

**House of Representatives Standing Committee on
Aboriginal and Torres Strait Islander Affairs**

Mainly Urban

*Report of the Inquiry into the needs of
urban dwelling Aboriginal and Torres
Strait Islander people*

November 1992

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The photograph on the front cover is of the Mosaic Pavement of granite and mortar commissioned in 1987 for the forecourt of the New Parliament House.

Artist: Michael Tjakamarra Nelson

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TERMS OF REFERENCE

To examine the following needs of urban dwelling Aboriginal and Torres Strait Islander people:

- access by Aboriginal people to local government services
- Aboriginal participation in and representation on local government and ways in which they can be increased
- removing barriers to participation by urban Aboriginal people in employment, education and training
- the provision of housing to urban-dwelling Aboriginal people
- the needs of itinerant Aboriginal population in urban areas and the provision of temporary or emergency accommodation
- means of increasing Aboriginal access to urban recreational and cultural activities
- community perceptions of urban-dwelling Aboriginal people within the wider community and the need to bring about a greater understanding with that community of the culture, past dispossession and continued disadvantage suffered by Aboriginal and Torres Strait Islander people.

MEMBERSHIP OF THE COMMITTEE (36th Parliament)

Chair	Mr Duncan Kerr, MP
Deputy	Mr Peter Nugent, MP ¹
Members	Mr John Anderson, MP Mrs Elaine Darling, MP ² Mr Garrie Gibson, MP Mr Michael Lavarch, MP Mr John Riggall, MP Mr Michael Ronaldson, MP ³ Mr Rod Sawford, MP ² Mr Les Scott, MP Hon Warren Snowdon, MP Dr Michael Wooldridge, MP ³
Secretary to the Committee	Mr Allan Kelly
Inquiry Staff	Ms Wynne Allen Dr Rosaleen Smyth Mr Martin Sibosado Ms Penne Humphries Miss Sharyn Hourigan

¹ Mr Nugent replaced Dr Wooldridge as Deputy Chairman on 9 September 1992

² Mrs Darling replaced Mr Sawford on 7 May 1992

³ Mr Ronaldson replaced Dr Wooldridge on 14 September 1992

GLOSSARY

Koori: The self descriptive term used by Aboriginal people in South Eastern Australia. Similarly the word Murri is used in much of North Eastern Australia. Many other words are used around Australia such as Aangu in Pitjantjatjara and Nyungar in South Western Western Australia.

CONDUCT OF INQUIRY

The inquiry into the Needs of Urban Dwelling Aboriginal and Torres Strait Islander People was referred to the committee on 28 May 1990 by the Minister for Aboriginal Affairs, the Hon Robert Tickner M.P. The committee sought the inquiry as it believed that the substantial problems of Aboriginal and Torres Strait Islander people living in urban areas had often been insufficiently addressed.

The committee advertised nationally on 2 June 1990 and also sent out 700 letters inviting Aboriginal communities, a wide range of other organisations, Commonwealth Ministers and State and Territory governments to make written submissions. Thirty eight submissions were received, as listed at Appendix 1.

The committee decided that it would undertake a series of informal discussions and inspections to examine urban problems first hand and to listen to Aboriginal people's wishes. The committee embarked upon an extensive program of visits, holding informal discussions with organisations listed at Appendix 2. Public hearings were held in Hobart, Melbourne, Perth, Canberra, Brisbane, Adelaide, Darwin and Sydney. The committee took 2331 pages of evidence.

The committee wishes to thank those who have made submissions to the inquiry, witnesses who gave evidence at hearings and Aboriginal and Torres Strait Islander people who gave of their time to have discussions with the committee.

On 4 May 1992 the name of the committee was changed by the Parliament from the Standing Committee on Aboriginal Affairs to the Standing Committee on Aboriginal and Torres Strait Islander Affairs. This gives clearer acknowledgement of Torres Strait Islander needs in addition to Aboriginal needs.

LIST OF RECOMMENDATIONS

The Committee recommends that:

1. In Commonwealth, State and Territory Government programs aimed at assisting the Aboriginal and Torres Strait Islander population, the relevant demographic data should be disaggregated to allow more precise policy formulation and program delivery. (paragraph 1.62)
2. In the 1993-94 national statistical survey, the Census population categories (major urban, other urban, rural local and other rural) should be included. (paragraph 1.62)
3. The Ministers for Aboriginal and Torres Strait Islander Affairs and Local Government in cooperation with relevant State and Territory ministers, the Aboriginal and Torres Strait Islander Commission and the Australian Local Government Association establish a taskforce to determine sound rating practices for Aboriginal and Torres Strait Islander community land within mainstream local government areas. These practices should clearly indicate the entitlements of all residents to specified services. (paragraph 2.64)
4. The Minister for Local Government in cooperation with State and Territory Ministers and the Australian Local Government Association encourage the formation of consultative committees to improve communication between local governments and Aboriginal and Torres Strait Islander people. (paragraph 3.9)
5. The Commonwealth Ministers for Aboriginal and Torres Strait Islander Affairs, Local Government and Administrative Services in conjunction with State and Territory Governments and the Australian Local Government Association ensure that the Aboriginal and Torres Strait Islander Electoral Information Service of the Australian Electoral Commission
 - extends its electoral awareness and education programs into urban areas; (paragraph 3.30)
6.
 - includes information in these programs on the functions, services and electoral systems of local government, State or Territory Government and Aboriginal and Torres Strait Islander Commission; (paragraph 3.30)
7.
 - further encourages urban Aboriginals and Torres Strait Islanders to enrol on both State or Territory and federal electoral rolls. (paragraph 3.30)

8. The Commonwealth Minister for Local Government in cooperation with State and Territory ministers and the Australian Local Government Association further encourage the conduct of awareness and training campaigns for potential Aboriginal and Torres Strait Islander candidates for local government elections, particularly where such campaigns have not been conducted. (paragraph 3.36)
9. The Committee recommends that the Minister for Local Government in cooperation with State and Territory ministers and the Australian Local Government Association:
 - encourage the further establishment of local government Aboriginal and Torres Strait Islander networks to provide network support to Aboriginal and Torres Strait Islander elected councillors and liaison officers; (paragraph 3.40)
 10. - develop further programs to raise the awareness of non-indigenous councillors to the needs of Aboriginal and Torres Strait Islander people and to sensitise them to cultural differences. (paragraph 3.40)
11. There should be greater coordination between the Commonwealth Department of Employment, Education and Training, the Commonwealth Department of Health, Housing and Community Services and the relevant State and Territory agencies in the administration and funding of pre-school Aboriginal education. (paragraph 4.25)
12. Funds for pre-school education for Aboriginal and Torres Strait Islander children should reflect population distribution so that urban areas with relatively large concentrations of Aboriginal and Torres Strait Islander children are provided with a share of facilities and funds that reflect population size. (paragraph 4.25)
13. The Commonwealth Government should promote the training of increased numbers of Aboriginal and Torres Strait Islanders as early childhood education teachers. (paragraph 4.34)
14. A scheme be introduced under which Aboriginals and Torres Strait Islanders training to be early childhood teachers may choose to be paid a training salary during the period of their training. Students who so choose will be required to teach for a fixed number of years in a designated early childhood education program for Aboriginal and Torres Strait Islander children. (paragraph 4.34)
15. Commonwealth, State and Territory Governments, State Aboriginal Education Consultative Groups and local Aboriginal Education Consultative Groups pay special attention to the promotion of the advantages of pre-school education to urban Aboriginal and Torres Strait Islander parents. (paragraph 4.38)

16. Commonwealth, State and Territory Governments make provision, where necessary, for transport to be available for Aboriginal and Torres Strait Islander children to attend pre-schools. (paragraph 4.38)
17. The Department of Employment, Education and Training extend the Aboriginal Student Support and Parent Awareness Program scheme to pre-schools to ensure that Aboriginal and Torres Strait Islander children are not culturally isolated and receive every support from their own community. (paragraph 4.40)
18. The Committee follows the report of the 1985 Select Committee on Aboriginal Education in recommending that:
 - State and Territory education departments and pre-school organisations cooperate to develop transition programs for Aboriginal children moving from pre-school into junior primary school. (paragraph 4.42)
19. The vigorous promotion by the Commonwealth Department of Employment, Education and Training of homework centres with facilities for the doing of homework and the conduct of tutorials. (paragraph 4.64)
20. That maximum use is made of tutorials to ensure that Aboriginal students do not leave primary school without those literacy and numeracy skills so essential for success in secondary school. (paragraph 4.64)
21. At the triennial negotiations for the Aboriginal Education Policy, Commonwealth, State and Territory Governments and tertiary education institutions should give consideration to matching the numbers of Aboriginals and Torres Strait Islanders being trained as teachers with likely vacancies in the profession. (paragraph 4.76)
22. A scheme be introduced under which Aboriginal and Torres Strait Islander student teachers may choose to be paid a training salary during the period of their training. Students who choose this option will be required to teach for a fixed number of years in a school with a significant number of Aboriginal and Torres Strait Islander students. (paragraph 4.76)
23. Every effort should be made by State and Territory Governments to ensure that Aboriginal teachers who wish to return to their communities to teach, be given every opportunity to do so. (paragraph 4.76)
24. In urban areas where Aboriginals and Torres Strait Islanders are in a minority, local Aboriginal Education Consultative Groups and Aboriginal Student Support and Parent Awareness Program Committees, in association with school principals, should make every effort to involve Aboriginal and Torres Strait Islander parents and students in consultative and decision-making processes. (paragraph 4.105)

25. Commonwealth, State and Territory Governments and tertiary education institutions should endeavour to make Aboriginal studies mandatory in all teacher training courses. (paragraph 4.136)
26. Commonwealth, State and Territory public sector recruitment strategies should not only aim at a total target figure, but a target for Aboriginal employment across geographical areas and at all levels of the public sector. (paragraph 5.64)
27. Targets should be extended to the whole public sector including statutory authorities and government-owned businesses. (paragraph 5.64)
28. There is a close monitoring and evaluation of those strategies in progress. (paragraph 5.64)
29. The Minister for Local Government seek the cooperation of State and Territory Ministers and the Australian Local Government Association to ensure that Equal Employment Opportunity provisions are observed by local governments throughout Australia, particularly in relation to:
 - removing barriers to Aboriginal and Torres Strait Islander permanent employment by local governments; (paragraph 5.77)
30. - each local government workplace including permanent Aboriginal and Torres Strait Islander employees in at least the same proportion as they occur in the workforce of the local government area; (paragraph 5.77)
31. - providing training opportunities for Aboriginal and Torres Strait Islander people to gain local government professional qualifications. (paragraph 5.77)
32. Affirmative action legislation be put in place to require all firms employing over 100 employees to report on steps being taken to promote the employment of Aboriginals and Torres Strait Islanders. (paragraph 5.101)
33. Every consideration should be given by the Aboriginal and Torres Strait Islander Commission and Aboriginal communities to the utilisation of the Community Development Employment Projects scheme for housing construction and maintenance. (paragraph 5.116)
34. The Aboriginal and Torres Strait Islander Commission give consideration to a substantial expansion of Community Development Employment Projects, particularly in urban areas; (paragraph 5.135)
35. Where a Community Development Employment Projects scheme is operating as a labour market program, a sunset clause should be inserted. (paragraph 5.135)

36. The Aboriginal and Torres Strait Islander Commission should ensure that the model of a project-based Community Development Employment Projects scheme is actively promoted in metropolitan and other urban areas, as appropriate, as part of its Community Development Employment Projects approval process. (paragraph 5.138)
37. The Aboriginal and Torres Strait Islander Commission take into account when evaluating Community Development Employment Project applications, that training should not be for its own sake, but directly related to general labour market employment or enterprise development both in the public and private sectors or to community development. (paragraph 5.144)
38. The Minister for Aboriginal and Torres Strait Islander Affairs in conjunction with the Aboriginal and Torres Strait Islander Commission and State and Territory Ministers develop a strategy with appropriate funding to address the backlog of Aboriginal and Torres Strait Islander housing needs over the next 10 years as a matter of high priority. (paragraph 6.53)
39. The Ministers for Aboriginal and Torres Strait Islander Affairs and Health, Housing and Community Services in conjunction with the Aboriginal and Torres Strait Islander Commission and State and Territory housing authorities:
 - ensure that prior to the construction of Aboriginal and Torres Strait Islander housing, negotiations take place with Aboriginal and Torres Strait Islander tenants as to local needs in design and to determine the number of people likely to share a house; (paragraph 6.66)
40. - ensure that until sufficient housing can be provided to Aboriginal and Torres Strait Islander people, multiple family occupancy of housing is not penalised by additional rent charges. (paragraph 6.66)
41. The Commonwealth through the Department of Health, Housing and Community Services and the Aboriginal and Torres Strait Islander Commission ensure that adequate quality control is exercised over Aboriginal and Torres Strait Islander housing built with Commonwealth or Commonwealth State Housing Agreement funds. (paragraph 6.74)
42. The Commonwealth ensure that adequate quality control is exercised over repairs and maintenance, including timeliness, to Aboriginal and Torres Strait Islander housing provided by the Commonwealth or under the Commonwealth State Housing Agreement. (paragraph 6.74)
43. The Minister for Aboriginal and Torres Strait Islander Affairs ensures that: relevant Aboriginal and Torres Strait Islander training institutions and Aboriginal Housing organisations in conjunction with the Department of Employment, Education and Training and the Aboriginal and Torres Strait Islander Commission develop and implement training programs specifically

directed at training Aboriginal and Torres Strait Islander people to build and maintain community housing and infrastructure. (paragraph 6.75)

44. The Ministers for Aboriginal and Torres Strait Islander Affairs and Health, Housing and Community Services in cooperation with the Aboriginal and Torres Strait Islander Commission and relevant State and Territory ministers ensure that where appropriate Aboriginal and Torres Strait Islander housing programs include provisions for funding Aboriginal and Torres Strait Islander community groups to establish and maintain homemaker schemes, including the training of staff. (paragraph 6.77)
45. The Minister for Health, Housing and Community Services in cooperation with State and Territory housing ministers ensure that pre and post tenancy inspections are implemented in public rental housing policy. Tenancy inspections should be carried out with both parties being present ie. the tenant and/or agent and housing authority officer. Where tenants lack suitable experience a third party should be present to assist them. (paragraph 6.82)
46. The Minister for Social Security ensure that his Department makes provision for housing rental payments to be deducted from social security benefits on the request of the recipient and paid to the landlord. (paragraph 6.96)
47. The Aboriginal and Torres Strait Islander component of the Commonwealth State Housing Agreement be transferred to the Aboriginal and Torres Strait Islander Commission for distribution to the State and Territory Governments. (paragraph 6.105)
48. The Ministers for Aboriginal and Torres Strait Islander Affairs and Local Government, in conjunction with State and Territory Aboriginal and Torres Strait Islander government agencies and the Aboriginal and Torres Strait Islander Commission, implement programs to address the basic needs of fringe dwellers which include water reticulation, basic shelter, toilets, washing facilities and garbage collection; (paragraph 7.24)
49. - that any programs or assistance provided should be in consultation with the local Aboriginal and Torres Strait Islander communities. (paragraph 7.24)
50. The Department of Health, Housing and Community Services, Aboriginal Hostels Limited and the Aboriginal and Torres Strait Islander Commission, in association with relevant local Aboriginal organisations, should, as a matter of priority, consult to develop innovative strategies for meeting the short term accommodation needs of Aboriginals and Torres Strait Islanders in urban areas; (paragraph 7.84) and
51. - funding be provided to allow Aboriginal Hostels or Aboriginal and Torres Strait Islander community groups to provide accommodation for

medical transient Aboriginals and Torres Strait Islanders in the larger urban centres. (paragraph 7.84)

52. The Ministers for Local Government and Aboriginal and Torres Strait Islander Affairs in cooperation with State and Territory Governments, the Australian Local Government Association and national sporting associations:
 - initiate pilot programs in consultation with Aboriginal and Torres Strait Islander people to develop Aboriginal and Torres Strait Islander access to mainstream urban recreational and cultural activities; (paragraph 8.20);
53. - improve the coordination of recreation and cultural services and support provisions to Aboriginal and Torres Strait Islander organisations and their members. (paragraph 8.20)
54. The Minister for Aboriginal and Torres Strait Islander Affairs in conjunction with State and Territory governments ensure that:
 - greater use is made of trained recreation officers by Aboriginal and Torres Strait Islander organisations by recognising these positions for funding purposes; (paragraph 8.31)
55. - further training courses are provided at a regional level to improve access to pre-service and in-service training for Aboriginal and Torres Strait Islander recreation officers; (paragraph 8.31) and
56. - State and Territory governments appoint an Aboriginal and Torres Strait Islander recreation officer to liaise with, and act as consultant to recreation officers within Aboriginal and Torres Strait Islander organisations and liaise with major sporting and recreational associations. (paragraph 8.31)
57. The Minister for Arts, Sport, the Environment, Tourism and Territories, in conjunction with State and Territory ministers, seek the assistance of umbrella sporting associations to raise the awareness of their members to the obstacles facing Aboriginal and Torres Strait Islander sports participants and to encourage participation in sports in which Aboriginal and Torres Strait Islander people are underrepresented. (paragraph 8.41)
58. The Minister for Aboriginal and Torres Strait Islander Affairs, in consultation with State and Territory ministers, ensure that funding is made available so that Aboriginal and Torres Strait Islander cultural centres can be established in metropolitan and regional areas. Such centres should be owned and managed by Aboriginal and Torres Strait Islander organisations wherever possible. (paragraph 8.80)

59. The Ministers for Local Government and Arts and Territories, in consultation with the Australian Local Government Association and the Australian Library and Information Association, continue to encourage and assist libraries to raise the cross-cultural awareness of their staff and to identify the special needs of Aboriginal and Torres Strait Islander people in accessing libraries. (paragraph 8.86)
60. The Aboriginal and Torres Strait Islander Commission undertake a review to determine the extent to which family structures provide an appropriate base for service delivery to urban Aboriginal and Torres Strait Islander people. (paragraph 9.105)
61. The Minister for Aboriginal and Torres Strait Islander Affairs in conjunction with the Aboriginal and Torres Strait Islander Commission and the Aboriginal Reconciliation Council undertake an awareness raising campaign so that the wider community has a better understanding of contemporary Aboriginality particularly in the urban context. (paragraph 9.113)
62. The Minister for Aboriginal and Torres Strait Islander Affairs in cooperation with the Aboriginal and Torres Strait Islander Affairs Commission and State and Territory ministers for education:
- review Aboriginal studies curricula to ensure sufficient weight is given to contemporary Aboriginality; (paragraph 9.115)
63. - ensure that all students undertake Aboriginal studies units; (paragraph 9.115) and
64. - investigate the feasibility of non-Aboriginal students being able to study an Aboriginal language and the culture associated with it. (paragraph 9.115).
65. Members of both the House of Representatives and the Senate maintain an interest in the work of the Council for Aboriginal Reconciliation and assist the Council at the grass roots organisational level wherever possible. (paragraph 9.122)
66. Commissioners of the Aboriginal and Torres Strait Islander Commission should receive a salary, to be determined by the Remuneration Tribunal, which reflects the full time nature of the position and recognises the responsibilities devolved to Commissioners; (paragraph 10.5)
67. In preparing the budget allocation for the Aboriginal and Torres Strait Islander Commission the Government allocates additional funding to cover increased salaries and resources for Commissioners. (paragraph 10.5)

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CHAPTER 1

INTRODUCTION

Reasons for the Inquiry

1.1 Since the 1967 Referendum gave the Commonwealth power to legislate in the area of Aboriginal and Torres Strait Islander affairs successive Australian Governments have sought to remedy past wrongs through the implementation of programs that specifically address the needs of indigenous Australians. Since 1973 this Committee and its predecessors have contributed to that process through a series of reports which have thrown the spotlight onto particular areas of Aboriginal need. The focus has tended to be on the needs of Aboriginals and Torres Strait Islanders living in remote communities, largely because these remote communities have been so glaringly lacking in many basic facilities and services.

