

11: Themes

The Indigenous communities of Cape York are in a state of crisis. Alcohol is no longer a background issue (as the Royal Commission on Aboriginal Deaths in Custody described it), but threatens the very viability of these communities. Unless it is dealt with, no other development, including economic and educational reform, will succeed.

Three strategies emerge throughout this report:

- There is an immediate need for *community development*.
- *Interventions* may be required until the communities are stabilised.
- *Public sector reform* must characterise Government dealings with the Cape York communities.

The chapters in this brief describe some of the essential areas of reform.

Alcohol

A public health approach to alcohol is essential, covering the supply and availability of alcohol, community development measures to reduce demand and minimise harm, and major investments in early intervention, screening, detoxification, treatment and rehabilitation.

This will require each community to develop a strategy for dealing with alcohol, perhaps as part of its Community Justice Plan. The communities will rely on a state-initiated legislative and institutional framework that includes strong and effective measures to control supply, especially sly grog, not only because it is a source of alcohol, but because it sustains an illegal economy and abusive behaviours.

A Regional Law Commission should have powers of veto over issuing or renewal of liquor licences. An inter-agency Forum on a Public Health Approach To The Use Of Alcohol In The Indigenous Community should be established to develop a working collaboration between government and community agencies.

Violence

The very high incidence of violence and injury has received much high-quality attention in the past decade, and the study does not repeat the findings of the resulting reports. It does affirm and reinforce the recommendations of those earlier reports.

Two themes in particular receive the major emphasis. The first is the nexus between alcohol and violence. The second urgent concern is the severity of the effects of violence on children and the implications of those effects for perpetuating harm across generations.

The study recommends dealing first with alcohol as the underlying cause of much of the violence, injury, and illness in these communities. It supports the call of the Women's Task Force and other members of these communities for Indigenous men (particularly the male leadership) to take a stand on violence. It recommends establishment of safe areas, and the use of negotiation tables to improve the development of policy and the delivery of programs and services.

Crime and justice

As the Royal Commission recognised, the criminal justice system can do little to address the factors that lead to violence and breaches of law in the Indigenous communities. But sustained strategies to address disadvantage in areas such as health, education, and employment must be complemented by community-based crime prevention and intervention strategies. Where offences occur, the study supports the diversion of offenders to these community-based alternatives wherever possible.

The criminal justice system itself can help to maintain stability if it is made more accessible, efficient, and humane. It must be more sensitive and responsive to the communities' circumstances to make sure that it does not make things worse rather than better.

The study recommends multi-party negotiation of a Community Justice Agreements in each community that sets out goals, obligations, protocols, and the commitment of resources by community groups and government agencies. These Agreements could provide urgently needed support to

community Justice Groups, which also need training, and resources for a coordinator and community justice worker in each community.

The Land and Health Summit at Laura in 2001 urged the formation of a Cape York Justice Commission to coordinate and support Justice Groups, liaise with police and the Liquor Licensing Commission, monitor the outcome of justice initiatives, and develop submissions of law reform. The study endorses this resolution. Law reform should simplify the way by-laws are gazetted.

Other recommendations of the study include reforms to the selection, training, performance, and support of police, including two-year rotations for State police, and phasing out community police in favour of the QATSIP career path. Incarceration of people for traffic-related offences should be eradicated, and the State Penalties Enforcement Registry should be refined.

Government

Some indication of present levels of government investment in the Cape Indigenous communities can be drawn from departmental estimates of budget expenditures. They display the fragmented nature of funding for a wide range of agency initiatives, but there is very little information about the outcomes achieved by this substantial commitment of resources. An investment in community-based data collection is needed to define the most appropriate indicators of social and economic wellbeing.

Government agencies should work with each community to agree on a set of indicators that can be easily monitored to reflect the impact of initiatives. The process of monitoring results should be a responsibility shared between communities and service providers, and this information would be readily available within communities. Any current or future funding streams should quarantine funds for monitoring and evaluation, so that communities and the Government both know if something is working or not.

A persistent theme of the study is the pressing need for coordination of government activities in the Cape. We suggest that the Human Services CEOs' Forum examine the feasibility of pooling the funds they invest in Cape York, to see if better outcomes could be achieved by doing so. Departments should be required to check whether a program overlaps any other program in a Cape community, and pool or streamline the funding and staffing arrangements. Attempts should be also made to streamline Commonwealth and State funding arrangements in Cape York communities.

The Government should reallocate funds from existing Cape services to permit a major investment in recruitment, training, maintenance, and support of public sector - in particular, recruitment and retention of senior experienced staff in health, welfare, and education. The classifications, remuneration, and terms and conditions for these workers should be such as to encourage the recruitment of quality staff able to address the community development as well as the technical aspects of their roles.

The urgent need for change in Cape York communities demands people who are committed to change and capable of negotiating effectively with communities to bring it about. A successful change management strategy will shift key decisions and accountabilities of both Indigenous and non-Indigenous workers closest to the point of service delivery. Multi-disciplinary teams can work together to ensure communities' and families' information needs and involvement in decisions. Particular attention is needed to skills for both Indigenous and non-Indigenous workers in education and coaching, business management, time management, and the ethics of resource allocation. Government workforce strategies should include sustained real time distance support and supervision for all staff at all levels.

The study concludes that Government should not rely on structural solutions alone. Rather, the set of principles, partnership processes and strategies devised for the various issues highlighted in the report should drive any change in reform process. It needs to learn to listen to changing demands and build constituencies to find solutions.

Governance

Reform of inappropriate and ineffective governance structures is necessary for any long-term progress. While most community councils contributes significantly to the wellbeing of their

community, current structures potentially lead to conflict over resources, inappropriate conduct with respect to family obligations, and concentrations of power that do not enjoy community support. Reform must occur at two levels – local and regional.

