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Mr Blake Cansdale
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Via email: blake@antar.org.au

Dear Mr Cansdale

Thank you for your correspondence and providing the Australians for Native Title and Reconciliation's (ANTAR) key priority items ahead of the 2024 Northern Territory election.

Firstly, let me say that the Lawler Labor Government fully commits to the **Closing the Gap** agenda. The National Partnership Agreement on Closing the Gap is fundamentally about changing the way government works to improve the lives of First Nations people, not just in the Territory, but across the country. I know that approaches of the past have not worked for First Nations people and for governments and I agree that we need to approach things differently.

The Closing the Gap priority reforms are intended to drive structural change across all levels of government. As a signatory to the Closing the Gap Agreement, the Territory Labor Government has committed to this change. We continue to work in partnership with our key partners, Aboriginal Peak Organisations of the Northern Territory, (APONT) the Local Government Associations of the Northern Territory and the Australian Government.

The second Closing the Gap Northern Territory Implementation Plan was endorsed by the Northern Territory (NT) Cabinet on 31 October 2023 and is available online to the public. It is focused on actions to address the 17 socio-economic outcome areas in the National Agreement on Closing the Gap. The NT Partnership Working Group on Closing the Gap is working to prioritise new actions and liaising with NT Government agencies to lead respective actions where appropriate. In the Territory, we also have the NT Aboriginal Health Forum, the Children and Family Tripartite Forum, the NT Justice Policy Partnership and the Joint Steering Committee on Housing, where Aboriginal leaders sit at the table with the Territory Government and Australian Government to address these key policy reform areas.

I know that there is still a long way to go in closing the gap, but I am seizing every opportunity with my Cabinet colleagues to continue working with Aboriginal people, organisations and businesses to drive the long-term generational change we want to see in the Territory.

My Government will always work to consult thoroughly and meaningfully with First Nations people in developing new legislation that affects them, particularly with respect to **First Nations cultural heritage and the environment**. The Office of Aboriginal Affairs is currently developing an Aboriginal engagement model in collaboration with APONT, which will set the standard for consultation with First Nations people on new legislation and policy decisions. An example of highly successful community consultation was the *Burial and Cremation Act 2022*, which gave legal recognition and protection to burial sites on Aboriginal land and took steps to ensure future generations can maintain a connection to their family history. These new laws were developed after extensive consultation with Land Councils and other organisations, to make sure they respected Aboriginal culture and tradition.

Territory Labor also understands the importance of protecting country through our cultural heritage and our environment. Over the past year the Territory Labor Government has permanently declared heritage sites at the Rrkwer/Yurrkuru (Brooks Soak), which is the site of the Coniston Massacre; and the Kahlin Compound, which is a significant site to the stolen generations. We have also moved to ensure First Nations people are more involved in water planning. We understand that for strong and shared water stewardship across the Northern Territory, all Territorians must play their part and have a voice in managing water. Water planning is about achieving a balance between social, economic and cultural benefits, while managing environmental risks. Currently the Minister can appoint community members to water advisory committees to provide advice on how to do this well.

If re-elected, the Lawler Labor Government is committed to establishing an Aboriginal Water Advisory Council to advise the NT Government on strategic water issues. The Council will report to the Minister for Environment, Climate Change and Water Security, and provide them with advice on water related policy and legislation, including the Territory Water Plan and the Closing the Gap inland waters targets. This is in addition to the other reforms mentioned above, and will promote the priority action of enhancing Aboriginal participation in Water Management.

As for **First Nations over-incarceration and youth justice** issues, one of my top priorities is ensuring the safety of Territorians and turning the tide on the rates at which First Nations men, women and children are caught in the justice system in the Territory. Children should be in school and spending time with their families, not in youth detention. Adults should be working, learning and doing what they love on country, or wherever they see their future.

The Lawler Labor Government understands that breaking the cycle of reoffending requires a focus on addressing the underlying reasons for contact with the criminal justice system – the social determinants of justice. We know that people often end up in jail after child protection, disability, education and health systems have failed them. We know that poverty, disadvantage, homelessness, and undiagnosed or untreated health conditions are all drivers of incarceration. And that the more of these factors you experience, the more

likely you are to end up back in jail. We also know that evidence-based approaches and empowering self-determination and local decision making are the greatest tools we have to reduce offending.

In the past few years, we have provided historic investment in programs to break the cycle of reoffending, such as expanding the Life Skills Camp in Alice Springs so that more women can access the support they need. We supported the establishment of an Alternative to Custody on Groote Eylandt for Aboriginal men; as well as supported many key initiatives under the Aboriginal Justice Agreement to re-establish community courts and Law and Justice Groups. If re-elected in 2024, we will continue to invest in our Aboriginal Justice Agreement because we recognise that empowering Aboriginal leadership and backing local, community-led solutions is what works.

We have also introduced the Territory's first supported bail accommodation for adults, with new programs up and running in Darwin and Alice Springs. We know that safe, secure and stable accommodation is often an issue for people in contact with the justice system. This new program will see people referred by the court who are assessed as suitable undertake behaviour change programs and address the reasons contributing to their offending. We know that programs like this can help people comply with bail conditions and get them on the right track.

Unlike the Territory's Country Liberal Party (CLP), we are a government that understands that smarter justice for a safer Territory means investing in people, not just building new prisons. Our Government understands that to truly turn the tide on our incarceration rates, we need to turn our efforts and resources to addressing the social determinants of justice by investing in health, education and housing.

