



Central Australian Policy Officer

28 August 2009

Mr Rex Mooney
CEO Alice Springs Town Council
Todd Street
ALICE SPRINGS NT 0870

I am writing this submission in my capacity as the Central Australian Policy Officer, and on behalf of the Northern Territory Council of Social Service (NTCOSS). NTCOSS is the peak body for the Social and Community Sector in the NT and is an advocate for social justice on behalf of people and communities in the NT, who may be affected by poverty and disadvantage.

NTCOSS understands that the Alice Springs Town Council wishes to deal with (and ultimately decrease) a number of social issues through the proposed By-Laws, but we believe that a number of the proposed by-laws will actually exacerbate social problems and not reduce them.

NTCOSS therefore submits the following concerns in relation to the proposed by-laws for consideration by council.

26 (1) A person must not in or on a public place, without a permit:

- (a) camp;**
- (b) occupy; or**
- (c) otherwise reside in any:**
 - (i) tent;**
 - (ii) vehicle;**
 - (iii) caravan; or**
 - (iii) temporary dwelling.**

NTCOSS understands the concerns the Town Council have in relation to people camping in public spaces, however we are greatly concerned about by-law 26 as a response to the issue of homelessness. Alice Springs has one of the highest rates of homelessness in the country, particularly among Indigenous people, where the rate is 315 per 10,000, nearly 6 times the national rate (of 53 per 10,000). As at June 2006 (Census night), there were 446 homeless people in Alice Springs (292 non-Indigenous and 154 Indigenous people).

However, the proposed by-laws would appear to target and therefore further disadvantage the people who need support the most, who are generally homeless and therefore already some of the most vulnerable people in our society. We would much prefer that the Town council use its resources to support the vulnerable to find housing solutions – rather than penalise them. People experience homelessness for a range of reasons, with some people fleeing violence, or escaping for a while from people who may be drinking, so choosing to sleep in the river bed might be their safest option.

Alice Springs has a well documented critical shortage of suitable accommodation – both short term and long term. With a lack of affordable housing in town, and significant overcrowding issues on Town Camps, people simply have to find somewhere to sleep.

NTCOSS is fully aware that camping in the river is actively discouraged by the Traditional Owners of Alice Springs, based on respect for Arrernte country and law, in order to prevent camping in inappropriate places, trees being burnt, country being damaged and behaviour that does not respect Arrernte Country and law. However, with such inadequate accommodation and support services, we believe it is grossly unfair to penalise people financially and with a law and order approach..

In 2007, the UN Special Rapporteur on Adequate Housing, in reporting on his August 2006 visit to Australia, recommended the following (Recommendation 132):

“Australian governments should address homelessness and its causes as a priority. Moreover, laws that criminalize poverty and homelessness and those currently disproportionately impacting upon homeless people such as begging laws, public drinking laws and public space laws, should be revised and amended to ensure that fundamental human rights are protected.”¹

There are already regulations in place around camping and it seems unnecessary to extend those regulations. There is effectively no legal place where a homeless person in Alice Springs can camp. In addition, NTCOSS is not aware of where the Alice Springs Town Council is suggesting that homeless people go when they are moved on from public spaces? Until more accommodation options are available, the reality is that homeless people will continue to be moved on, and they will simply find another temporary public space to camp in, until the next time they are moved on.

NTCOSS urges the Town Council to consider some of the draft by-laws in the light of human rights considerations. In 2003, a Joint Submission by a coalition of Non-Government Organisations to the National Supported Accommodation Assistance Program (SAAP) IV Evaluation, argued that the “combination of inequitable distribution of crisis accommodation funding, on a State and Territory basis, combined with the prohibition of conducting essential human behaviour in public places”, violated article 12 of the International Covenant on Civil and Political Rights, which exist to protect the human right to freedom of movement.²

