over controlled by red tape, they were desperately trying to work their way through a maze of paperwork. Few read and write well ... and everyone is dealing with English as a second language.

The ramifications are wider than the individuals concerned. If someone loses their income, they have to be supported by family members, themselves on minimal wages. It is only through calling on extended family that Aboriginal people are able to survive such travesties of justice – but this causes enormous stress within communities.

• What evidence does Smith draw on to suggest that communities had some hope of a better deal under the Rudd government?
• In what ways does the documentary lead to the conclusion that the issues are still complex?

The impact of quarantining communities

Smith commented that:

While Macklin’s moratorium is welcome, her decision to extend the roll-out of the intervention through quarantining an additional thirteen communities is disappointing on a number of fronts. The basic mechanisms have not changed, so the quarantining is still being applied in a blanket manner – to all members of a community, not just irresponsible individuals. An analogy for this is that of living in a block of flats and having noisy, drunken neighbours, who you endure for years. Finally, the police come and arrest them, and you, too, because you live in the same building! The hurt and confusion that community people feel about being treated in this manner – convicted without a trial – is expressed in the views of my friend, Rachel Willika:

“... That quarantining is just taking away our rights. We look after our families. We feed our kids and buy them clothes. We are good parents. We should have the right to spend our own money, like everyone else. We want the same rights as everybody else.”

• In your own words, explain Smith and Willika’s argument.
• Which of the stories featured in the film provide further evidence of unjust treatment of individuals?

Assessing the impact of the Intervention

The following quote are from Jane Vadiveloo, a psychologist who was formerly manager for social services for Tangentyere Council in the Northern Territory, in her opinion piece published in The Age, 30 June 2008.

Forty years ago, Aboriginal people were for the first time placed on an equal legal footing with the rest of the Australian population. The win was short-lived. Now, for indigenous people in remote areas, the hard-won rights – and responsibilities – that resulted from the 1967 referendum have been lost. The intervention, initiated by John Howard and continued by the Rudd Government, has intro-
duced laws that are a contemporary form of the Aboriginal protectorate laws of the 1800s and early 1900s. In this sense, the Government is operating a system of effective apartheid in the Northern Territory.

- Find out what happened in the 1967 referendum.
- What does Vadiveloo mean when she argues that apartheid is operating in the Northern Territory?

How can this happen in a democracy? ... People whom I admire and respect, people who have made a life-long commitment to their communities, and who are some of the best parents I have seen are suffering profound shame and racism.

- What evidence is there in the film in Tanya’s story that she and her daughter believe they are victims of racism?
- How do Lily and Queenie’s story demonstrate that they have experienced lifelong racism and hardship that continues today?

Will the Intervention work?

Vadiveloo (The Age, 30 June 2008) says:

The argument that the ‘intervention’ is saving Aboriginal children is a smokescreen. Yes, the stories of sexual abuse and violence, perpetrated on and witnessed by children, young people and adults are real and devastating. Over many years I have heard too many of these stories – from both indigenous and non-indigenous people. But the horrific nature of these abuses is not confined to a race of people.

Controlling people’s income, making them a lower class of citizen and controlling their lands and resources does not protect children. In fact such measures contribute to the underlying issues that create and perpetuate abuse. When you take responsibility away from people, remove choice and leave them with no control over their lives, you feed the foundation of alcoholism and abuse. That is when children are at risk. The intervention will not ‘close the gap’. Aboriginal people want a system that ensures that children attend school, are not being abused and that alcoholics are not using their children’s money for grog.

Successful income management systems operated by Aboriginal organisations before the intervention were continually seeking support for expansion. These voluntary systems, used by many hundreds of Aboriginal people, promote dignity, responsibility and financial literacy. People do not need to be threatened, nor do they want handouts – what people need are basic services, market wages and options that make choices and self-control a reality.

Positive attempts being made by the Government are undermined by the current laws. Indigenous Affairs Minister Jenny Macklin’s offer of $50 million in housing infrastructure for town camps in Alice Springs potentially provides what residents have been seeking for more than 30 years – basic equality in housing standards. But this is only part of ‘the gap’. Without a bus service to get children to school, adequate health services and early childhood learning centres to prepare children for mainstream education, without alcohol supply measures, community policing and a regional transport and accommodation strategy, the problems will persist. Overcrowding will continue, houses will not last, alcohol and abuse will be perpetuated.

- In what ways does the film increase your understanding of these complexities?