1.2 Over the last two decades the intervention of Governments and the efforts of Aboriginal and Torres Strait Islander people themselves have combined to produce a marked improvement in the level of services in remote communities. Despite these improvements, however, services in remote communities still fall well short of average standards experienced by other Australians.

1.3 In this Inquiry the Committee has turned its attention to the needs of urban dwelling Aboriginals and Torres Strait Islanders. It is not widely recognised by the broader Australian community that the majority of Aboriginal and Torres Strait Islander people live in urban areas. Almost 70% live in cities or towns having a population of 1000 or more. Twenty four per cent live in cities with a population of 100,000 or more.¹

1.4 Most recently, the difficulties being faced by this section of Aboriginal Australia have been brought to national attention through the landmark report of the Royal Commission into Aboriginal Deaths in Custody. The majority of the 99 Aboriginals who died in custody, lived in urban communities with 24 persons in major urban communities and 35 in minor urban communities.²

¹ 1986 Census. Throughout the report the 1986 Census has been used for demographic data. Some preliminary figures are available for the 1991 Census and this is indicated where they are used.

² Royal Commission into Aboriginal Deaths in Custody, *National Report*, 1991, Australian Government Publishing Service, Canberra, Vol 1, p43

1.5 While urban dwelling Aboriginal and Torres Strait Islander people appear to have available to them the full range and higher standard of urban services, there are significant barriers to many of them accessing those services. Various indicators show that urban Aboriginal and Torres Strait Islander people experience significant social and economic disadvantage compared with other urban Australians and cultural insensitivity can be a barrier to Aboriginal and Torres Strait Islander people using 'mainstream' services.

1.6 Aboriginal and Torres Strait Islander people are the most disadvantaged group in Australia with respect to housing, employment, education and training. Social indicators show that the circumstances of this group of Australians are characterised by low incomes, poor health, chronic unemployment, high imprisonment rates and a rising incidence of family violence. Many urban Aboriginal and Torres Strait Islander people experience problems of dispossession, social dislocation, inadequate family life, substance abuse, poor education, lack of economic self-sufficiency and lack of self-esteem. Many of the problems of urban Aboriginal people are those commonly associated with poverty.

1.7 In deciding to undertake this Inquiry the Committee believed that the needs of urban Aboriginals and Torres Strait Islanders warranted closer scrutiny as did the way in which services are delivered. The Committee was also aware of attitudinal differences in the ways in which urban Aboriginal and Torres Strait Islander people are perceived compared with perceptions of remote or traditional peoples.

Scope of this report

1.8 The broad nature of the terms of reference for Inquiry into the needs of urban dwelling Aboriginal and Torres Strait Islander people has allowed a wide variety of issues to be raised with the Committee both in formal submissions and hearings as well as in informal discussions with Aboriginal organisations and individuals. The diversity of issues raised reveals the extent of Aboriginal need for many services for a variety of reasons, which other Australians take for granted as part of their normal living conditions.

1.9 The purpose of this report is to outline the needs of urban dwelling Aboriginal and Torres Strait Islander people, the services and programs available to them, the difficulties they have in accessing suitable services and to make recommendations for improvement. The breadth of the terms of reference has not enabled the Committee to give detailed attention to all of the diverse issues that have been raised. Many of these issues have, however, been examined in previous inquiries.

1.10 A number of major reports have been written covering common ground with this Inquiry, not least of these being the report of the Royal Commission into Aboriginal Deaths in Custody. These reports and their findings are detailed in the

relevant part of this report. The Committee notes that in many cases the recommendations of other reports have not been fully implemented.

1.11 The report of the Royal Commission into Aboriginal Deaths in Custody identified underlying issues of Aboriginal and Torres Strait islander health, housing, education, employment and income. It discussed the land needs of Aboriginal people and finally it made recommendations about reducing and eliminating the range of disadvantage. The Committee saw a certain level of duplication and overlap in areas being addressed by itself and the Royal Commission. The Committee decided, therefore, not to deal with many of these areas in detail unless there was a need for further coverage or additional recommendations. This report refers to the relevant Royal Commission report section for further detail where appropriate.

What is urban

1.12 There was some discussion at the beginning of the Inquiry as to what was meant by 'urban'. The Committee's intention was to focus on people living in mixed towns and cities rather than in traditional communities. While those living in major metropolitan areas are clearly urban, and those living in small remote communities are clearly not urban, there are some 'grey' areas in between. The Australian Bureau of Statistics defines urban as a town with a population of 1000 or more. A few remote traditional communities have this many people so this delineation is not conclusive. However, apart from these exceptions the Committee has, for the purposes of this Inquiry, used the Australian Bureau of Statistics' definition of urban.

1.13 The Aboriginal and Torres Strait Islander Commission offered a practical set of four further categories, the last of which falls outside the scope of this Inquiry:

- *metropolitan urban - those people resident in metropolitan cities;*
- *rural urban - those people living within or adjoining normal residential areas of non Aboriginal country towns irrespective of size (inclusive of town campers);*
- *traditional urban - those people associated with towns located in remote areas where traditional attachments are still predominant; and*
- *remote traditional - remote homeland centres³.*

1.14 The Committee has concentrated on the first two categories but also recognises that in many rural towns, traditional people come into town for varying periods and their urban needs are also addressed. The focus of the Inquiry was to

³ Aboriginal and Torres Strait Islander Commission, evidence, pS386-387

examine whether the needs of Aboriginal and Torres Strait Islander people in mixed, usually predominantly non-Aboriginal, towns and cities were being met by either mainstream services or those specifically targeted to Aboriginal and Torres Strait Islander people.

Attitudes of the wider community

1.15 Twenty five years ago one of the most successful referendums since Federation gave overwhelming support to the better recognition of Aboriginal and Torres Strait Islander people. In the 1967 Referendum, 91% voted to give the Commonwealth power to make laws with respect to Aboriginal and Torres Strait Islander people and to include them in the national census. This was a major turning point in the attitudes of non-Aboriginal Australians towards Aboriginal and Torres Strait Islander Australians. There was not only a change in official attitudes, as reflected in the revised Constitution, but the 91% majority endorsement reflected a new maturity of outlook towards Aboriginal and Torres Strait Islander people by non-Aboriginal Australians including a better understanding of the adverse situation they faced.

1.16 The Committee discusses wider community perceptions of urban Aboriginal and Torres Strait Islander people in more detail in Chapter 9. However, several pervasive perceptions are mentioned here as they constitute a major disability for urban Aboriginal and Torres Strait Islander people and hinder the delivery of services.

1.17 There is a fairly common perception that urban Aboriginal people are not 'real' Aboriginals. In this view, Aboriginality or Torres Strait Islanderness is measured only by the darkness of skin and the practice of a traditional lifestyle. There is a widespread perception that urban Aboriginal and Torres Strait Islander people have lost their culture. This view does not countenance the continuous change that occurs within the culture of various societies particularly through periods of great social upheaval as experienced by Aboriginal and Torres Strait Islander people during the last 200 years. While significant parts of traditional culture and language have been lost, distinctive aspects of traditional society and culture are retained in a contemporary form.

1.18 Racism still exists within Australian society but whilst overt racism is diminishing, subtle forms are taking its place. Repression was an integral part of the process of colonisation where the indigenous inhabitants were subdued and possession was taken of their land by European colonists. The colonial era has long been over but some people continue to behave as though repression is still necessary. Despite priding itself as an egalitarian society, discriminatory attitudes permeate the different levels of Australian society to a significant extent. Former Commissioner Elliott Johnston QC, wrote in the report of the Royal Commission into Aboriginal Deaths in Custody, that until he became involved in the detailed work of the Commission:

*I had no conception of the degree of pin-pricking domination, abuse of personal power, utter paternalism, open contempt and total indifference with which so many Aboriginal people were visited on a day to day basis.*⁴

Discriminatory behaviour and overt racism tend to increase during periods of economic downturn as at the present time.⁵

1.19 Public awareness needs to be raised as to the nature of contemporary urban Aboriginal and Torres Strait Islander society and culture. This contemporary society and culture provides comprehensive social systems relevant to Aboriginal and Torres Strait Islander people and their current lifestyle rather than being 'a truncated (or castrated) version of any other socio-cultural system'.⁶ Awareness also needs to be raised of the strong will for renewal and self-determination of Aboriginal and Torres Strait Islander people as outlined by the Royal Commission into Aboriginal Deaths in Custody. This is demonstrated in the large number of Aboriginal service organisations and self-help groups which are actively working in such diverse areas as education, employment, police liaison, child care, medical services, housing and the arts and crafts.

1.20 Aboriginal people are still recovering from massive social upheaval and there continue to be casualties in the process. Negative community attitudes and stereotypes can hinder the rebuilding process at a time when it needs considerable support.

1.21 Many in the wider community are unaware of Aboriginal history of the last 200 years, including:

- the effect of introduced diseases and the loss of traditional land and food;
- the full extent of suppression involved in the colonisation of Australia;
- the effects of decades of dehumanising treatment, loss of independence and non-recognition of culture;
- enforced family breakup. The forced removal of children has been a major destructive force affecting Aboriginal family structures.

⁴ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Australian Government Publishing Service, Canberra, 1991, Vol 1,p20

⁵ Aboriginal and Torres Strait Islander Commission, Sydney Regional Council, evidence, p548

⁶ Marcia Langton, 'Urbanising Aborigines' in *Social Alternatives*, Vol 2, No 2, 1981, p20

1.22 During the mission and settlement period in Australia, Aboriginal and Torres Strait Islander people were forced into complete dependency and lived under very restrictive controls. People frequently became institutionalised and when these institutions ceased their total management role in the 1960s and 1970s, many Aboriginal and Torres Strait Islander people found that they lacked the skills needed to manage themselves in an open society. Institutionalisation and the breakup of families, especially when it occurred at an early age, resulted in a loss of parental bonding and a subsequent failure to develop parenting skills.

1.23 The report of the Royal Commission into Aboriginal Deaths in Custody details some of this disempowerment:

Colonial takeover denied Aboriginal people the right to live by their own rules, to decide on their own policies. They were denied the freedom to run their own economic and family life. They were also denied the right to own land, to earn a secure living as farmers, as merchants, or in the labour market at their own discretion, to earn a family wage, to receive welfare benefits, to live where they pleased. Under various policies their private, reproductive lives were under scrutiny by government and missionary officials. They could not necessarily marry the person they chose, fraternise with people of their choice, speak to people of a certain skin colour, live in a particular street or on a particular reserve. They could not decide how many people they shared their house with. They were not eligible for old age pensions, for workers' compensation, for maternity allowances or for child endowment. Even when legislation on such matters changed in the 1940s and 1950s, it was often the manager of the mission or reserve rather than the individual who was paid this money. They could not run their own bank accounts. Anyone who objected could end up exiled hundreds of kilometres away or imprisoned for an unknown time. After release, they could be again banished from their families. The law extended its arm into the bedroom and into the post-natal ward. Children were taken from mothers after birth, others were taken once they reached the age of three or four years. Many Aboriginal families were thus denied the right to nurture, to rear and educate, to love their own children, to see them grow up. They lost these children, and the children became lost themselves. Who were they? Often children had been taught to detest everything Aboriginal, and this could extend to themselves once they realised their skin was not white.⁷

1.24 While many of these repressive and discriminatory practices embodied in legislation or in government sanctioned behaviour have ceased, the effects of these past practices continue to impact on many aspects of Aboriginal and Torres Strait Islander life and are likely to be felt for many years.

⁷ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p 518

1.25 The fracturing of social structures and of economic and personal self-sufficiency permeates all other issues affecting urban Aboriginal and Torres Strait Islander people.

Service delivery

1.26 The delivery of adequate services to urban Aboriginal and Torres Strait Islander people is the major focus of this Inquiry. Mainstream services and special programs appear to be available to all urban dwelling Aboriginal and Torres Strait Islander people. However, it is evident that some of these services and programs are avoided by Aboriginal and Torres Strait Islander people because they are culturally inappropriate or are difficult to get to. Discrimination against Aboriginal and Torres Strait Islander people deters them from using some services or excludes them from the service.

1.27 Disempowerment together with social, economic and cultural isolation renders many urban services inaccessible regardless of their location. Those in positions of extreme need are severely impeded in accessing services and resources.⁸ Many in rural urban areas have strong traditional links and mainstream services whilst available are not used because of cultural inappropriateness. Insisting on their use is assimilationist and is likely to be unsuccessful.

1.28 There are difficulties in providing specific or culturally relevant services to Aboriginal and Torres Strait Islander people in larger urban areas where the Aboriginal and Torres Strait Islander population is usually more diffuse than in smaller towns or town camps. Therefore they are more reliant on their limited access to mainstream services and many have difficulty accessing specialised Aboriginal and Torres Strait Islander services.

1.29 The extension of the idealised traditional community model to the provision of urban services is often inappropriate. It may be administratively convenient to accept 'representative' Aboriginal organisations as suitable vehicles for service delivery, but such a course of action may assume a commonality of purpose and identity which is frequently absent⁹. Those people not associated with an organisation, possibly a majority in some urban areas, are often not adequately consulted, or informed of developments, nor do they have ready access to Aboriginal services¹⁰.

1.30 While health services and legal affairs were not part of the Committee's terms of reference the Committee heard a good deal of evidence about them as they

⁸ Tangentyere Council, evidence, pS1193

⁹ Aboriginal and Torres Strait Islander Commission, evidence, pS394-6

¹⁰ Aboriginal and Torres Strait Islander Commission, evidence, pS396

are frequently linked to the matters of the Inquiry and are covered in the report where appropriate. Because of cultural and discrimination barriers a significant proportion of urban Aboriginal and Torres Strait Islander people will go without health care services rather than risk the embarrassment or humiliation that can often be involved in using mainstream health services. For these people professional help is only sought when their condition becomes critical. In the absence of Aboriginal and Torres Strait Islander medical services, minor complaints can go untreated and preventative medicine is not delivered. Within the Aboriginal and Torres Strait Islander population there is a high incidence of illnesses which could be avoided or reduced by preventative action.

1.31 Public health information delivery to urban Aboriginal and Torres Strait Islander people outside of Aboriginal and Torres Strait Islander medical services remains a matter of concern. Problems such as diabetes, high blood pressure and obesity are influenced by diet. Nutritional education has become an important feature of Aboriginal and Torres Strait Islander health services. The spread of sexually transmitted diseases, particularly AIDS, poses a major threat to the Aboriginal and Torres Strait Islander community which has gone largely unrecognised in the broader Australian population. Preventative education programs must be culturally relevant and reach the whole population to be effective. The Committee recognises that considerable efforts have been made by Aboriginal and Torres Strait Islander medical services to disseminate information. However, these groups do not have the resources to reach all Aboriginal and Torres Strait Islander people with their services.

1.32 During the Inquiry the Committee heard of problems of drug and alcohol abuse amongst a number of Aboriginal and Torres Strait Islander people. The care of affected people in sobering up centres and rehabilitation programs needs to be culturally relevant, particularly if rehabilitation is to be effective.

1.33 The needs of urban Aboriginal and Torres Strait Islander people, especially those who are not members of Aboriginal and Torres Strait Islander organisations, frequently go unnoticed, unreported and unmet. It is difficult for people in this situation to articulate their needs clearly or to express how those needs might be met, when they are subject to extreme poverty.¹¹ It is made more difficult when service providers are from a different cultural background. In describing the problems of poverty Aboriginal and Torres Strait Islander people tend to emphasise non-material aspects such as relationships, reciprocal obligations and responsibilities, the breakdown of these relationships and their separation from the land.¹² Major concerns are the loss of social order and the disintegration of many communities coupled with the loss of identity, dignity, self-respect and control over ones own life.

¹¹ Christine Choo, *Aboriginal Child Poverty*, Brotherhood of St Laurence, Melbourne, 1990, p10

¹² C. Choo, 1990, p10

1.34 It is against this background that the Committee commenced its investigations.

Demographic and Socio-economic Profile

1.35 The demographic and socio-economic profile of the Aboriginal and Torres Strait Islander population is significantly different from that of the total Australian population. As this difference is integral to this whole discussion of the needs of urban Aboriginals and Torres Strait Islanders, the following section provides a brief sketch of the demographic and socio-economic profile of the Aboriginal and Torres Strait Islander population.

1.36 This profile of the Aboriginal and Torres Strait Islander population provides data on the location of urban Aboriginals and Torres Strait Islanders across Australia and within States and Territories. Information on the age distribution of the population has relevance for such factors as employment, education and training, and housing. Socio-economic indicators on the level of socio-economic deprivation of Aboriginals and Torres Strait Islanders set in context the needs of Aboriginals and Torres Strait Islanders as they are compared with the non-Aboriginal population.

1.37 At the 1986 Census, the Aboriginal and Torres Strait Islander population of Australia was 227,645. Of the combined total of Aboriginals and Torres Strait Islanders, 24% lived in major urban areas, another 42% in other urban areas, and 34% in rural areas (see Table 1.1). According to these figures Aboriginals and Torres Strait Islanders represented 1.46% of the total Australian population. The total number of Aboriginal people was 206,104 and the Torres Strait Islanders, 21,541.

1.38 Sixty percent of the 'other urban' category were almost evenly divided between Queensland and New South Wales. Among rural people, the Northern Territory ranked first as home for Aboriginals resident in rural localities, followed by Queensland. The Northern Territory and Queensland each had 25% of all 'other rural' residents (see Table 1.2).¹³

¹³ H. Tesfaghiorghis, 'Geographic variations in the economic status of Aboriginal people: a preliminary investigation', Australian National University, Centre for Aboriginal Economic Policy Research, Discussion Paper No 2, 1991, pp4-5

Table 1.1 Aboriginal and Torres Strait Islander Population, Geographic Distribution by Region and State, 1986 Census

	Major Urban ^(a)		Other Urban ^(b)		Rural ^(c)		Total	
	No.	%	No.	%	No.	%	No.	%
NSW	21,416	36.3	27,352	46.4	10,243	17.4	59,011	100
Vic	5,986	47.5	5,224	41.4	1,401	11.1	12,611	100
Qld	11,091	18.1	28,788	47.0	21,389	34.9	61,268	100
WA	8,949	23.7	15,775	41.7	13,065	34.6	37,789	100
SA	5,696	39.9	4,580	32.0	4,015	28.1	14,291	100
Tas	1,351	20.1	3,460	51.5	1,905	28.4	6,716	100
NT	-	-	10,700	30.8	24,039	69.2	34,739	100
ACT	1,048	85.9	-	-	172	14.1	1,220	100
Aust.	55,537	24.4	95,879	42.1	76,229	33.5	227,645	100

(a) Major Urban: Urban Centres of 100,000 persons or more

(b) Other Urban: Urban Centres of 1,000 to 99,999 persons

(c) Rural: Balance

Source: Australian Bureau of Statistics

1.39 According to the 1986 Census, urban Aboriginals and Torres Strait Islanders lived mainly in New South Wales, Queensland and Western Australia, while rural residents largely lived in the Northern Territory, Queensland and Western Australia. New South Wales, with 39%, had the largest number of major urban resident Aboriginals. A substantial proportion of Aboriginals and Torres Strait Islanders also lived in the major urban centres of Queensland and Western Australia. South Australia and Victoria accounted for 10% and 11% ,respectively, of the major urban Aboriginal population, while the share of Tasmania and the Australian Capital Territory was small (see Table 1.2).