In addition, Lynch and Cole (2003) argued that: ‘In our view, laws that target or disproportionately impact upon activities associated with the state of homelessness — such as laws that criminalise sleeping, bathing, urinating, drinking or storing belongings in public space — violate the right to be free from cruel, inhumane or degrading treatment or punishment. Such laws discriminatorily affect homeless people on the grounds of their housing status and the necessary location of their conduct, not on the basis that their behaviour itself is reprehensible and therefore ought to be criminal. In so doing, these laws violate common standards of decency and constitute punishment that is disproportionately severe to the ‘crime’.³

NTCOSS believes that by-law 26 should not be passed in its current form. If the by-law *is subsequently* passed as is, NTCOSS calls for its enforcement to be held off until there is sufficient and appropriate accommodation for all Alice Springs residents. In relation to this, NTCOSS calls upon the Alice Springs Town Council to establish legal camping areas, to provide an alternative for visitors to town from remote communities and others areas.

27 Continued breach

(1) Where a person continues to contravene By-law 26(1) for a period longer than 24 hours, that person is guilty of a further and separate offence for each day or part thereof that the contravention continues.

¹ The Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Miloon Kothari. Addendum MISSION TO AUSTRALIA (31 July to 15 August 2006). (From: HUMAN RIGHTS COUNCIL Fourth session, Item 2 of the provisional agenda IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”)

² Public Interest Law Clearing House et al, 'Homelessness and Human Rights in Australia: Submission to the Supported Accommodation Assistance Program (SAAP IV) National Evaluation' (Public Interest Law Clearing House, 2003), 62-7.

³ Philip Lynch and Jacqueline Cole, 'Homelessness and Human Rights: Regarding and Responding to Homelessness as a Human Rights Violation' (2003) 4 *Melbourne Journal of International Law* 139, 148.

(2) Proof that a person contravenes By-law 26(1) on succeeding days is conclusive proof that the person contravenes clause (1).

(3) A person contravenes clause (1) despite camping, occupying or otherwise residing on a different place than that used on the previous day or days.

NTCOSS has the same concerns with this by-law as per by-law 26. The continuing imposing of fines on people who have little or no capacity to pay appears very harsh and counterproductive. With limited (or no) capacity to pay – it will simply lead to large numbers of people having unpaid fines, which will simply put more (unnecessary) strain on our legal system.

If people cannot pay their fines, they risk ending up in the court system and ultimately facing jail. The Northern Territory already has an overwhelmingly disproportionate rate of imprisonment of Indigenous people (83 % of NT prisoners⁴) and the last thing we need is more laws which will only serve to bring impact on Indigenous people.

34 Demonstrations and protests

(1) This By-law 34 only applies in and to Todd Mall and the grounds of the Civic Centre.

(2) Where clause (1) applies, a person must not, without a permit:

(b) demonstrate or protest about a particular issue; or

(c) speak, bear or otherwise identify with a banner, placard or sign or otherwise behave in a way that is apparently intended to publicise the person's view about a particular issue.

(3) A person who contravenes clause (2) is guilty of an offence.

(4) The permit referred to in clause (2) may be granted:

(a) direct to the person; or

(b) to another person or body which organises the demonstration or protest.

(5) For clause (1), *grounds of the Civic Centre* means those grounds adjoining Council's office and bounded by Gregory Terrace, Leichhardt Terrace, Stott Terrace and Todd Street..

NTCOSS believes that by-law 34 is an attack on free speech. The definition of conduct contained in this provision far too broadly defined, as it impacts on any individual or group who publicise their views about any issue – even if they are not part of a formal protest or demonstration.

In extreme situations, but still theoretically possible, someone could infringe the by-law simply by wearing a badge with a protest message in public, or expressing a point of view in public to people passing by.

NTCOSS is not clear as to what has driven the drafting of this by-law, and we are unaware of any specific examples of behaviour of this nature which have caused problems in the identified areas above in recent years which would justify a by-law of this nature.