Local governance structures should be revised. Three possibilities are: governance structures in all communities defined in legislation (as at present); development of community constitutions; or a combination of the two. The role of the councils should be restricted to areas ordinarily covered by local government, but each community should enjoy the flexibility to establish other organisations such as Justice Groups or health action groups. One councillor could sit on each delegated body, and council would provide administrative and other support, including acquittal of funds.

The study also recommends a review of the *regional* governance framework.

Economic development

The economic life of Indigenous Cape York communities is all but wholly dependent on welfare payments of one kind or another. The welfare paradigm is untenable. It has created an artificial economy marked by an absence of reciprocity. Passive dependence on welfare over generations has contributed to high levels of alcohol abuse and crime, to levels of social dysfunction that - over and above dispossession, dislocation and relocation -has created a ‘culture of defeat’ The attitudes and dispositions of this culture need to be changed as much as the nature of the economy itself.

Welfare reform is imperative if the people of Cape York are to move away from a culture of poverty and dependence. Reform must focus not just on individual behaviour but on the system. However, in the short to medium term, there is no possibility of an ‘urban’ market economy in these communities. A ‘hybrid’ economy is more realistic – a combination of a modified welfare system, import substitution, and small enterprises. Welfare reform should include a trial of initiatives that support combining and managing income. Import substitution means substituting local labour and services with imported labour and services.

In the short to medium term, economic advancement may require residents to ‘orbit’ – that is, move in and out of communities in search of work or educational opportunities. Government should support all points of this transition - life within the community, movement to outside experience, and return to the home community.

The study therefore makes major recommendations in three areas: reconfiguring passive welfare transfers from government, including combining and managing welfare incomes; substituting imported services and labour with local; and increasing the generation of enterprises in communities, including enhanced support structures and services. It also canvasses issues of sustainability, and the importance of a planned approach to enhancing social capital to enable collective action and transcend the closed networks of Cape York communities.

Education

Educational outcomes for young people in Cape York are very poor. Progress in education cannot be achieved without addressing social dysfunction, supported by the broad approaches to social renewal recommended in this Study. The causes of poor educational have their roots both in the communities and in the design and delivery of education services.

The themes addressed by the study include the poor and deteriorating rates of school attendance, especially as children grow older, the fact that fewer than 40% of primary school children go on to secondary education, the importance of improving literacy and dealing with Indigenous children whose first language is not English, the disparity between the views of communities and educators about the purpose and goal of education, and the impacts of poverty, alcohol and substance abuse, violence, and poor infant health on the possibility of educational progress.

The study recommends strategies to recruit, train, and retain teachers of high quality who can work collaboratively with the communities and other organisations, including greater numbers of Indigenous teachers and education workers. It also recommends a far greater investment in early

childhood, and collaboration with health services to address hearing and other impairments that prevent children from achieving better outcomes.

Health

While the health status of Australians as a whole is good by all international standards (and improving) there has been little or no improvement in the health status of the Indigenous people of Cape York. Australia is alone among the developed western nations in failing to make headway in improving the health of its Indigenous population.

Very high rates of hospitalisation for preventable conditions indicate that there is systemic lack of primary health care, and particularly allied health care. Low levels of access are not commensurate with the levels of illness. A vigorous 5 or 10 year program is needed to develop the capacity to deliver primary care (immunisation, antenatal care, screening, health promotion); address respiratory disease, renal failure, heart disease, diabetes, and injury, with needs based expenditure; and recruit, train and support a skilled health workforce.

International literature on what reduces inequalities in health status shows that, where the burden of disease is very high, the greatest short-term gains are made by investing heavily in clinical treatment services. Yet successful efforts in other parts of the world to advance the health status of Indigenous populations have also stressed the importance of devolving responsibility and resources for local health priorities to self-determining communities.

An effective capacity to deliver primary care, including immunisation, antenatal care, screening, health promotion, and measures to deal locally with alcohol and violence is an essential concomitant of the secondary and tertiary treatment services that are needed to confront the incidence of respiratory disease, heart disease, diabetes, alcohol dependence, infectious disease and injury. A balanced system would offer both case *finding* so that those people who need clinical treatment get it, and case *management* so that those who do not need secondary or tertiary services do not use them unnecessarily.

The study recommends that the Queensland Government work with the Commonwealth to develop agreements to streamline health service delivery and ensure the full spectrum of health services are delivered to the Indigenous people of Cape York. These agreements must recognise the need for sustained long-term investment to improve the health status of the Indigenous people of Cape York.

Land

Although there is now a State statutory regime and a Commonwealth statutory regime for the recognition of traditional land rights, the reality is that administration of the law is constrained, and progress in bringing about intended outcomes is extremely slow.

Options considered by the study include review of the operation of the *Aboriginal Land Act 1991* and the *Nature Conservation Act 1994* in resolving Aboriginal land needs in Cape, and an early response to the findings of the National Native Title Tribunal/Cape York Land Council study into harmonisation of *Aboriginal Land Act* and *Native Title Act* landholding structures.

The Government needs to give greater direction to its policies for the return of lands on Cape York Peninsula to traditional ownership. This should include gazettal of a substantially broader category of land on Cape York available for claim under the *Aboriginal Land Act 1991*.

The study also recommends that the Government erect Cape York Peninsula as a separate land planning jurisdiction, and consolidate all existing tenure allocation and management policies and programs into a five-year Tenure Reconstruction Program.

Custodianships of land form the roots of Aboriginal society and culture. The dispossession of traditional lands represents one of the major causes of Aboriginal disadvantage. Continuation of traditional connections to land is critical to the identity of Aboriginal communities in the Cape.