Table 1.2 Regional distribution, as a percentage, of Aboriginals and Torres Strait Islanders according to State of residence: 1986 Census

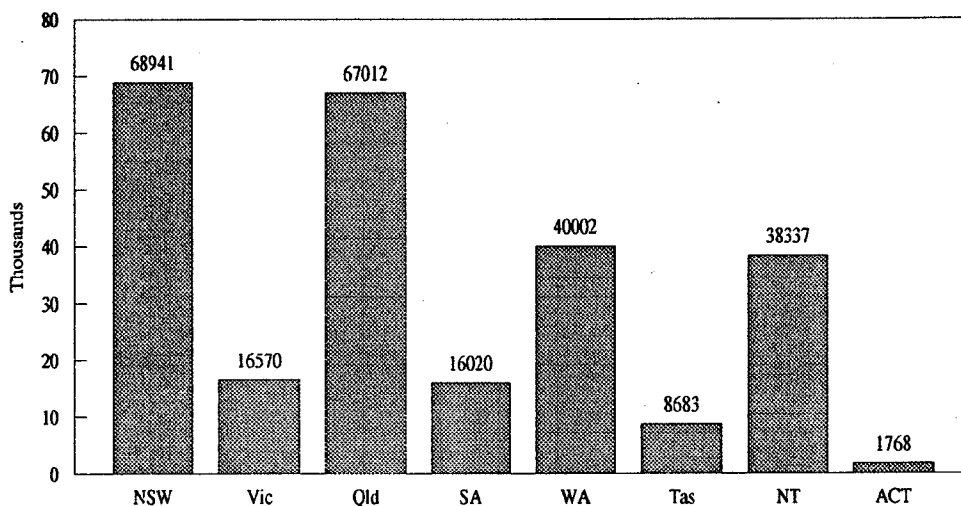
State	Major urban	Other urban	Rural localities	Other rural	Total
NSW	39	29	9	17	26
Vic	11	5	1	3	5
Qld	20	30	32	25	27
SA	10	5	4	7	6
WA	16	16	14	20	17
Tas	2	4	1	3	3
NT	-	11	39	25	15
ACT	2	-	-	0	1
Australia %	100	100	100	100	100
Population	55,537	95,879	34,054	42,175	227,645

Source: H. Tesfagiorghis

1.40 The preliminary figure from the 1991 Census is 257,333 which represents an increase of 13% since the 1986 Census (see Table 1.3). The total number of Aboriginal people was 206,104 and the Torres Strait Islanders, 21,541. In contrast to previous censuses, the Australian Bureau of Statistics has commented that the preliminary processing of the 1991 Census shows that the preliminary results of the 1991 Census are more consistent with the previous 1986 Census than was the case with earlier censuses.¹⁴

¹⁴ R. Smyth, 'The Aboriginal and Torres Strait Islander Population', Research Paper No. 4, in *Deaths in Custody, 1980-1989; The Research Papers of the Criminology Unit of the Royal Commission into Aboriginal Deaths in Custody*, Australian Institute of Criminology, Canberra, 1992, pp43-63

Table 1.3 Aboriginal and Torres Strait Islander Population Numbers 1971 - 1991



Source: *Social Justice For Indigenous Australians, 1992-1993*, 1992-93 Budget Related Paper No. 7, p17

1.41 Until recently it was thought that the long term trend had been for Aboriginal people to move from rural to urban areas, including major urban areas. Demographic research by Alan Gray from the National Centre for Epidemiology and Population Health at the Australian National University presents a somewhat more complex picture.

1.42 Gray, from an analysis of Aboriginal migration data from the 1981 and 1986 Censuses, concluded that the major urban areas in New South Wales and Victoria had experienced a net loss in their Aboriginal populations during this period. 'At both inter-State level and country-to-city level, any Aboriginal migration flow in one direction tends to be almost cancelled out by a flow of similar size in the opposite direction'.¹⁵ Gray also found that people moving into the major urban areas tend to be young adults, while those moving out tend to be older people and young children.

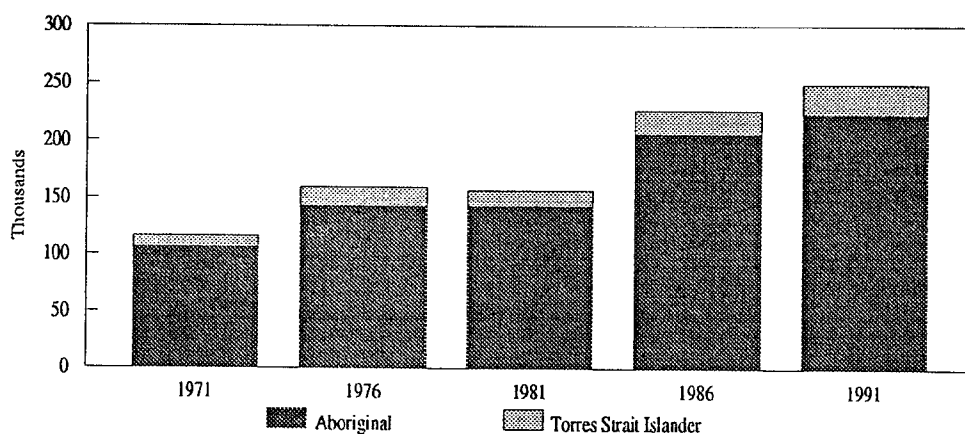
1.43 To add to the complexity of urban Aboriginal demographics John Taylor has noted that between 1981 and 1986 there has been an inflow of Aboriginal and Torres Strait Islander people to medium-sized country towns from the smaller surrounding country towns. It is notable that this movement has been not so much

¹⁵ A. Gray, 'Aboriginal Migration to the Cities', *Journal of the Australian Population Association*, 6(2), 1989, pp122

to the large cities and main regional centres as to medium-sized country towns such as Wagga Wagga, Armidale, Shepparton, Mildura, Bundaberg, Maryborough, Port Augusta, Port Lincoln, Devonport, Bunbury and Kwinana. This inflow, Taylor surmises, 'may have been linked to Aboriginal housing or educational and training provisions'.¹⁶

1.44 Preliminary data from the 1991 Census indicates that New South Wales has replaced Queensland as the State with the highest number of Aboriginal residents (see Table 1.4); there is also an indication of a possible population shift between the States and Territories, in favour of the urbanised eastern States.¹⁷ Figures are not yet available for the urban/rural breakdown. But, according to the Australian Bureau of Statistics, the preliminary count from the 1991 Census indicates a move from rural to urban areas, particularly in New South Wales and Queensland.

Table 1.4 1991: Aboriginal and Torres Strait Islander Preliminary Population Counts



Source: *Social Justice For Indigenous Australians, 1992-1993*, 1992-93 Budget Related Paper No. 7, p18

¹⁶ J. Taylor, 'Spatial mobility of working age Aborigines in settled and remote Australia: a preliminary analysis', Australian National University, Centre for Aboriginal Economic Policy Research, Discussion Paper No 17/1991, p19

¹⁷ K.H.W. Gaminiratne, 'First counts, 1991 Census: a comment on Aboriginal and Torres Strait Islander population growth', Australian National University, Centre for Aboriginal Economic Policy Research, Discussion Paper No 24/1992, p9

Age Distribution of the Aboriginal and Torres Strait Islander population

1.45 Data from the 1991 Census on the age distribution of the Aboriginal and Torres Strait Islander population for all States and Territories is not yet available. However, following on from trends in previous censuses, it is clear that there will be a substantial increase in the numbers in particular age groups. In 1986, 40% of the Aboriginal and Torres Strait Islander population was aged under 15, and a further 32% were aged between 15 and 29.

1.46 The growth in the Aboriginal and Torres Strait Islander population of working age is particularly significant. Australian National University researchers, Gray and Tesfaghiorghis, have pointed out 'that if the number of peoples moving into the ages in which families are being formed is growing rapidly, then the numbers of Aboriginal families and households must also be increasing rapidly'.¹⁸

1.47 This population bulge in the younger age group, as the Aboriginal and Torres Strait Islander Commission is aware, 'has major implications for policy formulation and program priorities, particularly in such areas as employment and education, and in housing and infrastructure needs'.¹⁹

Employment and income

1.48 The majority of Aboriginal and Torres Strait Islander people are either unemployed or in poorly paid, low-skilled and insecure jobs. Some key indicators show that:

- *their overall rate of unemployment at the time of the 1986 Census, was almost 4 times the national average;*
- *only one-third of those of working age were employed, whereas almost two-thirds of other Australians of working age have jobs;*
- *the ratio of economically inactive to employed persons was 4.2 to 1, but only 1.4 to 1 for all Australians;*
- *their median income was less than two-thirds that enjoyed by other Australians; and*

¹⁸ A. Gray and H. Tesfaghiorghis, 'Social indicators of the Aboriginal population of Australia', Australian National University, Centre for Aboriginal Economic Policy Research, Discussion paper No. 18/1991, p18

¹⁹ *Social Justice For Indigenous Australians, 1992-1993*, Budget Related Paper No. 7, Canberra, Australian Government Publishing Service, 1992, p14

- *less than 3% of employed Aboriginals and Torres Strait Islanders owned their businesses compared with 15% of other Australians.*²⁰

Education

1.49 The low employment status of Aboriginal and Torres Strait Islander people is related to their relatively poor access to education and training:

- *the percentage who have never received schooling is much higher than for non-Aboriginal people, while those who do attend school do so for shorter periods of time than non-Aboriginal people;*
- *in 1986, fewer than 50% of the children had some pre-schooling experience, compared with a national rate of greater than 90%;*
- *only 85% of the children of compulsory schooling age were participating in primary or secondary education, compared with a national participation rate of almost 100%;*
- *about 30% of those aged 16 and 17 years were participating in education or formal training, compared with a national equivalent rate of 75%;*
- *only 7% of those aged 18 to 20 years were participating in education or formal training, compared with a national equivalent rate of more than 40%;*
- *only 4% of those aged 20 to 24 years participated in education or formal training, compared with a national rate of 20%.*²¹

1.50 In all, about 11% of Aboriginal and Torres Strait Islander people aged 15 years and over had never attended a school, and only 10% had post-school educational qualifications, compared with a national proportion of 31%.²²

Housing

1.51 The Aboriginal and Torres Strait Islander Commission has reported a huge backlog in the provision of adequate housing and essential community services. Gray has estimated that, between 1971 and 1986, all Commonwealth housing programs for Aboriginal and Torres Strait Islander people delivered about 19,400 dwellings, but the number of Aboriginal and Torres Strait Islander households increased by 16,100 during the same period. Therefore, despite the

²⁰ *Social Justice for Indigenous Australians, 1992-93, Budget Related Paper No 7, pp 8-9*

²¹ *Social Justice for Indigenous Australians, 1992-1993, Budget Related Paper No 7, p9*

²² *Social Justice for Indigenous Australians, 1992-93, Budget Related Paper No 7 p9*

considerable efforts undertaken, the net reduction in the housing backlog through Commonwealth programs was only about 3300 houses over the 15 years.²³

1.52 It needs to be recorded that while these indicators show that there is much to be done to remove the barriers that are preventing Aboriginals and Torres Strait Islanders from a more equitable participation in Australia's socio-economic life, there have been significant improvements in many areas since the Commonwealth's involvement in Aboriginal and Torres Strait Islander affairs.

1.53 In education, Year 12 retention rates under ABSTUDY have increased from 9% in 1980 to 33% in 1991, and enrolments in higher education award courses increased from 854 in 1982 to some 4800 in 1991. The numbers of Aboriginal and Torres Strait Islander students completing teacher education courses increased from 119 in 1988 to 176 in 1990, and there are now over 800 Aboriginal teaching assistants in Australian schools and pre-schools.²⁴

1.54 In employment, the Aboriginal male employment rate has dropped in recent years partially due to structural change in the rural sector. On the positive side, there are now over 20,000 Aboriginal and Torres Strait Islander workers participating in Community Development Employment Projects. Since 1979 the proportion of Aboriginal people employed in the Australian Public Service has more than trebled. In 1992 over 1% of permanent staff are Aboriginal or Torres Strait Islander.

Geographical variations in Aboriginal and Torres Strait Islander income

1.55 As pointed out above, considerable progress has been made by the Commonwealth in addressing the problem of Aboriginal and Torres Strait Islander disadvantage. It needs also to be emphasised that that disadvantage is not of the same magnitude in every region or for all Aboriginals and Torres Strait Islanders.

1.56 Using 1986 Census data Tesfaghiorghis has demonstrated marked variations in Aboriginal income on the basis of a range of geographic disaggregations including States and Territories, section-State (major urban, other urban, rural locality and other rural) and the Aboriginal and Torres Strait Islander Commission regional council jurisdictions.

1.57 Aboriginals and Torres Strait Islanders resident in major urban and other suburban areas are generally better off than their rural counterparts, and those in major urban areas are better off than those in other areas. In the Australian Capital Territory, Aboriginal and Torres Strait Islander incomes exceed the Australian Aboriginal and Torres Strait Islander average. The average of all

²³ *Social Justice for Indigenous Australians, 1992-93*, Budget Related Paper No. 7, p10

²⁴ *Social Justice for Indigenous Australians, 1992-1993*, Budget Related Paper No. 7, pp8-15

incomes in the Australian Capital Territory is higher than the average for the total Australian population.

1.58 Urban-rural distribution seems to have an influence on socio-economic status. States with a high share of urban population such as Victoria, Tasmania and the Australian Capital Territory also have a higher socio-economic status. New South Wales, however, did not fare so well. This is an important exception as New South Wales has 83% of its Aboriginal population living in urban areas and accommodates one third of all urban Aboriginals in Australia.

1.59 Within New South Wales, Russell Ross using data from the Statistical Divisions in the 1986 Census, found that Aboriginals and Torres Strait Islanders in and around the metropolitan urban area had relatively high employment rates compared to Aboriginals and Torres Strait Islanders in other Statistical Divisions, with the worst rates being for the north coast (Richmond-Tweed and Mid-North Coast Statistical Divisions) and the Murray Statistical Divisions where the employment rates were only half those in Sydney. The employment situation was 'also relatively bleak in the Far West, Northern and North West Statistical Divisions'.²⁵

Limitations on statistical data

1.60 Much of the demographic data in the Department of Employment, Education and Training submission and that used by other researchers in Aboriginal demographics is outdated as it is based on the 1986 Census. The Australian Bureau of Statistics (ABS) has advised that full details of the 1991 Census will not be available until early 1993. More importantly, much of the data provided by the Department of Employment, Education and Training to this Inquiry does not provide an urban/non-urban breakdown. The Department explained that their 'information systems do not provide data analysis in this form on a regular basis'.²⁶

1.61 The Committee has noted that its disquiet about the lack of statistics relating to the Aboriginal and Torres Strait Islander population is shared in at least six major government reports and in the report of the Royal Commission Into Aboriginal Deaths in Custody. This has led to a decision by the Commonwealth Government to conduct a comprehensive national statistical survey of the Aboriginal and Torres Strait Islander population. The survey will take place in the latter half

²⁵ R.T. Ross, 'Employment Prospects for Aborigines in New South Wales' in J.C. Altman (ed) *Aboriginal Employment Equity by the Year 2000*, Research Monograph No 2, Australian National University, Centre for Aboriginal Economic Policy Research, 1991, pp124-125

²⁶ Department of Employment, Education and Training, supplementary submission, pS1230

of the 1993-94 financial year, and will complement data obtained from the 1991 Census.²⁷

1.62 The Committee recommends that:

- in Commonwealth, State and Territory Government programs aimed at assisting the Aboriginal and Torres Strait Islander population, the relevant demographic data should be disaggregated to allow more precise policy formulation and program delivery; (Recommendation 1)
- in the 1993-94 national statistical survey, the Census population categories (major urban, other urban, rural local and other rural) should be included. (Recommendation 2)

²⁷ Department of Employment, Education and Training, *Aboriginal Employment and Education News*, No 26, July 1992, p7

CHAPTER 2

ACCESS BY ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE TO LOCAL GOVERNMENT SERVICES

Introduction

2.1 In this Inquiry the Committee is concerned with access by Aboriginal and Torres Strait Islander people to mainstream urban local government services in mixed or open local government areas. The Committee has not considered those local governments confined to Aboriginal and Torres Strait Islander communities. These tend not to occur in mixed urban environments and they already have adequate Aboriginal and Torres Strait Islander participation and access to the services they provide. The Committee dealt with Aboriginal and Torres Strait Islander community governance in its report *Our Future, Our Selves* in 1990. A previous Committee dealt with *Strategies to Help Overcome the Problem of Town Camps* in 1982. Consequently in examining this and the next term of reference the Committee has confined itself to mainstream local governments.

2.2 It has been well recognised for a number of years that Aboriginal and Torres Strait Islander people do not have equitable access to local government services.¹ In a discussion paper in 1987 the then Minister for Aboriginal Affairs, the Hon Gerry Hand, outlined these concerns:

Most of Australia is covered by established systems of local government, where Aboriginals are in a minority within existing local government areas. This minority situation, together with entrenched discriminatory or apathetic attitudes within local government councils, and the historical "separateness" of Aboriginal missions or reserves, has by and large resulted in discrete Aboriginal communities receiving no services or services at a far lower level than that provided to non-Aboriginal settlements by local government. With few exceptions, local government generally has not become involved with the provision of

¹ *Report of the Committee of Inquiry into Aboriginal Employment and Training Programs* (the Miller Report), Canberra, 1985, p341
Report of the National Inquiry into Local Government Finance (the Self Report), Australian Government Publishing Service, Canberra, 1985, p334-5
Minister for Aboriginal Affairs, *Aboriginal Participation and Equity in Local Government*, Canberra, October 1987, p12
House of Representatives Standing Committee on Aboriginal Affairs, *Aboriginal People and Mainstream Local Government - An issues paper*, Canberra, November 1989, p15-18
Royal Commission Into Aboriginal Deaths In Custody, *National Report*, 1991, Vol 2, p171 and Vol 4, p31

either "property" services (roads, sewerage, etc) or "human" services (health, education, welfare, etc) to Aboriginal communities.

2.3 The Royal Commission into Aboriginal Deaths in Custody points out that even when Aboriginal and Torres Strait Islander people form a significant minority in some local government areas, they have historically been systematically excluded from political participation in mainstream local government.² The Royal Commission outlined why local government is particularly important to Aboriginal and Torres Strait Islander people:

The importance of local government in the whole question of Aboriginal self-determination is, of course, because local government is the tier of government that focuses specifically on the local situation, a focus that not only deals with the day-to-day realities of people's lives and the provision of services, but fits better than any other with Aboriginal modes of operating.³

2.4 The neglect in providing local government services has often gone hand in hand with neglect from other levels of government accompanied by argument over responsibilities. This has often resulted in a gross neglect in service provision.

2.5 The Human Rights and Equal Opportunity Commission in 1988 reported on access to services by the community of Toomelah in New South Wales on the Queensland border:

The Toomelah community of five hundred Aboriginal people endures appalling living conditions which amount to a denial to them of the most basic rights taken for granted by most other groups in society, and by other Australian communities of similar size. Their houses are substandard and overcrowded, actually contributing to a range of diseases. The community has for decades lived without an adequate and certain water supply, a properly functioning sewerage system and a safe means of sewage disposal. The lack of a sewerage system is partly due to the damming of the Macintyre River without offering and making available the dammed water to the Toomelah community as it is offered and made available to other nearby towns and private properties. The community is frequently completely isolated from all services and contact with the outside world due to closure of the inadequate access roads by rains.⁴

² Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p543-547

³ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p168

⁴ Human Rights and Equal Opportunity Commission, *Toomelah Report*, June 1988, p61

2.6 During the Inquiry, evidence to the Committee confirmed that access to local government services by Aboriginal and Torres Strait Islander people is still at a much lower standard than it is for the rest of the community. There have been notable changes in some local government areas and a developing atmosphere of change. However, there is a considerable backlog in the provision of infrastructure⁵ and there remains a substantial number of local governments which are reluctant to end discriminatory practices.