42 Other activities

(1) Council may from time to time determine that an activity within, on, under or over a public place may not be carried on without a permit.

(2) Where Council makes a determination under clause (1), a person who carries on the activity is guilty of an offence.

NTCOSS believes that the fact a permit must be granted by the Alice Springs Town Council gives the Town Council extraordinary powers over individual's and group's right to protest and free speech. This also brings up a significant issue of 'conflict of interest' and appears to contravene 189 (e) of the Local Government Act, which states (2) a by-law should be consistent with basic principles of justice and fairness.

49 Drinking liquor in a public place

(1) A person must not drink liquor in a public place.

⁴ Graham, 2009, Indigenous incarceration and the deafening silence in the Green Left Weekly Online 19 July 2009
<http://www.greenleft.org.au/2009/803/41310>

- (2) A person who contravenes clause (1) is guilty of an offence.**
- (3) Clause (1) does not apply where the person drinks liquor within licensed premises or in accordance with the conditions of a restricted area permit.**

50 Opened liquor container in a public place

(1) A person must not:

- (a) bring onto a public place; or**
- (b) have in the person's possession or control in a public place any opened container of liquor.**

(2) A person who contravenes clause (1) is guilty of an offence.

NTCOSS believes that both by-laws 49 and 50 are unnecessary, as the behaviours are unlawful under Section 75(1) of the Liquor Act (NT), which prohibits the possession and consumption of liquor within a public restricted area. Alice Springs has been declared a Dry Town (commenced August 2007), in response to an application by the Alice Springs Town Council, and it would seem that the provisions of the Dry Town already cover what this by-law would seek to put in place.

If this by-law is passed, NTCOSS is concerned that the use of proposed provisions under these by-laws, could result in resistance or hostile or even violent reactions from people impacted by this by law (as per our concerns re by-law 52). Again we re-state that it is inappropriate for these powers to be vested in anyone other than police.

51 Power of authorised person

(1) An authorised person having reason to believe that an offence has been committed against By-laws 49 or 50 may seize any opened container in the possession of a person whom the authorised person believes to be contravening those By-laws or one or the other.

(2) Where an authorised person has seized a container under clause (1), that person may immediately empty it.

(3) For this By-law 51, an opened container which:

(a) is in the immediate vicinity, or in the possession of any other person in the immediate vicinity, of the person the member believes to have committed an offence against By-laws 49 or 50; and

(b) the authorised person has reason to believe is a source of liquor from which the person is likely to continue to drink on that or another public place shall, whether or not owned by or in the possession or control of the person the authorised person believes to have committed the offence, be taken to be in the possession of the person

52 Public intoxication

(1) A person must not display the effects of intoxication in a public place to the extent that the person is a nuisance.

(2) A person who contravenes clause (1) is guilty of an offence.

NTCOSS believes that by-laws 51 and 52 are unnecessary and inappropriate and we firmly believe that current NT laws are sufficient. Current laws allow for the Police to move intoxicated people to a safe environment where they can recover, and they are also able to confiscate and tip out alcohol when necessary. Community organisations and community members are used to contacting police to respond to situations of public intoxication to ensure the safety of community members as well as the person who is intoxicated. We do not believe that we need another legislative layer to respond to public drunkenness. In particular we do not believe that the Alice Springs Town Council is the appropriate body to respond to issues of public drunkenness.

The proposed by-laws (51 and 52) will effectively re-criminalising public drunkenness, and will have a disproportionate impact on Aboriginal people, who are more likely to be impacted by this law. NTCOSS believes that it is critical that the Town Council seriously consider the findings and recommendations of the Royal Commission into Aboriginal Deaths in Custody (1991). Specifically

this Commission recommended that all offences of this nature be repealed, and this has since occurred in most parts of Australia. It would be an incredibly backward step policy wise, if this by-law was passed as it would risk creating a situation where people are locked up and charged for public intoxication, leading to larger numbers of people in prison.