What is missing is respect for Aboriginal people, their intelligence and their cultures. Aboriginal customs, laws, knowledge, skills, and beliefs have developed and been refined over many thousands of years. They may differ from mainstream practices but they are not inferior. The imposition of ‘solutions’ that fail to include and integrate Aboriginal knowledge and values creates great stress and damage for Aboriginal communities.

- Who expresses similar views to this in the film, and what do they argue?

Vadiveloo noted that:

An Aboriginal man – a church minister, an elder and a law man in his community – spoke last week at
a public forum of his hope when he watched the apology that Kevin Rudd would be a Prime Minister for all Australians. He spoke of sovereignty, of the mineral and cultural wealth of his land and of his hope that young people could use their skills and knowledge to create businesses and have independent incomes rather than being under the control of their government welfare system. His hopes that the Rudd Government would be different are yet to be fulfilled. He, like so many others, is still waiting for the page to be written that recognises the culture, abilities and rights of Aboriginal people.

- What should happen to make these wishes reality?

Altman’s views on the question: will the Intervention work?

I am willing to predict that moving people from work to welfare, instituting quarantining regimes that will be expensive and ineffective according to international evidence, compulsorily acquiring people’s land, removing permits, providing more education and training without development projects for employment, banning grog in mainly dry communities ... the list goes on, is not a ‘viable policy framework’ for sustainable outcomes. The intervention is unworkable because it is unplanned (as distinct from untimetabled) in terms of the Commonwealth’s capacity to deliver – bearing in mind that the Commonwealth has been delivering programs to remote NT for decades – and in terms of assessing and differentiating the needs of the 73 prescribed communities. It is also unworkable because it will be dependent on local on-the-ground personnel and expertise and organisations to implement, yet these are the very organisations that have been financially neglected, demeaned as failures, and that are now being alienated, dismantled and de-politicised.¹⁰

- What evidence do you see of these views in the film?

See ‘Indigenous responses to the Northern Territory Intervention, October 2007’ (Source: Altman, 2007 p.14)

What should be happening in Indigenous communities?

- respect for Indigenous diversity
- partnerships with communities
- realistic local and regional investments
- building of local intercultural organisations and institutions and capabilities,
- planning at the local and regional levels for sustainable outcomes (Altman p.15).

Fred Chaney, former Minister for Aboriginal Affairs in the Fraser Government argues:

I think we should have learned by now that you can’t solve these things by centralized bureaucratic direction. You can only educate children in a school at the place where they live. You can only give people jobs or get people into employment person by person. And I think my own view now is that the lesson we’ve learned is that you need locally based action, local resourcing, and local control to really make changes. But I think governments persist in thinking you can direct from Canberra, you can direct from Perth or Sydney or Melbourne, that you can have programs that run out into communities that aren’t owned by those communities, that aren’t locally controlled and managed, and I think surely that is a thing we should know doesn’t work.

- What evidence is there in the film that supports Chaney’s view?

So I am very much in favour of a model which I suppose builds local control in communities as the
best of those Native Title agreements do, as has been done in the Argyle Diamond Mine Agreement, as is being done in Kuningurra. Not central bureaucracies trying to run things in Aboriginal communities. That doesn’t work. The great thing about the education projects in which I’m involved is that we can manage locally for the outcomes that we want to achieve locally. Once you try and do it by remote control, through visiting ministers and visiting bureaucrats fly in, fly out – forget it.
– Fred Chaney

Appreciating and understanding Individual stories

Through The Intervention viewers gain insights into the experiences of a range of people who have lived through this twelve-month period:

• What views and concerns do Irene Fisher and Wes Miller have of the intervention?
• Why has this period been so frustrating for Conway Bush?
• Why are Nell Brown and Rachel distressed?
• Why is it difficult for the non-indigenous taxi driver?
• What conditions do Tanya, Kiara and her mother cope with?
• What impressions do you gain of Sue Gordon and Major General Chalmer’s views?
• What successes did Trish Canty achieve in the three communities she manages east of Katherine – Barunga, Beswick & Eva Valley?
• Why is it tough for the local patrols in the towns?
• What are Tim and Cyril’s views on their policing role?
• Why are there different opinions emerging out of communities one year into the intervention?

Concluding class task

Create a wall chart/timeline which tracks the changing circumstances for these individuals over the first twelve months of the Intervention.

(Endnotes)

4 J.C. Altman, op. cit., pp.1–2.
5 Ibid. p.3.
7 J.C. Altman, op. cit.
9 J.C. Altman, op. cit., p.10–12.
10 Ibid., p.12.

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