2.7 It is not just access to services which is lacking but participation by Aboriginal and Torres Strait Islander people in local government activities. This lack of involvement means that Aboriginal and Torres Strait Islander people have little or no input into local government decision making nor are their needs or views sought by councils.

Historical background

2.8 The historical background of local government may shed some light on some of its current day features. Historically, local governments were elected on a property franchise which in effect excluded Aboriginals and Torres Strait Islanders and instilled a bias in values and services towards the interests of property owners. In rural areas in the late colonial period, local councils assisted in consolidating non-Aboriginal and Torres Strait Islander ownership and management of the land. Missions and government settlements were usually quite separate of any local government involvement and were isolated from political influence generally.

2.9 Many Aboriginal and Torres Strait Islander communities located within mainstream local government areas were previously missions or government reserves. Their transfer to self-management in the 1960s and 1970s was not accompanied by a clear acceptance of responsibility for service provision by the appropriate local government nor by other levels of government.

2.10 There were several reasons for this lack of provision. There appears to have been no formal arrangement for local government to take on these responsibilities. Racism played a part in the lack of action in many cases. In addition, councils were reluctant to provide services to communities on non-rateable land or private land. Most of these communities remain on either non-rateable Crown leases or on inalienable freehold.

2.11 Against this background it is not surprising that local government in the 1960s and 1970s was neither able nor willing to assist the Aboriginal and Torres Strait Islander residents of each local government area. Aboriginal and Torres Strait Islander affairs can easily be overlooked to the extent that it is a local government responsibility.

⁵ New South Wales Government, evidence, pp370-1

Access to services

2.12 With a few exceptions Aboriginal and Torres Strait Islander people are a minority within local government areas. In some major metropolitan local government areas they comprise much less than 1% of the population. However in some rural urban areas they comprise a significant proportion of the population. In Wiluna and Halls Creek in Western Australia and Torres Shire in Queensland, for example, Aboriginal and Torres Strait Islander people comprise a majority of the population.

2.13 While there is a wide range of Aboriginal and Torres Strait Islander population distributions in urban areas across Australia,⁶ three categories can be identified along the continuum. In the first, Aboriginal and Torres Strait Islander people are dispersed in the wider community. In the second, they live in discrete groupings or clusters within or on the edge of urban areas. In the third, they live in informal camps in or around rural towns.

2.14 In some areas, Aboriginal and Torres Strait Islander communities are located near but outside of a town area but are reliant on the town for schools, shops and other services such as water, sewerage and garbage collection.

2.15 The range of local government services can be broken down into the following categories:

- services to individual properties (garbage collection, water and sewerage connections, building inspections);
- services to individual households (meals-on-wheels, home nursing);
- neighbourhood infrastructure services (streets, footpaths, drainage, parks);
- personal services (health clinics, libraries, child care centres);
- district facilities (swimming pools, water storage, recreation facilities, town planning).

Metropolitan centres

2.16 The Committee sought evidence about access to services in a wide range of urban situations. Comparatively little evidence was received on access to local government services within major metropolitan areas, where 24% of Aboriginal and Torres Strait Islander people live. Rather, a good deal of the evidence received was on discrete communities or clusters within rural urban local government areas, where 42% of Aboriginal and Torres Strait Islander people live. These groups

⁶ See paragraphs 1.35 to 1.43

frequently lacked access at a level of service generally available to others in their town.

2.17 Where Aboriginal and Torres Strait Islander people are more dispersed in the urban environment, particularly in major urban areas, access to property services was usually far more equitable although difficulties in accessing individual household or personal services are still being experienced. Aboriginal and Torres Strait Islander people do not use a wide range of mainstream services due to a range of factors including fear of rejection, past negative experiences and widespread conscious and unconscious discrimination by service providers. The Committee heard of some councils such as Albany in Western Australia, and South Sydney (which includes Redfern) that are sympathetic to Aboriginal needs and provide a range of services in a difficult area.⁷

2.18 Within the range of issues raised by Aboriginal and Torres Strait Islander people in major urban areas only a few were local government issues. This may be due to the confusion of many metropolitan residents, not just Aboriginal and Torres Strait Islander people, as to what are local government and what are state responsibilities. It may be due to the low level of interest shown in local government by the wider community, particularly where the basic urban infrastructure is established. Greater interest in local government issues generally is experienced in the developing fringe of major urban areas where the basic infrastructure is incomplete. Most of the Aboriginal and Torres Strait Islander people with whom the Committee spoke clearly understood the cleavage lines between State and Commonwealth responsibilities.

2.19 The problems facing local government-Aboriginal and Torres Strait Islander relationships in metropolitan areas, were outlined by one witness using Adelaide as an example:

Adelaide has a large number of councils and each council has, relatively speaking, a very small Aboriginal population. The difficulty of coming to grips with this issue in Adelaide is that the population is scattered across so many councils. It is collectively quite a sizeable number, but individually the numbers within most local authority areas in Adelaide are quite small. ... That is a real issue for those people to grapple with - whether they can set up a network and a different kind of structure to get a critical mass of attention and activity.⁸

2.20 The Committee heard of difficulties experienced by some Aboriginal and Torres Strait Islander families or groupings who, while located within loose

⁷ Western Australian Government, evidence, p129, 142
New South Wales Government, evidence, p375, and informal discussions

⁸ Office of Local Government, evidence, p653

clusters within the wider metropolitan area, were still very much dispersed within the broader non-Aboriginal population. Often these clusters spread across more than one local government area. These people find it difficult to have an effective Aboriginal and Torres Strait Islander voice on the need for appropriate services. Compounding their lack of numbers their Aboriginality often goes unrecognised. There is clearly a need for better representation of these residents to ensure they are not excluded from services provision.

2.21 The Committee believes that where representation is lacking this could best be coordinated in the first instance by the relevant Aboriginal and Torres Strait Islander Commission Regional Council. This may involve establishing a regional liaison group covering a cluster of local governments and comprising local government and Aboriginal and Torres Strait Islander representatives. There are some regional local government organisations established within metropolitan areas and these may be utilised in gaining a regional approach to Aboriginal and Torres Strait Islander service provision.⁹

Other urban centres

2.22 The Committee heard during visits to a number of rural urban centres that Aboriginal people did not receive services at an equal level to other town residents. These people usually lived in former settlements, town camps or other clusters of Aboriginal and Torres Strait Islander people. Services such as garbage collection, street sealing, footpaths, lighting, street cleaning, sewerage and water reticulation were provided to Aboriginals and Torres Strait Islanders at a lesser standard than to the rest of the community. In quite a few instances, services such as garbage collection were not provided at all.

2.23 While most of the evidence the Committee heard relating to local government services concerned municipal or shire councils, some local government services such as electricity, water and sewerage are often provided by county councils or water boards. These latter bodies are government business enterprises and are usually not locally elected. The Western Australian Equal Opportunity Commission made the disturbing finding that:

Without exception the State Energy commission of Western Australia, the Water Authority of Western Australia, the Main Roads Department, and the Department of Health have abrogated funding responsibility for Aboriginal communities and wait for funds to be provided by the Commonwealth before they exercise their service responsibilities.

⁹ Office of Local Government, evidence, p654

*This dependence on Commonwealth funds to undertake any servicing work to Aboriginal communities is presently endangering the well-being of each Aboriginal community in the State.*¹⁰

2.24 In many of these areas contact between councils and the local Aboriginal and Torres Strait Islander community is very limited. Historically there is a reluctance from both sides to increase the level of contact. Councils do not feel they have a responsibility to provide services to Aboriginal and Torres Strait Islander groups when they live in areas of land for which rates are either not being paid or are simply not payable. There is a perception that Aboriginal and Torres Strait Islander affairs are a State or more especially a Federal Government responsibility. On their part, Aboriginal and Torres Strait Islander people are often reluctant to have much to do with councils which are mainly concerned with non-Aboriginal and Torres Strait Islander affairs, have shown racial intolerance in the past, do not employ many or any Aboriginal and Torres Strait Islander staff, are not interested in Aboriginal and Torres Strait Islander wishes or needs, do not provide services equitably and sometimes enact by-laws which discriminate against Aboriginal and Torres Strait Islander people or activities.

2.25 The Victorian State Government representative confirmed this situation:

*The experience of a lot of Aboriginal people with local government, unfortunately, has not been a very productive one; it has been positively antagonistic at some times, with various developments. I have been involved with a lot of issues with local government and unfortunately it has almost always been a conflict situation on every occasion. I am finding difficulty thinking of a positive occasion. I can think of one, which is a very recent one.*¹¹

The South Australian Government also referred to the entrenched racism within local government.¹²

2.26 An earlier House of Representatives Aboriginal Affairs Committee's report on town camps pointed out that local government authorities often reflect prejudice and inherited attitudes towards the Aboriginal and Torres Strait Islander people of their communities.¹³ In commenting on health authorities removing dwellings of town campers because they did not comply with health or building

¹⁰ Western Australian Equal Opportunity Commission, *Essential Service Delivery to Aboriginal Communities in Western Australia*, June 1990, p19

¹¹ Evidence, p57

¹² Evidence, p315

¹³ House of Representatives Standing Committee on Aboriginal Affairs, *Strategies to Help Overcome the Problem of Aboriginal Town Camp*, 1982, p45

codes, that committee said that racial intolerance may be a strong factor in such activities.¹⁴

2.27 A later House of Representatives Aboriginal Affairs Committee in 1989 observed that:

Evidence provided to the support services inquiry indicates that the situation referred to in the town camps report has not changed significantly in some areas. Local government policies on Aboriginal housing and planning in some shires in Western Australia were described as "likely to be a direct reflection of shire attitudes toward Aboriginal people rather than an expression of Aboriginal needs". In such cases, council attitudes have generally operated in an "exclusionary" manner as far as Aboriginal people are concerned.¹⁵

2.28 Within a number of town camps in or near rural towns, a council or resource agency has been established to provide community services. As mentioned earlier these town camps frequently do not receive basic municipal services from local government. The services provided by town camp agencies are much wider than the normal range of municipal services. In many town camps, the delivery of municipal services may not be the central issue to community members. One town camp agency, Tangentyere Council, stated:

Many of the services offered by local and other tiers of government are irrelevant or inappropriate to the needs of Aboriginal town campers whose more basic needs of adequate income, housing, health and maintenance of cultural identity are not being met.¹⁶

2.29 The local government for the town camp areas serviced by Tangentyere Council is the Alice Springs Town Council. In March 1991, the Alice Springs Town Council released an *Aboriginal Town Camps Advisory Committee Report*, the production of which is a landmark in relations between local councils and town campers.¹⁷ In the report it is recognised that non-Aboriginal local government is unable to provide:

the intensive social, economic and community development, education and training consistent with objectives of cultural maintenance that is

¹⁴ *Strategies to Help Overcome the Problem of Aboriginal Town Camps*, 1982, p36

¹⁵ House of Representatives Standing Committee on Aboriginal Affairs, *Aboriginal and Mainstream Local Government - An issues paper*, 1989, p27

¹⁶ Tangentyere Council, evidence, pS1205

¹⁷ Office of Local Government, evidence, p654

*required by town campers before they can fully utilise a variety of mainstream services including local government services.*¹⁸

2.30 The spirit of cooperation which has developed in Alice Springs and a number of other local governments highlights the great difficulty facing less successful councils. This Committee finds that the greatest single barrier to equitable access to local government and its services is the lack of dialogue between councils and their Aboriginal and Torres Strait Islander residents. Without this dialogue councils have little understanding of the needs and priorities of Aboriginals and Torres Strait Islanders. There will continue to be misunderstandings on both sides and hostility unintentionally aroused. The Committee notes, however, that where dialogue has commenced, quite dramatic improvements have been made, in the short term.

2.31 The Committee was pleased to hear of effective working relationships between a number of local governments and their Aboriginal and Torres Strait Islander residents. Some local governments have recently appointed an Aboriginal Liaison Officer to improve communications between themselves and their Aboriginal and Torres Strait Islander residents. Either the appointment of a liaison officer or the establishment of a liaison Committee, or both, can provide the foundations for building an effective working relationship. A better understanding of each others' capacities and limitations enables workable solutions to be developed for both short and long term problems.

2.32 As already mentioned, Regional Councils of the Aboriginal and Torres Strait Islander Commission may be able to provide a useful bridge between councils and Aboriginal and Torres Strait Islander residents in metropolitan areas. In rural urban areas, the Committee believes the obligation is even stronger for local government to liaise with the relevant Aboriginal and Torres Strait Islander Commission Regional Council, particularly on regional issues, although this should not replace direct liaison with Aboriginal and Torres Strait Islander resident groups.

Local government's regulatory role

2.33 As well as inequalities in access to their services, local governments can impinge on Aboriginal and Torres Strait Islander rights and lifestyles through their law making powers. For example, some local government zoning plans or by-laws have created dry areas which in effect are directed at Aboriginal and Torres Strait Islander people. In other instances, building codes and health regulations that may be totally irrelevant in the particular local circumstances are inflexibly insisted upon to the disadvantage of Aboriginal and Torres Strait Islander people.

2.34 There are two forms of local government declarations of dry zones. In mainstream local government jurisdictions, certain areas are declared where the

¹⁸ Tangentyere Council, evidence, pS1205

public consumption of alcohol is prohibited. In some Aboriginal or Torres Strait Islander community local government areas the council declares the whole community dry and bringing alcohol into the community is prohibited.

2.35 Dry areas in mainstream local government areas are usually imposed as a measure to overcome problem drinking. Unfortunately this is usually done without consultation with the Aboriginal and Torres Strait Islander community. Typically this does not solve the problem but merely results in increased contact with police, consequent offences and court appearances. The process creates additional problems for Aboriginal and Torres Strait Islander people. As one commentator observes:

*these are practices that continue to feed attitudes in the broader community about the social marginality and unreliability of Aborigines.*¹⁹

2.36 In a number of instances, declared dry areas are places that have a long history of Aboriginal and Torres Strait Islander use for social purposes. There is resentment at being excluded and often a continuous campaign of defiance. One example of this is the Harding River Reserve in Roebourne²⁰ of which Dr Mary Edmunds observes:

*In a similar way, the Harding River Reserve represents the place where the dominating power of one society, and its need to coerce the other into conformity, meets the intransigence of the latter. The police presence, the constant patrolling on foot and in cars, under these circumstances acts as a corrective presence, that is, controlling behaviour and pulling it into line with the norm. In the face of Aboriginal resistance however, this action loses its goal and its effectiveness. It becomes petty, repetitive, frustrating for all those involved but perhaps most of all for the police who are required to continue enforcing regulations that meet with passive but intractable opposition. This is perhaps the most galling aspect of police experience and one that focuses on the contradiction at the heart of the policing system.*²¹

2.37 In many of the locations the Committee visited, the problems encountered through Aboriginal and Torres Strait Islander people drinking in public were raised, usually by members of the Aboriginal and Torres Strait Islander

¹⁹ Mary Edmunds, *They get heaps - A study of attitudes in Roebourne, Western Australia*, Aboriginal Studies Press, Canberra, 1989, p103

²⁰ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p201

²¹ M. Edmunds, 1989, p108

community. It is worth repeating the comments of the Royal Commission Into Aboriginal Deaths In Custody on this issue:

Non-Aboriginal Australian society has never been able to accommodate the essentially public nature of Aboriginal life nor the ways in which this renders much behaviour visible. The kinds of appropriate behaviour that belong to Aboriginal definitions of the use of public space are often precisely the kinds of behaviour that bring them into strife with police: socialising and drinking in the open, lingering outside shops, sitting on the ground in the street and fighting are all behaviours which, in conventional law, fall into the category of street order offences. What police action does in general do, however, is to apply punitive sanctions to the public nature of Aboriginal behaviour. By doing so, it transforms what in Aboriginal terms is often legitimate public behaviour into non-legitimate and deviant behaviour. But here, as in other matters, the police officers are enforcing a law made by others.²²

This imposition of behavioural norms and definition of the use of public space through legislation and enforcement is inappropriate and ineffective and leads to "absurdities and waste of police time and resources".²³ This is not to say that some street behaviour is not an important problem but that it requires a more considered and effective response.

2.38 The Royal Commission Into Aboriginal Deaths In Custody further observes:

To say, however, that much street behaviour is unacceptable both to Aboriginal and non-Aboriginal people is not to say that the conduct should lead to arrest. Public drinking, which apparently, of itself, so offends non-Aboriginal people, would occur less frequently if Aboriginal people had places to go for social drinking. Throughout Australia there is a recurring theme - Aboriginal people, either because of arbitrary and unjust "barring" rules by publicans or because they are denied entry to establishments by covert or overt discrimination, frequently have no place to drink except in public places. And yet, so often it is the case that the very people who most actively propose laws to deny drinking in public places also oppose attempts by Aboriginal people to gain their own licensed clubs, or who deny and refuse to act to curb discrimination by hotel keepers against Aboriginal drinkers.²⁴

²² Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p200

²³ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p201 and Vol 3, p24

²⁴ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p201

2.39 Commonwealth, State and Territory governments have undertaken a number of reviews in recent years to reduce unnecessary conflict between laws, their enforcement and Aboriginal and Torres Strait Islander laws, lifestyles and values. In particular most states and territories have decriminalised drunkenness.²⁵ One of the major thrusts of the Royal Commission was to have better alternatives to police cells for those picked up for victimless offences such as drunkenness.

2.40 Despite these improvements a minority of local governments continue to impose normative non-Aboriginal values on Aboriginal and Torres Strait Islander people. This is often perpetrated by the same local governments which refuse to provide equitable services to Aboriginal and Torres Strait Islander residents. Not only are these measures repressive, usually ineffectual and extremely costly to police²⁶ but the resentment aroused in both Aboriginal and Torres Strait Islander people and police by the enforcement process often leads to more serious charges and consequences well out of proportion to the original 'offence'.

2.41 The Committee believes that issues arising out of cultural differences should be settled by negotiation and with tolerance rather than by attempted regulation. During discussions and inspections the Committee heard of a number of cooperative arrangements made between local councils, Aboriginal and Torres Strait Islander representatives and police. These have developed relatively effective solutions to problems while at the same time respecting cultural differences and avoiding repression. Solutions have included night patrols, cooperative arrangements with police for dealing with drunkenness or minor street offences and sometimes the provision of alternative meeting and drinking places acceptable to all.

Improvements in Aboriginal and Torres Strait Islander - local government relationships

2.42 A number of agencies have identified ways in which the relationship between local government and Aboriginal and Torres Strait Islander residents could be improved. The Committee deals in the next chapter with increasing Aboriginal and Torres Strait Islander representation on and participation in local government. Other measures identified are:

- . education and sensitisation of councillors and council staff to Aboriginal and Torres Strait Islander perspectives and needs;
- . Aboriginal liaison officers employed by councils; and

²⁵ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 3, p24

²⁶ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 3, p8-14

establishment by councils of Aboriginal and Torres Strait Islander advisory or community relations committees.²⁷

2.43 The Committee agrees with the New South Wales Government view that such measures need to be based on the advice and involvement of Aboriginal and Torres Strait Islander people.²⁸

2.44 The first step in the process is to raise the awareness of Aboriginal and Torres Strait Islander people of local government's role, its potential to provide services and the need for participation in and dialogue with local government bodies. This aspect is dealt with further in the next chapter. At the same time as raising Aboriginal and Torres Strait Islander awareness there is a need to educate and sensitise non-Aboriginal and Torres Strait Islander councillors and council staff to Aboriginal and Torres Strait Islander perspectives and needs.