These by-laws would also raise significant occupational health and safety considerations for Town Council Rangers if they were required to directly intervene in situations where people were intoxicated in public. The use of the proposed provisions under this by law, could result in resistance or hostile or even violent reactions from people impacted by this by law. NTCOSS believes that it is inappropriate for these powers to be vested in anyone other than police, who are trained and equipped to deal with such situations. In addition, the intervention of rangers under these by-laws could do enormous damage to Indigenous-non-indigenous relations.

This proposed by-law is also inconsistent with a number of the **Local Government Act Principles 189 (2) which state:**

(2) A by-law should reflect the principles which include the following:

- (a) a by-law should be consistent with other legislation applying in the council's area;**
- (d) a by-law should avoid duplication of, or overlap with, other legislation;**
- (e) a by-law should be consistent with basic principles of justice and fairness;**

The Principle , 189 (3) states, “If a by-law infringes one or more principles stated in subsection (2) it is not necessarily invalid on that ground, but a court, in considering whether the by-law represents a reasonable exercise of the power under which the by-law was made, must take the infringement into account.

The proposed by-laws 51 and 52 overlap with the Liquor Act and the Police Administration Act, as the NT police already have the power to deal with the issue of public intoxication. These bylaws would therefore constitute an infringement of principle 189 (2) (d). Having a layer of laws is problematic as it can create confusion as to which law counts most.

This is also underlined in the NT Government Publication, 'Council By-Laws in the Northern Territory (under the *Local Government Act*) July 2009', which states “By-laws can be about any function that the council can legally carry out under the *Local Government Act* or another Act. [but] By-laws cannot relate to a function which the council does not have, such as the Army, the Customs Service or the Police - those functions are Commonwealth or Territory Government functions.”⁵

Proposed by-law 52 also constitutes a breach of LGA section 189(2)(e), as it is not consistent with basic principles of justice and fairness constitutes. In the Police Administration Act, Section 128, regarding Protective Custody, it is *not* an offence to be a seriously intoxicated person. However, the law instead provides for police to take a seriously intoxicated person to a Sobering Up Shelter, which is a fair and just response which ensures the safety of community members as well as the person who is intoxicated

If these by-laws are being driven by a belief that police response times are insufficient in terms of responding to instances of public intoxication, then this is an issue for the NT Government to consider in relation to how it deploys its police resources. It does not require an additional law which will simply duplicate an existing law.

⁵ http://www.dlgh.nt.gov.au/_data/assets/pdf_file/0004/75712/BY-LAWS_Handbook_15July09_.pdf

Fundamentally NTCOSS believes that if the Alice Springs Town Council wishes to see a sustained decrease in alcohol misuse and consumption in public places, that they should support evidence based approaches to reducing alcohol related misuse and harm, including supply reduction measures. NTCOSS believes that further restrictions on the sale of alcohol in Alice Springs – particular cheap alcohol - would be far more effective than a law and order approach towards alcohol misuse. Many remote communities have joined in a call for an alcohol free takeaway day and Council support for an initiative such as this would be strongly welcomed.

Alice Springs has seen an 18% reduction in alcohol consumption in nearly 3 years since October 2006, as a result of restrictions on the hours and type of products. However, it is clear that more must be done to curb the still alarming rates of consumption and harm in and around Alice Springs.

57 Begging

(1) A person must not beg or solicit money or goods in a public place.

(2) A person who contravenes clause (1) is guilty of an offence.

The proposed fine system is a very harsh one which we believe will disproportionately target Indigenous people and will also be very difficult to enforce. Even if people affected by the by-laws, who will likely be on a low income, can somehow pay their fine, their income will be further reduced, and they may have to again resort to begging.

The Alice Springs Town Council, have highlighted a couple of issues which they say have prompted the begging by-law – i.e. people hovering around ATM's waiting for people to get money out and then approaching them for money; and people walking past others who are at alfresco dining spots – and approaching them for money or food.