With respect to youth justice, the Lawler Labor Government will continue its work to implement the remaining recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory. The Royal Commission Final Report included 227 recommendations of which 218 required action by the NT Government. The last report on the implementation of the recommendations was published in October 2023 and had 30 recommendations still 'underway'. NT Government agencies have continued to make progress on open actions since October 2023, with some actions completed and recommended for closing. The CLP has no real understanding of youth justice and have already made their intentions clear in bringing back spit hoods for children and returning the minimum age of criminal responsibility to the age of 10 years.

One of the actions we are delivering under the Aboriginal Justice Agreement is reviewing **systemic racism** in Government departments and agencies. I have committed to building strong, vibrant and diverse communities where everybody – no matter who they are or where they come from – is valued and included. That's why we modernised our Anti-Discrimination legislation to ensure more people in the Territory are protected from discrimination. Unlike the CLP, who backflipped over their support for this important legislation, we are a Government that believes in equal treatment and equal opportunity for all Territorians. And we put this belief into action.

The Department of Infrastructure, Planning and Logistics was the first agency to be reviewed under the Aboriginal Justice Agreement. The report is under consideration and expected to be finalised later this year. These reviews are not about calling out individuals; they are about looking at systems and processes within government agencies – and this process takes time. We want to make sure this is a thorough process that looks

comprehensively at an agency's way of doing business. A second agency is scheduled to be reviewed next financial year. This agency will be determined in consultation with the Aboriginal Justice Agreement Governance Committee which includes representation from Aboriginal community-controlled and non-government organisations. We know we need to do more work in this space and that's why we are committed to ensuring that Government departments and agencies deliver services fairly to all Territorians.

A re-elected Labor Government will continue to back the Aboriginal Justice Agreement and to make deliberate progress in eliminating systemic racism in government services. By contrast, the CLP has signed the Aboriginal Justice Agreement but has made no commitment or indication of how it intends to deliver on it.

Finally, I turn to ANTAR's fifth election ask relating to **Treaty and Truth-Telling**. For many years the Territory Labor Party has supported constitutional recognition, a voice for Aboriginal people, truth-telling, and progress towards Treaty in the Territory. While we campaigned hard for the Voice, the Australian people voted against the proposal – and I think that was a missed opportunity.

At the suggestion of the Land Councils, the conversation about Treaty was placed on hold for the duration of the Voice Referendum in 2023, to avoid the risk of causing confusion or compromising the referendum effort. In the wake of the unfortunate defeat of the Referendum, we remain committed to continuing our discussions with Aboriginal Territorians about the pathway towards Treaty in the Territory, at a pace that all Territorians are comfortable with.

Earlier this year, the Territory Government hosted two Treaty Symposia in Alice Springs and Darwin to reset and resume the conversation about the path towards Treaty, and to discuss the recommendations of the NT Treaty Commission. These meetings were very successful, and brought together over 500 predominantly Aboriginal leaders and community representatives in an open dialogue about Treaty. We are now working to re-establish the Treaty Working Group to develop a framework to work towards a Treaty in the Territory.

The Treaty process will not be straightforward, and it will require comprehensive consultation and broad community support. The experience of the Voice demonstrated how important it is to have bipartisan support for large, systemic reforms to achieve reconciliation. Unfortunately, while we have tried to obtain the support of the CLP for the Treaty process, they have refused to support a Treaty in the Territory. It is clear where the CLP stand: they intend to use Treaty as a political football, just as they did with the Voice. In the face of this divisive politics, Territory Labor is committed to stepping through the Treaty process in a way that is deliberate, consultative, and does not politicise the aspirations of Aboriginal Territorians.

In the meantime, we will continue to implement our keystone initiatives to empower local leadership in Aboriginal communities. We have signed 18 Local Decision Making agreements in communities from East Arnhem Land to the Western Desert, which aim to facilitate the transition of government services and programs to community control. As mentioned, we are also in the process of establishing Law and Justice Groups across the

Territory, which support Aboriginal leaders to take an active role in identifying and delivering solutions to local justice issues.

As for Truth-Telling, the Territory Government understands the importance of Truth-Telling to promoting reconciliation and healing of relationships between Aboriginal Territorians and the broader community, particularly in the wake of the Voice Referendum. That's why my government introduced the Truth, Healing and Reconciliation Grant program, which supports truth-telling activities and initiatives across the Territory. These grants acknowledge the strength and resilience of Aboriginal cultures, recognise and validate the stories of Aboriginal Territorians, and play an important role in educating the broader public about the impact of Australia's colonial history. The first round, totalling \$300,000, closed earlier this year, and the second round will open in 2025 after the Territory election.

The Territory Labor Government is incredibly proud of the work we have done, and will continue to do, to support Aboriginal Territorians to achieve their aspirations. Unlike the Country Liberal Party, who have no Aboriginal members of parliament, we have five Aboriginal members in our fourteen-member caucus, including senior Ministers. We welcome and celebrate the enormous contributions that they and other Aboriginal Territorians make to public life in the Territory.

I trust this information assists, and I thank you and the team at ANTAR for providing your election platform ahead of the election in August. I acknowledge the important work ANTAR does in advocating for the rights of First Nations people not only in the Territory, but right across the country.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eva Lawler', written in a cursive style.

EVA LAWLER

25 JUL. 2024