2.45 To increase council awareness, the Federal Office of Local Government has undertaken some successful community development programs in close cooperation with state and territory governments and state and territory Local Government Associations. These have developed cross cultural awareness in the particular councils and staff which have prepared the ground for effective dialogue with Aboriginal and Torres Strait Islander residents.

2.46 In New South Wales, a number of councils have established Community Development Strategies and employed Aboriginal Liaison Officers to assist in communication and encourage participation by Aboriginal and Torres Strait Islander people.²⁹ They can advise on the cultural appropriateness of services and in this way increase the effectiveness of councils. In Moree, the Committee was told of the effective relationship between Aboriginal people and the council. A community spokesperson, Lyall Munro, Snr, reflected that not many years ago Moree had the reputation of being the Little Rock of Australia. The council has identified services which are of key importance to the Aboriginal community such as childcare, library services and more recently the establishment of an art gallery. Aboriginal people are employed in each of these areas to improve their effectiveness. In the art gallery at the time of the Committee's visit, eight of the nine staff were Aboriginal.

2.47 South Australia is implementing a strategy to increase Aboriginal participation in local government and has employed an Aboriginal project officer. Particular emphasis will be placed on increasing Aboriginal and Torres Strait Islander people's awareness of local government and its services and assisting them

²⁷ *Aboriginal People and Mainstream Local Government*, 1989, p27-8

²⁸ Evidence, pS462

²⁹ New South Wales Government, evidence, pS462

to identify ways of achieving community goals through the local government system.³⁰ A pilot program is being undertaken with one council where an Aboriginal Community Worker will be established for closer liaison between the council and the Aboriginal and Torres Strait Islander community.

2.48 The former Victorian Government was working with local government to raise awareness and promote Aboriginal employment. It advised the Committee:

we certainly are committed to trying in the first instance to get local governments to recognise that Aboriginal people are part of the community that they should service, and that the reality is that, just as for any disadvantaged sector of the community, they have got to go out of their way to consult with Aboriginal people and make their services more responsive. In the first instance, probably the easiest way to deal with that is to start employing Aboriginal people. But more than that is then to provide services as well.³¹

2.49 In the Northern Territory, closer relationships have been established between several mainstream local councils of larger centres such as Alice Springs and Tennant Creek and the town camp councils servicing Aboriginal people within and adjacent to their town council areas. A greater mutual understanding of each others needs, problems, strengths and weaknesses has led to increasingly effective working relationships which make the best use of the limited resources available to each. The Committee was impressed by these arrangements on its visits to Alice Springs and Tennant Creek. In Katherine, positive changes are also being made.

2.50 The Committee believes that these cooperative community development programs have the potential for the greatest changes for access to local government services by Aboriginal and Torres Strait Islander people. Despite sometimes being initiated by outside agencies, such as local government associations, they generate change from within. This results in a longer-lasting change in local government culture which is more effective than externally imposed funding conditions on councils.

Funding of local government

2.51 As mentioned in paragraph 2.10 local governments are sometimes reluctant to provide municipal services to Aboriginal and Torres Strait Islander households where there are difficulties in levying or collecting rates. Together with State and Territory governments they are frequently reluctant to fund Aboriginal and Torres Strait Islander services or facilities where there is a possibility of

³⁰ South Australian Government, evidence, pS1037

³¹ Victorian Government, evidence, p57 and pS486

Commonwealth funding. An examination of local government funding is, therefore, essential.

2.52 Local governments are established under State and Territory legislation which determines their distribution and circumscribes their constitutions, electoral systems and powers. State local government ministers may intervene in a number of ways ranging from imposing new obligations or conditions, to suspension of a council and appointment of an administrator. In fiscal terms, local governments are in a similar position to other public authorities created by State or Territory legislation. They are seen very much as creatures of State Governments. The National Inquiry into Local Government Finance (The Self Report) observed:

*At a time when the resources available to the public sector are scarce, State governments monitor closely the financial policies followed by statutory authorities and local governments. This includes various controls on local taxation and expenditure policies as well as on the level and purpose of public borrowing.*³²

2.53 The major sources of local government revenue are local taxation (rates, fees, charges), general and specific purpose grants from State and Commonwealth Governments and borrowings. Local taxation generally provides around three quarters of total revenue, although there are marked differences in this proportion between local councils.

2.54 The Office of Local Government³³ estimated local government revenue sources during 1990-91 to have been:

. own-source revenues	78%
. Commonwealth payments administered through the Office of Local Government	9%
. other Commonwealth payments	6%
. payments from State Governments	7%
	100%

Funds administered through the Office of Local Government totalled approximately \$700 million. Most locally generated revenue comes from general rates, service rates which are levied for the provision of utilities such as water and sewerage, and fees for services such as building approvals, licences etc.

2.55 As a reason for not providing equitable services to Aboriginal and Torres Strait Islander residents, many councils have argued that only those who pay

³² National Inquiry into Local Government Finance, *Report*, Australian Government Publishing Service, Canberra, 1985, p14

³³ Department of Immigration, Local Government and Ethnic Affairs, *Annual Report 1990-91*, Australian Government Publishing Service, Canberra, p139

rates are entitled to services. This argument has also been used in reverse by some Aboriginal and Torres Strait Islander groups who argue that if they do not receive services they should not have to pay rates.

Levying of rates

2.56 In dispersed Aboriginal and Torres Strait Islander populations in urban and particularly metropolitan areas, individual householders are liable for normal rates and subject to the normal penalties. Nationally, a little under 25% of Aboriginal and Torres Strait Islander families own or are buying their own home. In major urban areas this figure rises to 32.34% but falls to 22.12% in other urban areas. However, as the bulk of urban Aboriginal and Torres Strait Islander people live in rental accommodation, rates are payable by the landlord.

2.57 Eligibility to pay property rates is a vexed question. In those states where Aboriginal and Torres Strait Islander land has Crown reserve status it is not subject to property rates. It is important to note that several categories of property owners (State and Commonwealth Governments, charitable institutions and churches) are exempted from paying rates yet they receive council services such as garbage collection, street sealing, etc. Some government business enterprises make ex gratia payments equivalent to rates.

2.58 Where Aboriginal and Torres Strait Islander land is rateable it is frequently on inalienable freehold land. Valuing such land for rating purposes is problematic as it may not be seen to have an assessable market value. In some situations a uniform general rate has been levied either on the community as a whole or on individual dwellings on a pro-rata basis. This can result in serious inequities if rates are levied (either directly or pro-rata) on community land as distinct from land which is exclusively used by an individual or corporation. Land such as public facilities, parks and recreational bushland is not rated in the wider community. Such inequities are further exacerbated where despite rates being levied relevant community services such as parks are not provided on or near the rated land.

2.59 At Toomelah, it was recently reported, some residents have been charged as much as 40% of the value of their property in rates. Properties worth only \$400 were charged the minimum rate of \$165, yet normal municipal services are not supplied.³⁴

2.60 The Western Australian Equal Opportunity Commission has pointed out that:

The status of the land on which Aboriginal communities are living - whether it be held by the Aboriginal Land Trust or by the community itself under a 99 year lease - is interpreted differently by different local

³⁴ *Sydney Morning Herald*, Tuesday, 17 November 1992, p3

*government authorities. Some believe such land is private land and is therefore non-rateable, and so are not providing municipal services. Others have found innovative ways of striking a levy on the land and are billing Aboriginal communities for annual rates (some of which are accumulating as bad debts and some of which have been paid) though not providing any municipal services.*³⁵

2.61 The New South Wales Government described the rating problem as:

*... an extremely difficult and tangled area to get to grips with ... we need to do some further work on clarifying the roles of councils and the State in the provision of infrastructure in remote areas. It has been a very difficult problem to come to terms with. We are not there yet.*³⁶

2.62 In his discussion paper of 1987, Minister Hand indicated that it was inappropriate to levy rates on undeveloped community land which has reserve or inalienable freehold status. However, where land is used for an individual's or business' exclusive use, the levying of rates would be appropriate:

As a general policy, Aboriginal community lands (inalienable, reserved, trust, etc) should not have valuations attached to them and should be exempt from property rates. This will inevitably reduce the rate revenue base of some local governments and this must be reflected in the calculation of Local Government Financial Assistance and other grants.

The purpose of making Aboriginal community land exempt from general rates is not to secure advantage for individuals or corporate enterprises. It would be inequitable if enterprises and conventional housing could be established under a rate-shelter. Therefore, portions of Aboriginal land should lose their "community" or "public reserved" status and become rateable when they are developed for an individual's or a corporation's exclusive use, whether that use be for housing or economic activities.

Such usages should be formalised and secured by leases from the land holders, the leases should be registered in the same way as other property transactions, valued on the same basis as other properties, rated, and taken into account for Local Government Financial Assistance and other grant calculation purposes...

³⁵ Western Australian Equal Opportunity Commission, *Essential Service Delivery to Aboriginal Communities in Western Australia*, June 1990, p15

³⁶ Evidence, p370

To ensure the collectability of rates and charges on leased Aboriginal community land, which cannot be enforced by the legal attachment and sale of such land, the liability for the payment of all rates and charges needs to be imposed on the prime lessee. In default of payment of rates and charges, it is then the lease which is the legally attachable asset and not the property itself.³⁷

2.63 The Committee believes that the question of rateability, the payment of rates and the equitable distribution of services and facilities is of crucial importance. The current difficulties are a major obstacle to improving relationships between Aboriginal and Torres Strait Islander residents and their local government. The Committee considers that adopting a national approach to resolve these issues is warranted. Such an approach would, however, need to seek State and Territory and local level solutions as each situation is different. Nonetheless, some general guiding principles should be determined as ground rules for local actions. These should include a clear statement determining the entitlement of all residents to specified services. Rates should be payable wherever a fair and practicable rating basis can be established.

2.64 The Committee recommends that:

the Ministers for Aboriginal and Torres Strait Islander Affairs and Local Government in cooperation with relevant State and Territory ministers, the Aboriginal and Torres Strait Islander Commission and the Australian Local Government Association establish a taskforce to determine sound rating practices for Aboriginal and Torres Strait Islander community land within mainstream local government areas. These practices should clearly indicate the entitlements of all residents to specified services. (Recommendation 3)

Commonwealth funding of local government

2.65 Following initiatives by the Whitlam Government to strengthen local government, the Fraser Government passed the *Local Government (Personal Income Tax Sharing) Act 1976*. This was replaced by the *Local Government (Financial Assistance) Act 1986*. These two Acts have allowed direct revenue sharing by local government in Commonwealth revenue (vertical redistribution). They have also included an equalisation grants system helping poorer or needier local councils

³⁷ *Aboriginal Participation and Equity in Local Government, 1987, p25*

(horizontal equalisation). These provisions have significantly strengthened and raised the status of local government as the third tier of government.

2.66 Funds provided under the *Local Government (Financial Assistance) Act* are distributed to each State and Territory on a per capita basis. Each State and Territory has a Local Government Grants Commission³⁸ which recommends to the State or Territory minister the appropriation of funds between local governments. The basis of funding as specified in the Act is to ensure:

*that each local government body in the state is able to function, by reasonable effort, at a standard not lower than the average standard of other local governing bodies in the state, and that takes account of differences in the expenditure required by those local governing bodies in the performance of their functions and in the capacity of those local governing bodies to raise revenue.*³⁹

2.67 Allocations by the State and Territory grants commissions must be in accordance with principles agreed between the Commonwealth and the State or Territory. The grants made under the Act must be untied.

2.68 General purpose grants to local councils are in two parts:

- Element A provides that 30% of the State or Territory allocation be divided amongst local governments on a per capita basis. This is the straight vertical distribution element;
- Element B is the horizontal equalisation element, which assists councils with inadequate resources to finance their service responsibilities. Individual State and Territory local government grants commissions closely scrutinise local financial resources and expenditure requirements. The statewide average standard of fiscal capacity is used as the basic criterion for making Element B grants to ensure that assistance is directed to the more disadvantaged councils.

2.69 The equalisation element provides equalisation between local government areas. This is a somewhat crude approach as it does not necessarily address the inequalities between groups such as Aboriginal and Torres Strait Islander people within the broader non-Aboriginal community. Indeed the evidence available to the Committee indicates that while Aboriginal and Torres Strait Islander people are counted in calculating Element A per capita entitlements and in establishing Element B entitlements through a low rate base or a higher demand for services, they are frequently excluded from the services paid for through these general purpose grants.

³⁸ The Australian Capital Territory does not have a local government level.

³⁹ Sub paragraph 9(2)(b)

2.70 In a report on Aboriginal Community Government commissioned by the South Australian Government, Don Dunstan noted that some local government bodies in South Australia resisted separate incorporation and resource provision for Aboriginal communities because they were concerned about losing that portion of their per capita general purpose funding.⁴⁰

2.71 In response to the suggestion in the Minister for Aboriginal Affairs' Discussion Paper that every Local Government Grants Commission be required to visit and report on all Aboriginal and Torres Strait Islander communities at least every second year,⁴¹ the East Pilbara Council stated that:

*Aboriginal interests should be represented on the Grants Commission if, and only if, additional and specific Aboriginal funds are directed towards the WA Local Government Grants Commission.*⁴²

Clearly the basis of Grants Commission funding is still poorly understood and even more poorly given effect to by some councils.

2.72 The Royal Commission addressed this inequitable distribution noting:

*it is grossly unfair if, having been provided with such funds, local government authorities allocate the funds disproportionately to the benefit of non-Aboriginal people, and because those funds are untied, the LGAs⁴³ do not have to answer for this inequity. Aboriginal organisations would be jealous of the LGAs' freedom from having to justify their expenditure of Financial Assistance Grants and for their ability to accumulate funds unspent at the end of the financial year.*⁴⁴

2.73 The Western Australian Government changed, for a period, the needs based assessment for distributing general purpose funding grants. Previously local governments were not compelled to allocate funding in relation to needs. The Western Australian Local Government Grants Commission introduced a 'reduced disability factor' which removed the funding element for constituent Aboriginal

⁴⁰ Don Dunstan, *Aboriginal Community Government*, Adelaide, July, 1989, para 5.2.5

⁴¹ Minister for Aboriginal Affairs, October 1987, p21

⁴² Western Australian Equal Opportunity Commission, *Essential Service Delivery to Aboriginal Communities in Western Australia*, June 1990, p13

⁴³ Local government authorities

⁴⁴ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 4, p31

communities if a council did not spend a fair proportion of grants on those communities.⁴⁵

2.74 This Western Australian Government provision sought to avoid the cultivation and continuation of Aboriginal and Torres Strait Islander disadvantage to maintain elevated funding entitlements. However, this provision was in breach of the Local Government (Financial Assistance) Act and has now been suspended. The matter has been referred back to the Western Australian Local Government Grants Commission.⁴⁶ The Royal Commission recommended:

That the Commonwealth Government negotiate with State and Territory Governments to ensure that where funds for local government purposes are supplied to local government authorities on a basis which has regard to the population of Aboriginal people within the boundaries of a local government authority equitable distribution of those funds is made between Aboriginal and non-Aboriginal residents in those local government areas. The Commission further recommends that where it is demonstrated that equitable distribution has not been provided that local government funds should be withheld until it can be assured that equitable distribution will occur.⁴⁷

2.75 In the Governments' response to the recommendation it was noted that 'the grants are untied and councils can use them to meet their own expenditure priorities'.⁴⁸ It also indicated that:

The Commonwealth will also explore the possibility of strengthening the principles that govern the distribution of funds between councils in each State to ensure that greater account is taken of social justice principles in relation to Aboriginal and Torres Strait Islander people. The Aboriginal and Torres Strait Islander Commission will be consulted in this regard.⁴⁹

2.76 The Office of Local Government is continuing to take positive steps to encourage local government to respond to the needs of its Aboriginal and Torres Strait Islander constituents. It sponsored the National Conference on Local

⁴⁵ R. Gerritson, *Cause for Hope? Aboriginal Self-Management and Local Government in Australia*, Discussion Paper for the Royal Commission into Aboriginal Deaths in Custody, October 1989, p39

⁴⁶ *Aboriginal Deaths in Custody*, Response by Governments to the Royal Commission, Australian Government Publishing Service, Canberra, 1992, Vol 2, p768

⁴⁷ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 4, p38-39

⁴⁸ Response by Governments to the Royal Commission, 1992, Vol 2, p765

⁴⁹ Response by Governments to the Royal Commission, 1992, Vol 2, p766

Government, Aboriginals and Torres Strait Islanders held in Townsville in 1991. The Conference, whose theme was "Lets Work Together", developed a number of objectives to improve Aboriginal and Torres Strait Islander access to local government services and activities.

2.77 The objectives identified by the Townsville Conference are:

- . initiatives to promote increased employment and training of Aboriginal and Torres Strait Islander people in and by local government;
- . the promotion of access and equity principles in relation to local government programs and services at the local level;
- . the encouragement of all relevant local councils who have not yet appointed a specific Aboriginal and Torres Strait islander liaison person to designate an existing senior officer of council as the Council Aboriginal and Torres Strait Islander Liaison Officer;
- . the employment of relevant local councils to appoint Aboriginal community advisory committees;
- . local government according appropriate respect for National Aboriginal and Torres Strait Islander Week by initiatives such as flying the Aboriginal flag, a reception for community leaders, cultural displays and other initiatives;
- . the facilitation of local government support for, and active involvement in, the process of reconciliation;
- . in consultation with the Aboriginal and Torres Strait Islander Commission, the provision of cross-cultural awareness training for local government staff;
- . the promotion of the representation of Aboriginal people in local government;
- . the encouragement of the employment by local government of Aboriginal and Torres Strait Islander contractors and/or contractors employing Aboriginal and Torres Strait Islander workers;
- . further conferences at the national level and within each State and Territory similar to the successful conference held in Townsville in 1991;
- . the identification and promotion of 'best practice' in local government;
- . the participation of local government authorities in the development and implementation of Aboriginal and Torres Strait Islander

Commission's regional plans;

the promotion of ongoing liaison between local government and Aboriginal and Torres Strait Islander Commission Regional Councils, the Department of Employment, Education and Training and relevant State Government agencies on these initiatives;

the formation of State and Territory Advisory Committees on Aboriginal and Torres Strait Islander local government issues including representation from Aboriginal and Torres Strait Islander Commission Regional Councils; and

State and Territory Local Government Associations with the support of Commonwealth, State and Territory Governments to be encouraged to appoint designated officers to be responsible for Aboriginal and Torres Strait Islander local government issues.⁵⁰

2.78 A Local Government Reference Group was formed to pursue these objectives following the "Lets Work Together" Conference and this is sponsored by the Australian Local Government Association. The Committee believes the Reference Group should continue to receive the full support and assistance of the Commonwealth in furthering its objectives. However, the Commonwealth should continue to monitor the distribution of funding to ensure that funding is being equitably distributed. If notable failures continue to occur then the Commonwealth should look to amend the legislation to ensure that a reduction can be made by the relevant Local Government Grants Commission as done recently in Western Australia.

Local Government as the third tier of government

2.79 In spite of local governments' financial dependency on these general purpose grants it does have its own revenue raising capacity and as an independently elected body does have considerable autonomy. The previous Standing Committee on Aboriginal Affairs in its issues paper on mainstream local government pointed out:

Opposing local governments' legal and financial dependency is the autonomy it has as a third tier of government. It offers to its constituents a form of local representative governance and a local delivery of services.