The reality is that there are already laws under NT Legislation, to cover these types of behaviours, for example: Section 47A of the Summary Offences Act (NT). The proposed by-laws would therefore constitute a duplication of existing NT Laws, making it inconsistent with Local Government Act Principle 189 (2) (d) which states:

(d) a by-law should avoid duplication of, or overlap with, other legislation;

Summary Offences Act NT 47A Loitering – general offence

(1) A person loitering in any public place who does not give a satisfactory account of himself when requested so to do by a member of the Police Force shall, on request by a member of the Police Force to cease loitering, cease so to loiter.

Penalty: \$2,000 or imprisonment for 6 months, or both.

(2) Where a person is loitering in a public place and a member of the Police Force believes, on reasonable grounds

(a) that an offence has been or is likely to be committed; or

b) that the movement of pedestrian or vehicular traffic is obstructed or is about to be obstructed, by that person or by any other person loitering in the vicinity of that person;

(c) that the safety of the person or any person in his vicinity is in danger; or

(d) that the person is interfering with the reasonable enjoyment of other persons using the public place for the purpose or purposes for which it was intended,

the member of the Police Force may require any person so loitering to cease loitering and to remove from that public place any article under his control, and a person so required shall comply with and shall not contravene the requirement.

Penalty: \$2,000 or imprisonment for 6 months, or both.

It is difficult to understand what will be achieved by fining people who have to resort to begging in the first place. In addition, the by-law is so broadly defined as to arguably include all the artists selling paintings on the Flynn Church lawns, as constituting begging. We are unsure, but concerned if this is the intent of the by-laws.

NTCOSS instead seeks to promote approaches which engage with people in a positive manner and acknowledge all people as valued members of our community and address underlying issues of poverty and disadvantage. NTCOSS calls upon the Town Council to work to address the underlying causes of poverty and disadvantage, and support community initiatives which assist people rather than further punish those who are already doing it tough.

71 Impounding and disposal

An authorised person may impound and dispose of items found in a public place which that person reasonably believes to have been abandoned.

NTCOSS is concerned, that if passed, this by-law will provide Council Rangers with the power to remove items which they deem to be abandoned, but which in fact have been stored in a public place (though often stored discretely), and are required as essential items for daily living. People who are homeless have limited options available for safe storage. Sometimes people will leave certain belongings with Non-Government Organisations, however can generally only do so during business hours. It is not practical for people who are homeless to carry around blankets and cooking utensils, for example throughout a whole day – which is why they often try to hide them in bushes, or other discrete locations in public areas. It is unfair for people to be inconvenienced and penalized, because they do not have a house, nor any other safe storage location.

While Council Rangers do take belongings such as blankets to the Tangentyere Council, where people can technically retrieve them, this creates an incredibly cumbersome merry-go-round for people, which simply makes life harder. Maybe the Council could consider provision of lockers to allow people who are homeless access to safe storage facilities for essential items.

80 Authorised person requiring information

(1) Where an authorised person reasonably suspects a person of having committed an offence against these By-laws, the authorised person may require the person to state the person's name, address and date of birth.

(2) A person who, without reasonable excuse, fails to provide the information required under clause (1) is guilty of an offence.

(3) A person who provides false information when required to provide information under clause (1) is guilty of an offence.

The requirement to provide one's name, address *and* date of birth are not required by the police (see s134 *Police Administration Act*). If Council rangers are entitled to demand name and address (like police are), then there should be a provision requiring Council rangers to provide their name and address if requested (in line with what police are required to do).

However, NTCOSS believes that this by-law should be amended to remove the power for Council to request someone's date of birth, if they suspect they have committed an offence against the by-laws. It would be highly inappropriate for council rangers to have more power than police officers.

81 Proof of identity

(1) Where an authorised person reasonably suspects a person of having committed an offence against these By-laws, the authorised person may require the person to provide further evidence of identity of a specified kind.