Thus there is a tension in the role of local government in Australia between its position of relative dependency vis-a-vis the constitutionally defined levels of Commonwealth and State governments and its de facto position as a third tier of government

⁵⁰ Response by Governments to the Royal Commission, 1992, Vol 2, p771-2

*which ostensibly supports democracy at a local level and is a vehicle for the local delivery of services.*⁵¹

2.80 This Committee agrees with the conclusion of the previous Standing Committee on Aboriginal Affairs that this tension underlies much of the discussion heard in evidence and the proposed solutions:

*For example, suggestions by some that local government does not adequately cater to the needs of Aboriginal people can lead to calls for Commonwealth or State governments to use their superordinate position in relation to local government to intervene to ensure that Aboriginal people obtain equitable treatment. On the other hand, intervention by superordinate levels of government may be seen as autocratic and an undermining of democratically elected local institutions. In the long term such intervention may not be in the interests of Aboriginal people. This leads to suggestions that the best way to obtain more equitable treatment for Aboriginal people within local government is to improve Aboriginal representation on and participation within the forum of local government.*⁵²

2.81 This Committee believes that some Commonwealth intervention is necessary through the agreed principles established with State and Territory local government grants commissions as recommended by the Royal Commission. This measure is primarily addressed to a few recalcitrant local governments who are rorting the system and should not interfere with the current approach of most councils. However, the main focus in improving services should be on effecting a cultural change within councils, together with increased representation and participation by Aboriginal and Torres Strait Islander residents. The Committee deals in Chapter 3 with increasing representation and participation in local government.

Employment by Local Government

2.82 While barriers to employment are dealt with in detail in Chapter 5, local government employment warrants special mention here. In many areas with large Aboriginal and Torres Strait Islander populations, employment opportunities are limited and the local council is one of the more significant employers. Unfortunately local government employment of Aboriginal and Torres Strait Islander people remains comparatively low.⁵³

⁵¹ *Aboriginal People and Mainstream Local Government*, 1989, p3.

⁵² *Aboriginal People and Mainstream Local Government*, 1989, p3-4

⁵³ New South Wales, Department of Industrial Relations, Employment, Training and Further Education, *Aboriginal Employment Strategy for Local Government in New South Wales*, May 1991, section 1.3

2.83 The Committee heard in discussions that where Aboriginal and Torres Strait Islander people were employed it was usually restricted to unskilled "outdoor" work for men. Opportunities for "indoor" work and work for women were far more limited. A survey by the Equal Employment Opportunity Advisory Unit of the New South Wales Department of Local Government has confirmed the low representation of Aboriginal and Torres Strait Islander people employed by local government. The survey showed that those employed were usually in areas with low job status and limited prospects for promotion. It also found that:

*of those Aboriginal people employed by councils the majority are outdoor unskilled staff and most are employed under temporary subsidised employment/trainingschemes. When the subsidy ends, they are left without jobs and little prospect of permanent employment.*⁵⁴

2.84 This lack of recognition of Aboriginal and Torres Strait Islander people through permanent employment reinforces their marginalisation. Councils failing to employ an appropriate proportion of permanent Aboriginal and Torres Strait Islander employees will not be perceived by Aboriginal and Torres Strait Islander people as equitable institutions. They are less likely to be seen as sensitive to Aboriginal and Torres Strait Islander needs.

2.85 During visits to a number of areas the Committee heard of Community Development Employment Projects (CDEP)⁵⁵ funding being used to carry out local government functions such as garbage collection and disposal or road and footpath construction and maintenance.⁵⁶ While some of these local government functions were being carried out in Aboriginal and Torres Strait Islander community government areas, others were being performed in mainstream local government areas. The Committee was concerned that while much needed local government services were being provided, this could involve financial substitution of Federal Government specific purpose money for general local government purposes. This is more likely to occur in those local government areas where services to Aboriginal and Torres Strait Islander people are poorest.

2.86 From the Committee's discussions, comments by the Western Australian Equal Opportunity Commission on different local government approaches to Community Development Employment Projects could be applied around Australia:

Some were ignorant of the CDEP tasks undertaken by communities. Others have negotiated commercial contracts with the Aboriginal community to perform municipal functions on its behalf, especially in more remote parts of a local government area. This has sometimes included providing a service to both Aboriginal and non-Aboriginal

⁵⁴ *Aboriginal Employment Strategy for Local Government in New South Wales*, section 1.3

⁵⁵ Community Development Employment Projects are dealt with further in Chapter 5

⁵⁶ Queensland Government, evidence, p239

*populations within the area.*⁵⁷

The Committee believes that where local government services are performed under Community Development Employment Projects in mainstream local government areas it should be under contract to the local government.

Conclusion

2.87 A closer working relationship between local governments and their Aboriginal and Torres Strait Islander residents is essential. It is the key to more equitable access to services by Aboriginal and Torres Strait Islander people and to more effective service delivery by councils. Local government services and infrastructure are important elements in the maintenance of adequate living standards of residents. Living standards of Aboriginal and Torres Strait Islander people will remain depressed if access to local government services and employment does not improve along with other interrelated factors such as health, housing and education.

2.88 The participation by Aboriginal and Torres Strait Islander people in local government activities, including being elected to council, needs to be encouraged through community service programs. State and local governments need to ensure that their services are provided equitably and that Aboriginal and Torres Strait Islander services are not left to special Commonwealth programs. In too many instances Commonwealth funding intended to catch up with infrastructure backlogs or other service deficiencies is being used to provide basic services withheld from Aboriginal and Torres Strait Islander people by State, Territory and local government. Despite considerable additional funding being provided to reduce the disadvantage experienced by Aboriginal and Torres Strait Islander people, the withdrawal or non-provision of State and local government services by some agencies results in non-Aboriginal people becoming the beneficiaries of this funding.

2.89 Minister Hand in his 1987 discussion paper said:

*It is generally the case that, if local governments were providing services and facilities to discrete Aboriginal communities on the same basis as they provide them to the rest of the community, then many Commonwealth and State special programs would not be necessary. Similarly, if local government were to become more involved in broader issues of Aboriginal community development and Aboriginal/non-Aboriginal community relations, then Commonwealth and State programs may have greater and more lasting success.*⁵⁸

⁵⁷ Western Australian Equal Opportunity Commission, 1990, p27

⁵⁸ Minister for Aboriginal Affairs, *Aboriginal Participation and Equity in Local Government*, Canberra, 1987, p12

2.90 However, the Royal Commission in its report concluded that it would be unfair to blame local government for all of the shortcomings within that jurisdiction as considerable catch up funding is required following years of neglect.⁵⁹

2.91 While the Committee has concentrated on many of the deficiencies of local government service provision and access and the racist attitudes of some councils it must be emphasised that a great many councils demonstrate a positive and constructive approach. A number of places reported good working relationships with local government including Redfern, Alice Springs, Tennant Creek and Albany. The Let's Work Together conference in Townsville and the resulting Reference Group supported by the Australian Local Government Association have a significant role to play in ensuring that relationships in all local government areas are similarly productive. Many councils have already responded positively to these awareness raising activities and have begun to establish a dialogue with their Aboriginal and Torres Strait Islander residents.

2.92 The Committee was pleased during inspections around Australia to hear of councils which had recently accomplished marked improvements in Aboriginal and Torres Strait Islander participation in local government matters. The effective partnerships which had developed, through adopting joint ownership of problems, were tackling the broad range of issues and establishing mutually acceptable priorities. In a number of cases quite small changes of substance have achieved dramatic changes in perceptions on both sides which have allowed a working environment of cooperation and mutual understanding to develop. This approach is best able to produce cost effective solutions and make optimum use of finite local government resources.

⁵⁹ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 4, p31

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CHAPTER 3

ABORIGINAL PARTICIPATION IN AND REPRESENTATION ON LOCAL GOVERNMENT

Historical Background

3.1 Prior to the 1967 Referendum and the 1962 changes to electoral legislation very few Aboriginals or Torres Strait Islanders were regarded as eligible to vote in any elections. It was not until 1983 that enrolment became compulsory for Aboriginal and Torres Strait Islander people. Historically, local government enfranchisement was through property holding. This not only would have barred most Aboriginal and Torres Strait Islander people from voting in local government elections but also created a bias in the nature of local government. Councils were drawn from and elected by property holders and no doubt saw services to property holders as their first priority.

3.2 While there is now a universal franchise for local government elections it only came as recently as 1985 in Western Australia.

Participation in Local Government

3.3 Most Aboriginal and Torres Strait Islander people the Committee spoke with wanted greater responsiveness from local government to Aboriginal and Torres Strait Islander needs. In the previous chapter the Committee identified change from within local government as being the preferable way of improving Aboriginal and Torres Strait Islander access to local government services. There are five main strands to such changes:

- improved understanding and a more consultative approach by local government councillors and staff;
- greater consultation between Aboriginal and Torres Strait Islander people and local government on service provision either directly or through the Aboriginal and Torres Strait Islander Commission Regional Councils;
- greater participation in local government issues by the Aboriginal and Torres Strait Islander community including seeking consultation, forming liaison groups, being on the electoral roll and voting in local government elections;

- better representation of Aboriginal and Torres Strait Islander issues within councils through the election of more Aboriginal and Torres Strait Islander council members; and
- liaison between local government and Aboriginal and Torres Strait Islander Commission Regional Councils.

3.4 While representation on council is one of the most direct ways of participating in and influencing council decisions on matters affecting Aboriginal and Torres Strait Islander people, it is not the only effective form of participation. Only a limited number of people can be elected to council and where the Aboriginal and Torres Strait Islander population is small it may not be possible to have even one representative elected. A broader based participation in local government matters is essential. Increased interest and involvement in local government issues by Aboriginal and Torres Strait Islander people would improve local government awareness of Aboriginal and Torres Strait Islander issues and better recognition of Aboriginal and Torres Strait Islander priorities. This would also provide support and input on issues for Aboriginal and Torres Strait Islander representatives both as candidates and as elected councillors. It also provides input on issues and a framework for consultation with non-Aboriginal members of council and staff. This is essential in metropolitan local government areas where the number of Aboriginal and Torres Strait Islander electors alone is usually not sufficient to elect Aboriginal and Torres Strait Islander representatives to council.

3.5 In its submission the Aboriginal and Torres Strait Islander Commission observed:

Within metropolitan areas the Aboriginal and Torres Strait Islander population is too widely spread to provide potential for an "Aboriginal/Torres Strait Islander ticket" nomination, even if intergroup agreement were to be reached.¹

3.6 There are a number of measures likely to improve Aboriginal and Torres Strait Islander participation in and influence on local government. In the last chapter the Committee discussed the appointment of Aboriginal and Torres Strait Islander liaison officers. Liaison or consultative committees could be established within each local government area. In metropolitan areas, Aboriginal and Torres Strait Islander population clusters may spread across several council areas but have similar needs and outlook. Some services may be better provided on a regional basis. It may be more appropriate to appoint liaison officers or form consultative committees that cover a cluster of local government areas.

3.7 An example of increasing contact was provided by Penrith City Council which said it:

¹ Evidence, pS275

has traditionally had little contact with Aboriginal groups unless specifically invited to do so. However, the introduction of the Western Sydney Area Assistance Scheme with its commitment to community consultation with Aboriginal people, has increased communication.This should prove beneficial to both Council and Koori groups.²

3.8 While consultative and liaison groups at the local government level can be fostered by higher levels of government and by Local Government Associations the appropriate mechanism for each area should be developed at the local level by the parties to be represented on the group. The South Australian Government noted:

Encouraging Aboriginal participation in local government is not a matter of encouraging Aboriginal participation alone. It is necessarily a question of developing the awareness, and responsiveness of local government to the needs and issues of Aboriginal people.³

3.9 The Committee recommends that:

**the Minister for Local Government in cooperation with State and Territory Ministers and the Australian Local Government Association encourage the formation of consultative committees to improve communication between local governments and Aboriginal and Torres Strait Islander people.
(Recommendation 4)**

Interest in local government

3.10 There is generally a low level of interest at the local government level by Aboriginal and Torres Strait Islander people. This is partly a reflection of the low level of interest shown by the wider community in local government but also reflects the lack of contact Aboriginal and Torres Strait Islander people, in particular, have with councils and their services.⁴

² Evidence, pS268

³ South Australian Government, evidence, pS1035

⁴ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p562

3.11 As outlined in the previous chapter many routine local government services are not made available to or are not accessible by Aboriginal and Torres Strait Islander people, particularly where clusters or communities occur within local government areas.

3.12 There are many instances where:

- routine services are denied to Aboriginal and Torres Strait Islander communities;
- personal services are culturally inappropriate;
- Aboriginal and Torres Strait Islander needs are not communicated to council and the employment of Aboriginal and Torres Strait Islander people is extremely low or non-existent.

3.13 Across Australia, Aboriginal and Torres Strait Islander people make up 1.5% of the population. In some localities the proportion is much higher than this and clearly in other areas it is lower. Historically, Aboriginal and Torres Strait Islander involvement in mainstream local government has been very low although this is now changing but only marginally. There has been little or no representation on councils and generally little other input to council decisions.

Representation on local government councils

3.14 Until recently Aboriginal and Torres Strait Islander representation on local government bodies has been negligible, even in areas with sizeable or majority Aboriginal and Torres Strait Islander populations. Few Aboriginal and Torres Strait Islander candidates have stood and even fewer have been elected. While improvements have occurred in recent years in some areas the reasons for low overall representation warrant further discussion here.

3.15 The Royal Commission into Aboriginal Deaths in Custody observed:

This lack of an Aboriginal presence in local government not only continues the separation of Aboriginal from non-Aboriginal people, it also prevents appropriate recognition of Aboriginal interests and therefore reinforces their marginalisation.⁵

3.16 In many areas the Aboriginal and Torres Strait Islander population is such a small proportion of the electorate that a block vote (if such were possible)

⁵ Royal Commission into Aboriginal Deaths in Custody, 1991, National Report, Vol 2, p172

would have little impact.⁶ In areas with a larger Aboriginal and Torres Strait Islander population, even majority populations, a number of factors militate against adequate Aboriginal and Torres Strait Islander representation. The Joint Standing Committee on Electoral Matters observed recently that:

*Urban Aborigines and Torres Strait Islanders are a politically diverse group in which attitudes to voting and elections range from fear or apathy and hostility to strong political commitment.*⁷

3.17 It should be remembered that just as there is a wide cross section of often conflicting views within the general Australian community so, too, the Aboriginal and Torres Strait Islander community is often fragmented in their position on many issues.

3.18 The low levels of education of many Aboriginal and Torres Strait Islander adults and a lack of electoral system knowledge deters many Aboriginal and Torres Strait Islander people from involvement.⁸ The respective roles of Federal, State and Territory, local government and the Aboriginal and Torres Strait Islander Commission are not always clearly understood. The Committee notes that this confusion is not restricted to Aboriginal and Torres Strait Islander electors. Councils and their elections are frequently seen as non-Aboriginal business involving a lack of interest in or even hostility to Aboriginal and Torres Strait Islander needs and wishes.

3.19 Many Aboriginal and Torres Strait Islander people are not on the electoral roll. The Council of the City of Lismore said of its local situation:

*It has been estimated by an Aboriginal spokesperson that thirty out of one hundred Aboriginals vote in local government elections. The majority have failed to register.*⁹

3.20 The Aboriginal and Torres Strait Islander Commission elections in November 1990 showed that nationally many Aboriginal and Torres Strait Islander people who wished to vote were not on the roll. While a significant group deliberately did not vote many of these are also not likely to be on the roll.

⁶ Office of Local Government, Department of Immigration, Local Government and Ethnic Affairs, evidence, p653

⁷ Joint Standing Committee on Electoral Matters, *Aboriginal and Islander Electoral Information Service*, Australian Government Publishing Service, Canberra, 1991, p32

⁸ Joint Standing Committee on Electoral Matters, 1991, p11

⁹ Evidence, pS243

3.21 Just as there is a lack of knowledge about local government and a reluctance to vote in local government elections there is a reluctance by potential candidates to stand for election. As well as being seen as a non-Aboriginal activity, elections can raise a conflict between traditional authority and elected authority. With the fragmentation of family allegiances within the Aboriginal and Torres Strait Islander population of an area, no one candidate may have support across the whole Aboriginal or Torres Strait Islander population. Indeed there may be several candidates who do not arrange to exchange preferences.

3.22 These limitations are easing as the Aboriginal and Torres Strait Islander Commission observed in its submission:

In a number of rural centres, despite the differences that exist between various groups and families, there appears to be an increasing awareness that by acting collectively an Aboriginal and Torres Strait Islander viewpoint can be injected into the local government process. The Commission strongly endorses this development and advocates support programs that provide community awareness raising and education on the issue.¹⁰

3.23 Preferential voting has proved a significant barrier to the election of Aboriginal and Torres Strait Islander candidates. The effects of preferential voting do not appear to be well understood although in some cases there is a strong predisposition to not allocate preferences to other candidates. The Committee heard evidence of Aboriginal and Torres Strait Islander candidates receiving very high numbers of first preference votes, compared to other candidates at an election, but in the absence of significant numbers of further preference votes, failing to be elected. There is clearly a need for a better electoral understanding by many urban Aboriginal and Torres Strait Islander people.

Problems facing elected councillors

3.24 The Committee heard of the difficulties faced by some Aboriginal and Torres Strait Islander people who have been successful in gaining election. They are usually a small minority on council if not the only Aboriginal and Torres Strait Islander member of council. The council and its workings can be quite foreign due to cultural differences and councillors may lack confidence. They may also face indifference or antagonism from other councillors.¹¹ Even without such antagonism it is relatively easy for minority members to become marginalised. Many of the issues discussed may be of limited interest to them and they may have little input on those issues they regard as important. To top off these disadvantages, Aboriginal and Torres Strait Islander councillors are sometimes subject to unrealistic expectations from sections of the Aboriginal and Torres Strait Islander community.

¹⁰ New South Wales Education Consultative Group, evidence, pS275

¹¹ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p561.

Measures to improve

3.25 While there have been recent improvements in Aboriginal and Torres Strait Islander participation and representation in local government, barriers still exist within this important service area.

Knowledge about local government and voting

3.26 Education is needed within Aboriginal and Torres Strait Islander groups and communities so that the importance to them of local government is better understood. Information is needed on the range of services it can provide, how it operates and how elections are conducted. This should be linked with broader electoral education campaigns, including encouraging Aboriginal and Torres Strait Islander people to get onto the electoral roll.

3.27 State and Territory Governments together with local governments have a role in ensuring the nature and functioning of local government is better understood by Aboriginal and Torres Strait Islander people. The Australian Electoral Commission has an Aboriginal and Torres Strait Islander Electoral Information Service (ATSIEIS) which provides electoral education and information and facilitates the enrolment of Aboriginal and Torres Strait Islander people. The Information Service was established in 1986 but has largely serviced remote and traditional communities in Western Australia, South Australia and the Northern Territory. The Service is now being extended into the eastern States. The Service operates through field officers and through Community Electoral Assistants who are trained as an ongoing electoral resource for their community.

3.28 The Aboriginal and Torres Strait Islander Electoral Information Service has concentrated on the federal electoral system but it is obvious that education and information is needed on State, Territory and local government electoral affairs. The different responsibilities of the different levels of government and of the Aboriginal and Torres Strait Islander Commission also need to be better explained.

3.29 The Joint Standing Committee on Electoral Matters has recommended that the Aboriginal Torres Strait Islander Electoral Information Service be extended to those States not adequately served at present and that it be extended into urban and metropolitan areas.¹² It is also recommended that more information and materials be developed on the workings of State and local governments and on their electoral systems.¹³ This Committee endorses these recommendations of the Electoral Matters Committee.

¹² Joint Standing Committee on Electoral Matters, 1991, p18.

¹³ Joint Standing Committee on Electoral Matters, 1991, p20.

3.30 The Committee recommends that:

the Commonwealth Ministers for Aboriginal and Torres Strait Islander Affairs, Local Government and Administrative Services in conjunction with State and Territory Governments and the Australian Local Government Association ensure that the Aboriginal and Torres Strait Islander Electoral Information Service of the Australian Electoral Commission

- extends its electoral awareness and education programs into urban areas; (Recommendation 5)
- includes information in these programs on the functions, services and electoral systems of local government, State or Territory Government and Aboriginal and Torres Strait Islander Commission; (Recommendation 6)
- further encourages urban Aboriginals and Torres Strait Islanders to enrol on both State or Territory and federal electoral rolls. (Recommendation 7)

Training for potential candidates

3.31 Several programs have been conducted by Commonwealth and State agencies to raise the skills and confidence of people interested in contesting local government elections.

3.32 In 1989, the South Australian Department of Local Government initiated the Local Government Aboriginal Participation Project. This is designed to:

- increase Aboriginal people's awareness of local government;
- increase the participation of Aboriginal people as electors and councillors; and
- encourage and assist local government's responsiveness to the needs of Aboriginal communities.¹⁴

3.33 In New South Wales, research commissioned by the Local Government and Shires Association and funded jointly by the federal Office of Local Government

¹⁴ South Australian Government, evidence, pS1037

and the State Office of Aboriginal Affairs has led to several improvements. A booklet *Aboriginal Communities and Local Government in New South Wales* was produced covering areas of interaction between local governments and Aboriginal residents. The booklet and the consultations that preceded it, provided better and more constructive understanding between the parties.

3.34 In a further development, a video was produced by the New South Wales Department of Local Government funded by the Commonwealth Office of Local Government. The video, *In the Mayor's Chair* aims at promoting greater Aboriginal and Torres Strait Islander participation in local government, particularly through standing for election.

3.35 The video was used prior to the last New South Wales local government election and led to forty-two Aboriginal and Torres Strait Islander candidates standing for election. Eight of these were elected. This was a relatively good result and indicated a heightened interest and involvement in local government affairs which is expected to continue. The Committee believes the approach taken in New South Wales to be a well-measured and constructive one and worthy of consideration by other State and Territory Governments.

3.36 The Committee recommends that:

**the Commonwealth Minister for Local Government in cooperation with State and Territory ministers and the Australian Local Government Association further encourage the conduct of awareness and training campaigns for potential Aboriginal and Torres Strait Islander candidates for local government elections, particularly where such campaigns have not been conducted.
(Recommendation 8)**

Support of councillors following election

3.37 As mentioned earlier Aboriginal and Torres Strait Islander councillors are usually in a minority and risk being marginalised within the council. The Committee heard of a number of instances where Aboriginal and Torres Strait Islander people, having gained election to a council, become isolated and ineffectual following their election. These people often didn't stand again and sometimes resigned before their term expired. While these barriers are breaking down with social change and greater awareness there remain areas where change is slow.

3.38 The Committee believes that programs are necessary to raise the awareness of non-Aboriginal local government councillors to the needs of Aboriginal and Torres Strait Islander people, and to sensitise them to cultural differences. Support should also be available to Aboriginal and Torres Strait Islander councillors following their election to maximise their effectiveness.

3.39 The New South Wales Department of Local Government established a Local Government Aboriginal Network in 1987. This comprises Aboriginal elected councillors and liaison officers from a number of councils. It offers a forum to discuss relevant issues and also acts as an information and resource base. Most importantly it offers a mechanism of support for its members and aims to develop their confidence and skills. The Committee believes similar networks should be established in other States and the Northern Territory.

3.40 The Committee recommends that the Minister for Local Government in cooperation with State and Territory ministers and the Australian Local Government Association:

- encourage the further establishment of local government Aboriginal and Torres Strait Islander networks to provide network support to Aboriginal and Torres Strait Islander elected councillors and liaison officers;
(Recommendation 9)
- develop further programs to raise the awareness of non-indigenous councillors to the needs of Aboriginal and Torres Strait Islander people and to sensitise them to cultural differences.
(Recommendation 10)

CHAPTER 4

REMOVING BARRIERS TO PARTICIPATION BY URBAN ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE IN EDUCATION

Introduction

4.1 The Royal Commission into Aboriginal Deaths in Custody reported in 1991 that of the 99 Aboriginals and Torres Strait Islanders who died in custody, 83 were unemployed at the date of last detention and only 2 had completed secondary education. The fact and extent of Aboriginal and Torres Strait Islander disadvantage in employment, education and income has been of great concern to the Commonwealth Government, particularly since 1967 when amendments to the Australian Constitution gave the Commonwealth power to legislate in the area of Aboriginal and Torres Strait Islander affairs. Numerous policies, reports and programs have been directed toward addressing this disadvantage since the early 1970s.

4.2 The Commonwealth's progress has been monitored in numerous reports. The most significant of these have been the *Report of the Committee of Review of Aboriginal Employment and Training Programs* (Miller Report) 1985; the Report of the House of Representatives Select Committee, *Aboriginal Education*, 1985; the 1988 *Report of the Aboriginal Education Policy Task Force* for the Department of Employment, Education and Training (DEET); the National Report of the Royal Commission into Aboriginal Deaths in Custody, 1991; and the *Review of the Training for Aboriginals Program* (TAP Review) 1991, by Elliott Johnston, QC.

4.3 The Commonwealth's response to the Miller report is contained in the Aboriginal Employment and Development Policy (AEDP) introduced in 1987. Education policy is articulated in the Aboriginal Education Policy (AEP) launched in 1990. These policies have subsequently been influenced by the recommendations of the Royal Commission into Aboriginal Deaths in Custody Report and the Training for Aboriginals Programs (TAP) Review by Elliott Johnston.

4.4 The Committee acknowledges, as does the Schools Council, in a recent report, that because of the deep-rooted nature of Aboriginal and Torres Strait Islander disadvantage change in education is a slow process. 'Success in education can only be measured on a generational basis'. In response to government policy

initiatives, real improvements have been made. It is imperative that improvement continues and is accelerated.¹

4.5 In this Chapter, the Committee comments on the barriers that continue to impede the educational development of urban Aboriginal and Torres Strait Islanders and notes areas where it has observed that significant progress has been made. The same approach will be adopted in Chapter 5 which deals with employment and training.

4.6 This chapter is arranged under the following sub-headings:

- . Aboriginal education policy
- . pre-school education
- . retention rates
- . teachers
- . support staff
- . Aboriginal Student Support and Parent Awareness Program
- . tertiary education
- . curriculum

Aboriginal Education Policy

4.7 The Aboriginal Education Policy is a set of goals and educational principles that have been endorsed by the Commonwealth and all State and Territory Governments. The four main goals of the Aboriginal Education Policy are:

- *to increase the involvement of Aboriginal people in educational decision making;*
- *to ensure equality of access to educational services;*
- *to achieve equity of educational participation; and*
- *to enable equitable and appropriate educational outcomes.²*

4.8 Aboriginal Education Policy planning is on a three yearly basis. Planning is currently underway for the second triennium: 1993-1995.

4.9 In its submission to this Inquiry the Aboriginal and Torres Strait Islander Commission has identified 'the fundamental causes of the barriers

¹ Schools Council, National Board of Employment, Education and Training, *Aboriginal and Torres Strait Islander Education in the Early Years*, Project Paper No. 4, Compulsory Years of Schooling Project, Australian Government Publishing Service, Canberra, 1992, p2

² Department of Employment, Education and Training, evidence, pS648-649

inhibiting participation by urban Aboriginal and Torres Strait Islander people in employment, education and training' as:

- *inadequate acquisition of life skills characterised by poor self esteem and basic education;*
- *lifestyle problems (alcohol and other substance abuse and health problems);*
- *lifeways issues including language, dance and art;*
- *inadequate access to childcare;*
- *inadequate access to transport;*
- *violence within families/ groups;*
- *poverty cycle;*
- *poor service delivery and the imposition of culturally inappropriate programs in mainstream organisations; and*
- *racism and discriminatory practices.*³

4.10 The Committee would add a further factor which emerged in the course of its Inquiry: the cultural isolation of many Aboriginals and Torres Strait Islanders living as a small and dispersed minority.

Pre-School Education

4.11 Problems of access and equity in the education of the Aboriginal and Torres Strait Islander population in comparison with the rest of the Australian population begin at the beginning: pre-school.

4.12 The 1986 Census revealed that only 50% of Aboriginal and Torres Strait Islander children had access to pre-schools compared to 90% for the population as a whole. Research has confirmed that pre-school attendance reduces the need for remedial teaching in later years and plays a role in identifying and preventing health problems.

4.13 One of the Aboriginal Education Policy's goals is 'to ensure that Aboriginal children of pre-primary school age have access to pre-school services on a basis comparable to other Australian children of the same age'. Recommendation 289 of the Royal Commission into Aboriginal Deaths in Custody emphasised that 'to a considerable extent the success of the whole NAEP will turn on the success of the

³ Aboriginal and Torres Strait Islander Commission, evidence, pS412

pre-schooling initiatives'. Furthermore these initiatives would only succeed if programs involved not only Aboriginal and Torres Strait Islander children but their parents.⁴

4.14 The Committee's view has been that so far in the implementation of the Aboriginal Education Policy more attention has been concentrated on the secondary and tertiary sectors. The initial stages have been neglected. The Commonwealth, too, in its response to the Royal Commission into Aboriginal Deaths in Custody, acknowledged 'that there is a large unmet demand for early childhood programs and that access to existing funding is limited'.⁵

4.15 In Stage Two of the Commonwealth's response to the Royal Commission into Aboriginal Deaths in Custody, announced in June 1992, an additional \$10m has been made available for the expansion of pre-school services. Included in this is an additional 600 places for Aboriginal and Torres Strait Islander children in pre-schools from 1994.

4.16 The planning, delivering and monitoring of pre-school services for Aboriginal children is complicated by the fact that neither the funding nor the services are provided in a homogeneous manner. What could be described as dedicated pre-schools cater for children in the year immediately preceding primary school. The precise age range between 3 and 5 varies in different States and Territories. In South Australia the pre-school age is between four and five for all except Aboriginal and Torres Strait Islander children who are accepted at three.

4.17 Pre-schools are funded by the Department of Employment, Education and Training directly if the school is independent or through a State or Territory if the school is a government school. Some government schools cater for Aboriginals only.

4.18 Pre-school education may also be provided as one of several services available through the Multifunctional Aboriginal Children's Services (MACS), run by the Department of Health, Housing and Community Services (DHHCS) within the Services for Families with Children Program (SFCP). Multifunctional Aboriginal Children's Services not only provide for children aged approximately four in the year before the first year of primary school but can include different types of child care depending on the community needs (for example: playgroups, long day care, occasional care, and outside school hours care). They predominantly cater for the 0-4 age bracket.

⁴ Royal Commission Into Aboriginal Deaths In Custody, *National Report; Overview and Recommendations*, pp94-95

⁵ *Aboriginal Deaths In Custody; Response by Governments to the Royal Commission*, Vol 3, p1082

4.19 Multifunctional Aboriginal Children's Services were developed in consultation with Aboriginal and Torres Strait Islander communities to provide child care services that are delivered in a culturally appropriate manner. They are managed by Aboriginal and Torres Strait Islander community organisations and staffed mainly by Aboriginal and Torres Strait Islander people. A 1991 survey showed that 73 percent of staff in Multifunctional Aboriginal Children's Services came from an Aboriginal background; and that each service averaged 43 children.⁶ Nine are located in urban areas and twenty eight in rural and remote areas.⁷

4.20 Ms Alison Stanford from the Children's Services Division of the Department of Health, Housing and Community Services told the Committee that her Department did not have sufficient funds to meet the demand coming from the Aboriginal communities for more Multifunctional Aboriginal Children's Services.⁸ Shane Houston, an Aboriginal and Torres Strait Islander Commission Councillor for the Sydney region, told the Committee that there was only one Multifunctional Aboriginal Children's Service in Campbelltown to service a total Aboriginal and Torres Strait Islander population of approximately 8000. It is licensed for 35 full time places but caters for 63 children on a part time basis.

4.21 Murawina Multi-purpose Child-Care Centre in Redfern provides a different model again. It includes pre-school education aimed at providing Aboriginal children with a sense of identity and fundamental pre-reading, pre-writing and socialisation skills to prepare them for entry into the mainstream school system. Other services provided are long day care and a nursery. Funding sources included the New South Wales Department of Family and Community Services, the Department of Health, Housing and Community Services, the Department of Employment, Education and Training and fees. The Committee was told that the multiplicity of funding sources made administration complex and time consuming.

4.22 Some Supplementary Services Grants (SUPS) are given by the Department of Health, Housing and Community Services to standard mainstream child care services to provide care relevant to the developmental or cultural needs of Aboriginal and Torres Strait Islander children. Assistance is provided by employing Supplementary Services Grants workers or by funding special equipment.

4.23 In the past, the planning, delivery and monitoring of pre-school education programs has been hindered by a lack of information about the numbers of Aboriginal and Torres Strait Islander children receiving a pre-school education. The targeting of planners will benefit from the fact that from 1991 all pre-school providers funded under the Aboriginal Education Policy are obliged to provide an

⁶ Commonwealth Department of Health, Housing and Community Services, *1991 Census of Child Care Services*, Australian Government Publishing Service, Canberra, 1991, p4

⁷ *Social Justice For Indigenous Australians, 1992-93*, Budget Related Paper No. 7, p100

⁸ Department of Health, Housing and Community Services, evidence, p615-616

annual report on the number of Aboriginal children in pre-schools. The imminent release of the 1991 Census figures will also be of assistance to planners.

4.24 The Committee notes that both the Department of Employment, Education and Training and the Department of Health, Housing and Community Services are in the process of reviewing their early childhood services. Ms Stanford told the Committee that at the Department of Health, Housing and Community Services:

We are undergoing a period of consultations with all, or the vast majority, of our funded Aboriginal and Torres Strait Islander services to get a better picture of whether the MACs and other children's services that we fund - for example, separate outside school hours care programs, enrichment programs, playgroups and so on - are meeting the needs in the way that are suitable to the different communities around Australia and, if they are not, to ascertain what we need to do differently to better meet their needs.⁹

4.25 The Committee recommends that:

- there should be greater coordination between the Commonwealth Department of Employment, Education and Training, the Commonwealth Department of Health, Housing and Community Services and the relevant State and Territory agencies in the administration and funding of pre-school Aboriginal education; (Recommendation 11)
- funds for pre-school education for Aboriginal and Torres Strait Islander children should reflect population distribution so that urban areas with relatively large concentrations of Aboriginal and Torres Strait Islander children are provided with a share of facilities and funds that reflect population size. (Recommendation 12)

4.26 The Aboriginal Education Policy and the Royal Commission into Aboriginal Deaths in Custody report emphasise that the needs of Aboriginal children will only be met when there is Aboriginal involvement in pre-school education at every stage. The curriculum should reflect Aboriginal viewpoints on social, cultural and historical matters.

⁹ Department of Health, Housing and Community Services, evidence, p616

4.27 The Committee heard from the Northern Territory Government that two Aboriginal assistant teachers were employed on the staff of Ludmilla Pre-school in Darwin to cater for the special needs of the considerable numbers of Aboriginal and Torres Strait Islander children enrolled, including a sizeable contingent from the Bagot Aboriginal community. At Ludmilla and other pre-schools in Darwin parents were encouraged to be involved in day to day activities.

4.28 The Committee noted the initiatives in curriculum development being taken by the Queensland Government with its Aboriginal and Torres Strait Islander Early Childhood Education Policy launched in 1992. The policy provides guidelines for teachers in developing culturally appropriate curricula and classroom strategies. The Western Australian Aboriginal Education Liaison Unit within the Western Australian Ministry of Education reports that it is following a similar path.

4.29 The training of Aboriginal and Torres Strait Islander people as early childhood teachers is an important feature of the Aboriginal Education Policy. It is particularly important that those Aboriginals who are trained are not subsequently lost to the community.

4.30 The early childhood teaching course conducted by Macquarie University in New South Wales was commended to the Committee during informal discussions with the Aboriginal community in Walgett in western New South Wales. The course delivered in the external mode was considered to be ideal, as lecturers came to Walgett every couple of months to give instruction.

4.31 Three Aboriginals from Wilcannia were away studying to be pre-school teachers. The hope was expressed that once trained they would not be lured away to city jobs but would return to teach at the local schools. At Campbelltown, the Committee was told of the difficulty of attracting trained Aboriginal staff to pre-schools in that region because, once trained, more attractive positions were available elsewhere. Shane Houston suggested 'that there should be an obligation or some sort of indenture' for people who had been funded for training for specific positions.¹⁰

4.32 The Committee shares the view expressed by some Aboriginal communities that where Aboriginals and Torres Strait Islanders are trained as teachers to service a particular community with specific funds for Aboriginal and Torres Strait Islander teacher training, that every effort should be made to see that these teachers are encouraged to return to that community. These are special training programs over and above the Aboriginal Student Assistance Scheme (ABSTUDY) and other generally available education and training assistance.

4.33 It is the Committee's view that, because of this ongoing concern, a voluntary scheme similar to that which operates in the armed services should be

¹⁰ Sydney Regional Council, Aboriginal and Torres Strait Islander Commission, evidence, p555

introduced. In return for the payment of a salary during training, a prospective pre-school teacher will have the obligation to teach for a number of years in a designated early childhood education program. Joining the scheme would be optional. Other Aboriginal and Torres Strait Islander students would continue to be trained under normal provisions such as ABSTUDY without the added incentive of a salary.

4.34 The committee recommends that:

the Commonwealth Government should promote the training of increased numbers of Aboriginal and Torres Strait Islanders as early childhood education teachers; (Recommendation 13) and

a scheme be introduced under which Aboriginals and Torres Strait Islanders training to be early childhood teachers may choose to be paid a training salary during the period of their training. Students who so choose will be required to teach for a fixed number of years in a designated early childhood education program for Aboriginal and Torres Strait Islander children. (Recommendation 14)

4.35 In Western Australia, the Ministry of Education provides pre-school centres with Aboriginal Education Workers (AEWs) who are aware of the needs of Aboriginal children. The Western Australian Aboriginal Education Liaison Unit provides support for the continuing professional development of teachers and Aboriginal Education Workers.

4.36 Even where pre-school opportunities are provided that does not mean that they will be automatically accessed by Aboriginals. As the Aboriginal Education Foundation of South Australia emphasised, there is a need to bridge 'the gaps between family groups and their opportunities to participate in education, training and employment'.¹¹ In Queensland, South Australia and the Northern Territory, the Committee heard of efforts being made to promote pre-school education to Aboriginal parents.

4.37 The Western Australian Ministry of Education is oversighting the compiling of kits to assist teachers and inform Aboriginal parents about the importance of pre-school education.

¹¹ Annual Report of the Aboriginal Education Foundation of South Australia Inc. for the period August 1989 to August 1990, evidence, pS361

4.38 The Committee recommends that:

- **Commonwealth, State and Territory Governments, State Aboriginal Education Consultative Groups and local Aboriginal Education Consultative Groups pay special attention to the promotion of the advantages of pre-school education to urban Aboriginal and Torres Strait Islander parents; (Recommendation 15)**

- **Commonwealth, State and Territory Governments make provision, where necessary, for transport to be available for Aboriginal and Torres Strait Islander children to attend pre-schools. (Recommendation 16)**

4.39 Many Aboriginal children attend pre-schools which are not exclusively for Aboriginal and Torres Strait Islander children. In this instance it is crucial for the development of the Aboriginal Torres Strait Islander children that their parents are closely associated with the schools.