(2) A person who, without reasonable excuse, fails to provide the further proof of identity required under clause (1) is guilty of an offence.

(3) Where a person has reasonable excuse for failing to provide the further proof of identity required under clause (1) must, within 2 business days, provide the further proof of identity at the office of Council.

(4) A person to whom clause (3) applies who fails to provide the further proof of identity within the specified period is guilty of an offence.

NTCOSS has the same concerns with this by-law as with by-law 80. We do not believe that Council rangers should have the authority to require someone to provide proof of ID on demand. Again we do not believe that this by-law should be passed. Again NTCOSS believes that it would be highly inappropriate for council rangers to have more power than police officers, who do not have the power to “require a person to provide further evidence of identity of a specified kind.”

83 Moving on persons

(1) This By-law 83 applies if there are reasonable grounds for an authorised person to believe that a person in a public place

(a) is asleep; or

(b) has engaged, or is likely to engage, in conduct involving a breach of these By-laws

84 Removal of persons

(1) An authorized person may remove or cause to be removed from a park, garden or reserve a person who commits a breach of these By-laws and may, by notice in writing served on the person, refuse the person entry to a park, garden or reserve for a period, not exceeding 6 months, specified in the notice.

Concerns have been raised with NTCOSS by community organisations in relation to situations where a person may have appeared to have been asleep in a public space, but has in fact required medical attention. We are concerned that the power given to rangers in by-law 83 will give them the ability to simply move people on regardless of their physical condition or ability to move to another location.

In addition, we can see nothing in the by-laws which refers to any responsibilities required of council rangers in terms of providing assistance or seeking help for members of the community who may be in some distress or who required medical attention.

NTCOSS is greatly concerned that this draft by-law may only serve to bring people in contact with the law who are actually doing nothing intrinsically wrong. Furthermore, the carrying out of this by-law might in fact lead to problems being created if people react in an aggressive manner to being told by Council Rangers to move on. And again NTCOSS is concerned that Aboriginal people who may be homeless may be disproportionately affected by this by-law.

In commenting on the Darwin City Council (DCC) By-Laws, Goldie (2008) stated: “The vast majority of contact with council officers involves informal directions to move on from where people are sleeping in order to avoid formal enforcement.”, which meant that council officers therefore exercised significant discretion in their use of powers under the *DCC By-law 103*.

However, critically, as Goldie pointed out, there are no formal policies to guide the exercise of this discretion, nor is there any policy to place obligations on council officers or other authorities to investigate the accommodation or humanitarian needs of the people with whom they come into contact, nor to take action to assist people who may have no where else to live.⁶

⁶ ‘Living in Public Space: A Human Rights Wasteland?’ Goldie (PhD Thesis 2008), C Goldie, 2008

Rather NTCOSS believes that the drafting of the current by-laws represents an opportunity for the Town Council to look at other ways Rangers could work for the betterment of our community. A focus away from catching people out for breaching by-laws could be replaced with a philosophy which was geared towards positive engagement (much the same way as the Centrelink Urban Itinerant Indigenous Initiative works, of which the Council are partners – see page 10 below, under General Comments). Maybe Council Rangers could be required to check on someone's wellbeing, if they see them sleeping, and if they are causing no harm, people could simply be left alone. This would seem far preferable to moving people on who are doing nothing intrinsically wrong.

There have been overriding concerns expressed by community organisations that the draft by-laws, despite seeking to provide solutions to long standing social issues in Alice Springs, may run the risk in some situations, of inadvertently creating further problems, by bringing more people into contact with authorities and the law.

NTCOSS has specific concerns that by-law 85 will give authorised persons the ability to use excessive force in the removal of people. Again it leaves the most vulnerable in our society open to further difficulty.

89 Persistent breach

This By-law 89 applies to each of these By-laws against which an offence may be committed except for By-laws 27 and 45.

(2) Where a person commits an offence against any By-law and has committed the same offence on at least 2 occasions in the preceding 7 days, the fixed penalty which applies is three times the sum that would otherwise apply.

(3) Clause (2) applies irrespective of the location where each of the previous offences was committed.

(4) A person may commit a further and separate offence against any By-law for or in each successive hour that the conduct giving rise to the offence continues or is repeated after the person is served with an infringement notice.

(5) For clause (4), the first hour commences 30 minutes after the person is served with an infringement notice.

This by-law allows for incredibly harsh penalties for people who may breach a by-law more than once, because of the automatic penalty which can be applied. There is also an extremely broad definition of persistent breach. If for example, someone sitting on the Flynn Church lawn selling paintings – is considered to be “soliciting for goods” under proposed By Law 57 (2), and are asked to cease selling paintings five times in one day – they could face a fine 11 times the amount applicable for one infringement, which would amount to \$1430 (one penalty unit for each of the first two offences and three penalty units for each of the 3 subsequent offences).

General Comments

Many organisations provide services to the most vulnerable people in our community on a day to day basis. Organisations such as the Mental Health Association of Central Australia (MHACA), The Salvation Army, Tangentyere Council and Reclink, offer a range of programs (sport, recreation, arts) which are designed to provide alternative activities for people who are either homeless or at risk of homelessness. Such programs are a preferable alternative to the introduction of new or amended by laws that may only serve to disadvantage already vulnerable people.

It is also very interesting to note that the Alice Springs Town Council, along with other organisations in town, are partners with Centrelink in their ‘Place Based Services – Urban Indigenous Itinerant Initiative’. In collaboration with community service agencies, and in response to the NT Government’s Public Safety Model, “Centrelink has deployed a mobile and tailored service to itinerants and homeless people in major urban centres across the Northern Territory”. This service is designed to maximise contact opportunities for vulnerable and disengaged customers who face multiple and complex barriers. “Through these partnerships, Centrelink

assists itinerant and homeless people with assessment of needs, accessing services and facilitating pathways to solutions.” The arrangement is consistent with place-based principles and is in response to the social inclusion agenda. “Service delivery is through a collaborative approach working with government agencies across all levels, service providers, the local community and customers.”⁷

NTCOSS urges the Town council to use its resources to support these types of initiatives which assist the vulnerable – rather than approaches which will penalise them. The proposed by-laws simply attempt to deal with the symptoms rather than the causes of underlying social issues. They are not providing adequate support structures to help our most disadvantaged people to find a way out of their situation.

Currently, for example, there are no additional places to accommodate the homeless although we are aware that the Alice Springs Transformation Joint Steering Committee (of which the Town Council are a member) are currently working towards the establishment of further accommodation options.

We would strongly encourage the Town Council to lobby both the Northern Territory and Federal Governments to deal with the chronic accommodation shortage in Central Australia and to provide pathways out of the homelessness and substance misuse which many people face, rather than embarking on an approach which involves harsh penalties for vulnerable people.

Thank you for your consideration in relation to these matters. If you have any questions, do not hesitate to contact me on the numbers below.

Yours sincerely



Jonathan Pilbrow
Central Australian Policy Officer
NTCOSS
PO Box 1251
Alice Springs NT 0870
Ph 08 8952 8400
M 0438 552 584
jonathan@ntcross.org.au

cc Mr Damien Ryan, Mayor, Alice Springs Town Council
Alice Springs Town Council Aldermen
The Hon Paul Henderson, MLA, Chief Minister of the Northern Territory
The Hon Rob Knight, MLA, Minister for Local Government
The Hon Kon Vatskalis, MLA, Minister for Alcohol Policy
The Hon Karl Hampton, MLA, Minister for Central Australia
Mr Craig Catchlove, Director of Corporate and Community Services, Alice Springs

⁷ CENTRELINK FACT SHEET Place Based Services Urban Indigenous Itinerant Initiative Version 2 May 09