4.40 The Committee recommends that:

- **The Department of Employment, Education and Training extend the Aboriginal Student Support and Parent Awareness Program scheme to pre-schools to ensure that Aboriginal and Torres Strait Islander children are not culturally isolated and receive every support from their own community. (Recommendation 17)**

4.41 It was pointed out to the Committee on a number of occasions that while there are some excellent Aboriginal pre-schools, and pre-schools which incorporate an Aboriginal perspective, there is a danger in the transition to primary school. Many primary schools do not have sufficient sensitivity to the culture and needs of the Aboriginal child and so very soon the child becomes alienated.

4.42 The Committee follows the report of the 1985 Select Committee on Aboriginal Education in recommending that:¹²

State and Territory education departments and pre-school organisations cooperate to develop transition programs for Aboriginal children moving from pre-school into junior primary school. (Recommendation 18)

Retention Rates

4.43 Throughout its inquiries the Committee encountered Aboriginal community concern about low retention rates for Aboriginal students in secondary schools. In 1991 the retention rate for Year 12 students receiving ABSTUDY was 33%.¹³ This compares with the national Australian retention rate of more than 70%.

4.44 There is considerable variation with Queensland posting the highest retention rates and, it would appear, the south-west of Western Australia, the lowest. According to a local study of retention rates at high schools between Pinjarra and Albany, only 3% of 211 Aboriginals who began high school in 1985 completed Year 12 in 1989. Almost half of the non-Aboriginal students who began Year 8 at the same schools in 1985 completed Year 12.¹⁴

4.45 In 1990 only 1 Aboriginal student in Bourke and 1 in Brewarrina completed year 12. The Committee did, however, hear other positive news from New South Wales and the Northern Territory. Retention rates in Moree and Dareton in New South Wales were on the increase. Australia-wide there has also been an increase in the number of Aboriginal and Torres Strait Islander students remaining at school during the post compulsory period.

4.46 The lack of suitability of the curriculum, high levels of hearing impairment, lack of personal attention in crowded classrooms, discipline problems,

¹² House of Representatives Select Committee on Aboriginal Education, *Aboriginal Education*, Australian Government Publishing Service, Canberra, 1985, p90

¹³ Note that reliable Aboriginal retention rate information is not yet available. This has been due to lack of disaggregation of enrolment data in the past. This data is now being collected but a number of years of enrolment data needs to be collected before reliable retention rates can be determined. Department of Employment, Education and Training, 29 July 1992

¹⁴ Research by the Katijin Nyoongah advisory committee based at the Bunbury Institute of Advanced Education (now Edith Cowan University), *West Australian*, 18 August 1990

high levels of racism and inexperienced or culturally insensitive teachers, lack of peer support and poor job prospects were some of the explanations given to the Committee for the poor participation rates of Aboriginal children.

4.47 Only 2 out of 30 teachers in the Walgett area, for example, had any tuition in Aboriginal studies. In Collarenebri it was suggested that the temporary suspensions of Aboriginal school children over discipline problems only left them to roam the streets and loiter outside hotels.

4.48 The New South Wales Aboriginal Education Consultative Group pointed out that social problems such as drug and alcohol abuse, family violence, youth homelessness and housing related health problems were having a major impact on the poor performance of many urban Aboriginal and Torres Strait Islander schoolchildren.

4.49 A major disincentive to staying on at school in western New South Wales, is the number of unemployed Aboriginal people in the community. In Dareton, although retention rates may be increasing, the only work available for school leavers is seasonal. The attitude of non-Aboriginal employers towards Aboriginals often discourages children from wanting to continue at school.

4.50 In many rural urban centres, one difficulty was that to go on to year 12 children would have to leave home and go to a city or larger urban centre. Distance and dislike of being separated from family often rule these alternatives out. The cost of accommodation and living costs for a teenager who did elect to go on to higher education elsewhere was often prohibitive. Similarly, in the Torres Straits students from outlying islands who wish to go on to secondary school have to go to Thursday Island, the site of the only secondary school in the region.

4.51 The point was made to the Committee on a number of occasions that many Aboriginal and Torres Strait Islander children failed to acquire basic literacy and numeracy skills in primary school. They were lost to the system before they ever reached secondary school.

4.52 The failure of the school system to respond to the needs of Aboriginal students is seen at its worst in the high truancy rates in many parts of the country. And as the Royal Commission into Aboriginal Deaths in Custody pointed out 'non-participation and non-attendance during the compulsory school years may act as a point of introduction to the juvenile justice system for Aboriginal youth'.¹⁵

4.53 Recommendation 72 of the Royal Commission into Aboriginal Deaths in Custody specifically addresses truancy:

That in responding to truancy the primary principle to be followed by government agencies be to provide support, in collaboration with appropriate

¹⁵ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, pp348-349

Aboriginal individuals and organisations, to the juvenile and to those responsible for the care of the juvenile; such support to include addressing the cultural and social factors identified by the juvenile and by those responsible for the care of the juvenile as being relevant to the truancy.

4.54 A number of Commonwealth and State initiatives are already in place under the Aboriginal Education Policy and in response to the Royal Commission into Aboriginal Deaths in Custody to improve Aboriginal access to and participation in the school system. Amongst these are:

- curriculum reform;
- the employment of Aboriginal support staff including teachers, education workers, teaching assistants and liaison officers;
- the Vocational and Educational Guidance Assistance Scheme (VEGAS);
- the Aboriginal Tutorial Assistance Scheme (ATAS); and
- involvement of Aboriginal parents through the Aboriginal Student Support and Parent Awareness Program scheme.

4.55 State and Territory Governments are also attempting to combat truancy. The New South Wales Department of School Education in consultation with local and regional Aboriginal Education Consultative Groups (AECGS) and others including managers of Student Support Services and Aboriginal liaison officers, is developing strategies to develop support programs for individual students, schools and communities.

4.56 In the Australian Capital Territory and the Northern Territory, Aboriginal liaison officers have a major role in dealing with truancy. Under its strategic plan the previous Victorian Government instituted a Community Based Mentor Program; responsibility for the implementation and operation of the program lies with the Victorian Aboriginal Education Association Incorporated. The Queensland Minister for Education is considering the findings of the Aboriginal and Torres Strait Islander Education Audit conducted in 1991. South Australia targets improved school attendance for Aboriginal students in its Education Social Justice Action Plan and Aboriginal Education Workers have an input in truancy cases as do Family and Community Services Staff. However, a state-wide strategy is needed, the South Australian Government noted in its response to the Royal Commission into Aboriginal Deaths in Custody.¹⁶

4.57 Western Australia is developing a plan of action through its Aboriginal Education Strategic Planning Group. Currently, students at risk are monitored by

¹⁶ *Aboriginal Deaths In Custody; Response by Governments to the Royal Commission*, Vol. 1, pp248-252

the Ministry of Education in conjunction with the Department of Community Services. The latter has two specific programs that address the issue, the Early Education Program and the Home School Support Program.

4.58 The Western Australian Early Education Program is a preventative program that targets caregivers and children. It aims at early intervention in pre-school and school to avoid later more intrusive interventions. The Home School Support Program intervenes when students are already having problems with the system. The Ministers for Education and Community Services are currently preparing a joint Cabinet submission proposing a number of initiatives to address the problem of truancy among a group of 'hard to serve' young people aged 12-15 in the metropolitan area with welfare related problems.¹⁷

4.59 There is not one simple recipe for improving Aboriginal education outcomes but what is clear is that improvement will not come without the active participation of the Aboriginal people.

4.60 The Committee heard of some successful strategies aimed at improving the participation of Aboriginal and Torres Strait Islander students in the school system in which Aboriginal and Torres Strait Islander people have played leading roles:

- . retention rates have improved in the north west of New South Wales since the introduction in 1987 of a liaison program run by four Aboriginal school education officers for the New South Wales Department of School Education;¹⁸
- . a group of Aboriginal parents in Moree have contributed to the lowering of the truancy rate by offering Aboriginal and Torres Strait Islander students a trip to Sydney if they stayed at school. In 1989 only 10 children were eligible for the trip; in 1990 50 Aboriginal and Torres Strait Islander students were involved;¹⁹
- . Aboriginal and Torres Strait Islander students in north west New South Wales have also been emerging as role models. In 1990 the top male student at Moree High School was Aboriginal and the school captain at Courallie High School, also in Moree, was a female Aboriginal student;²⁰

¹⁷ *Aboriginal Deaths In Custody; Response by Governments to the Royal Commission*, Vol 1, p252

¹⁸ The Committee was told this during a field visit to Moree in western New South Wales

¹⁹ The Committee was told this during a field visit to Moree in western New South Wales

²⁰ The Committee was told this during a field visit to Moree in western New South Wales

- at Walgett the Barwon Aboriginal community is developing a Community Development Employment Project to tackle the problem of children missing school. A priority schools program is being set up for children whose teachers cannot handle them;²¹
- Pemulwuy Koori College was opened in Sydney in 1991 as a result of friction at Cleveland Street High School in 1988 which led to the suspension of several Aboriginal students; and
- separate classes for Aboriginal children have been introduced at St Ignatius Catholic School in Bourke, New South Wales to combat problems of low achievement, disaffection amongst Aboriginal children, discipline problems and high staff turnover. Five years after the commencement of the experiment attendance figures have soared, staff turnover has dropped and the marks of Aboriginal children now range across the board in the school tests instead of being heaped at the bottom.²²

4.61 The Northern Territory Government is trialing a *Parents as Partners Program* in the Driver area in 1992 with the likelihood of then extending the program to the greater Darwin area. An Aboriginal field worker operates alongside a senior curriculum officer to develop and extend the awareness of parents about the learning potential of their children. The program also provides access to information concerning networks of support which parents are able to utilise to assist their own children with schooling.²³

4.62 A recent report by the Schools Council recommends the establishment in all states of distinct Aboriginal schools, and the introduction of separate classes for indigenous students in those primary schools with substantial Aboriginal and Torres Strait Islander enrolments.²⁴

4.63 The Committee notes that structures are already in place under the Commonwealth Government's Aboriginal Tutorial Assistance Scheme (ATAS) to provide supplementary assistance. Individual and group tutorials are available under the Aboriginal Tertiary Assistance Scheme, and assistance is also provided for the establishment and operation of homework centres. Such assistance may include

²¹ The Committee was told this during field visit to Moree in western New South Wales

²² *Sydney Morning Herald*, 21 October 1991

²³ Northern Territory Government, supplementary submission, pS1227

²⁴ Schools Council, National Board of Employment, Education and Training, *Aboriginal and Torres Strait Islander Education in the Early Years*, p29

the employment of homework centre supervisors, the engagement of tutors, venue hire and other ancillary costs.²⁵

4.64 The Committee recommends :

- the vigorous promotion by the Commonwealth Department of Employment, Education and Training of homework centres with facilities for the doing of homework and the conduct of tutorials; (Recommendation 19) and
- that maximum use is made of tutorials to ensure that Aboriginal students do not leave primary school without those literacy and numeracy skills so essential for success in secondary school. (Recommendation 20)

Teachers

4.65 The National Aboriginal Education Committee's target, set in 1980, of employing 1000 Aboriginal teachers in Australian schools by 1990 has not been realised, despite the efforts made by Commonwealth, State and Territory Governments. The problem, it appears, is not one of training but retention. The Schools Council reports, although 'precise figures are difficult to obtain ... it would appear that in excess of 1000 Aboriginal and Torres Strait Islander teachers were trained by 1990 but far fewer than that number were actually teaching in schools at that time...'²⁶ The Department of Employment, Education and Training has estimated that around 870 Aboriginals and Torres Strait Islanders are currently employed as teachers or teaching assistants or are in training.²⁷ About 50% of ABSTUDY tertiary recipients participate in teacher education programs.²⁸

4.66 Table 4.1 shows a steady increase in the numbers of Aboriginals completing teacher education courses between 1988 and 1990. In 1988, 119 Aboriginals completed teacher education courses; in 1989, 131; by 1990, the figure

²⁵ Department of Employment, Education and Training, *Aboriginal Tutorial Assistance Scheme; Guidelines*, February 1991

²⁶ Schools Council, National Board of Employment, Education and Training, *Aboriginal and Torres Strait Islander Education in the Early Years*, p30

²⁷ Department of Employment, Education and Training, supplementary submission, p1236

²⁸ Department of Employment, Education and Training, evidence, p580

had risen to 176. Over the three years, Queensland has trained the highest number of teachers: 47 in 1988, 40 in 1989, and 41 in 1990; New South Wales has the next highest tally with 20 course completions in 1988, 31 in 1989 and 45 in 1990. The main reason for the dramatic fluctuation in course completions in the Northern Territory, from 7 in 1988, down to 3 in 1989 and then soaring to 43 in 1990, is that Bachelor College removed the residential requirement from its teacher training course.

4.67 Teachers are being trained but they are not staying in the system. The reasons for these defections are various. Many graduates are attracted to better paying jobs, particularly in the public service. A number of Aboriginal officers in the Department of Employment, Education and Training were originally teachers as were some officers in the Aboriginal and Torres Strait Islander Commission. Ex teachers are also to be found on the Aboriginal and Torres Strait Islander Commission regional councils and a significant proportion of members of the Aboriginal education consultative groups also have a teaching background. Some Aboriginal teachers left the service when they found that they could not obtain a position with their own community school.

Table 4.5 Teacher Education, Course Completions: 1988 -1990

1988

State	Aboriginals	Other	Total
New South Wales	20	6025	6045
Victoria	17	6698	6715
Queensland	47	3654	3701
Western Australia	11	1763	1774
South Australia	15	1988	2003
Tasmania	2	447	449
Northern Territory	7	100	107
Australian Capital Territory	0	471	471
Total	119	21 146	21 265

1989

State	Aboriginals	Other	Total
New South Wales	31	5671	5702
Victoria	21	7025	7046
Queensland	40	3985	4025
Western Australia	16	1830	1846
South Australia	19	1849	1868
Tasmania	1	451	452
Northern Territory	3	120	123
Australian Capital Territory	0	479	479
Total	131	21 410	21 541

1990

State	Aboriginals	Other	Total
New South Wales	45	5475	5520
Victoria	16	6605	6621
Queensland	41	3752	3793
Western Australia	6	1829	1835
South Australia	19	1784	1803
Tasmania	3	310	313
Northern Territory	43	152	195
Australian Capital Territory	3	470	473
Total	176	20 377	20 553

Source: Department of Employment, Education and Training

4.68 Western Australia's Edith Cowan University has had a program for training Aboriginal teachers since 1973-74, yet Western Australia has a total of about 23 teachers in the classroom and only 1 school principal who is Aboriginal. The State Ministry of Education, by contrast, has forty Aboriginal teachers employed as field officers, senior policy officers and consultants.²⁹

4.69 The Western Australian Ministry of Education gave the Inquiry a list of reasons why the teaching profession was not attractive to Aboriginal people:

- *the entry requirements are prescriptive*
- *study requirements are demanding*
- *there are only limited opportunities to study away from home*
- *until recently other areas offered graduates higher salaries than teaching*
- *tertiary trained Aboriginal people are in demand by a range of governmental and other agencies*
- *there is some reluctance to be available statewide in order to qualify for P on P status³⁰*
- *individual graduate rankings need to be high enough to ensure appointment³¹*

4.70 For the urban Aboriginal and Torres Strait Islanders, it was suggested, a posting in a school serving a different Aboriginal community would be just as difficult for Nyungars as for non-Aboriginal and Torres Strait Islander teachers.³² They would have problems of cultural differences; and, in addition, many would be reluctant to leave their own communities.

4.71 In the Northern Territory, there is a severe shortage of Aboriginal teachers in urban schools. There are only four Aboriginal classroom teachers out of 500 teachers in the Darwin region.³³ At the same time there are 125 graduates of Bachelor College's Remote Area Teacher Education (RATE) program who are trained to serve in remote area schools and insufficient places for these teachers.

²⁹ Western Australian Ministry of Education, supplementary submission, pS1294

³⁰ 'P on P status' is shorthand for Permanent on Probation. A new scheme is now in operation which does not require probationary teachers to make themselves available for statewide service.

³¹ Western Australian Ministry of Education, supplementary submission, pS1294

³² Western Australian Ministry of Education, evidence, pp124.125

³³ The Committee was told this during a field visit to Darwin

In this situation consideration could be given to the possibility of additional training for some of these Aboriginal teachers so that they can be employed in urban schools.³⁴

4.72 The Committee heard that in Queensland not all Aboriginal and Torres Strait Islander graduates had been able to obtain teaching positions in 1991. This situation highlighted two problems: the lack of coordination between the number of teachers being trained and the teaching places available; and a lack of coordination between the Commonwealth and the States.

4.73 In the Queensland case it is understood that the State Education Department, as part of its 1992 Equal Employment Opportunity Management Plan, has employed an Equity Officer for the Aboriginal and Torres Strait Islander target group to assist Aboriginal and Torres Strait Islander teacher training graduates to gain employment in a market where there is an oversupply of teachers. One strategy that has been devised is to provide employment for twelve months under the Aboriginal Education Policy to graduates who have failed to obtain a teaching place at the annual interview selection process. The expectation is that after twelve months experience these graduates will have a better chance of obtaining a teaching place when they reapply the following year.³⁵

4.74 While the goals of the Aboriginal Education Policy are to increase the number of people in the classrooms, the Commonwealth has no control over employment in the State system. People are free to leave the classroom if they wish; and State Governments, in consultation with Aboriginal Educational Consultative Groups, may have other priorities when developing their strategies.

4.75 The Committee considers that some steps must be taken to increase the number of Aboriginal and Torres Strait Islander teachers. It is clear that the present system is not working and that more should be done to encourage those people who train as teachers to actually devote a number of years to classroom teaching. It is proposed that a voluntary scheme should be introduced similar to that which operates in the armed services. In return for the payment of a salary during training, a prospective teacher will have the obligation to teach for a number of years in a school with a significant number of Aboriginal and Torres Strait Islander students. Joining the scheme would be optional. Other Aboriginal and Torres Strait Islander students would continue to study under normal provisions such as ABSTUDY without the added incentive of a salary.

³⁴ The Remote Area Teacher Education program allows students the option of undertaking all their training in their own communities. Two levels of qualifications are offered; a three year Associate Diploma of Teaching (Aboriginal Schools) which is equivalent to two years of teacher training, and a four year Diploma of Teaching which allows graduates to teach anywhere in the Northern Territory.

³⁵ Information from the Queensland State Department of Education

4.76 The Committee recommends that:

- at the triennial negotiations for the Aboriginal Education Policy, Commonwealth, State and Territory Governments and tertiary education institutions should give consideration to matching the numbers of Aboriginals and Torres Strait Islanders being trained as teachers with likely vacancies in the profession; (Recommendation 21)
- a scheme be introduced under which Aboriginal and Torres Strait Islander student teachers may choose to be paid a training salary during the period of their training. Students who choose this option will be required to teach for a fixed number of years in a school with a significant number of Aboriginal and Torres Strait Islander students. (Recommendation 22)
- every effort should be made by State and Territory Governments to ensure that Aboriginal teachers who wish to return to their communities to teach, be given every opportunity to do so. (Recommendation 23)

4.77 The Committee has noted that one of the three priorities nominated by the Minister for Aboriginal and Torres Strait Islander Affairs in the Department of Employment, Education and Training's strategic planning for the 1993-95 triennium is:

The Government's response to the findings of the Royal Commission into Aboriginal Deaths in Custody will form the basis for the direction of all government action.

4.78 Another is the implementation of the National Reconciliation and Schooling Strategy, announced by the Minister for Aboriginal Affairs in 1991, of which one of the 'four main elements' is the:

Development of consistent teacher education courses to promote greater sensitivity towards Aboriginal issues and Aboriginal and Torres Strait Islander students.³⁶

4.79 The Committee, therefore, endorses the Royal Commission into Aboriginal Deaths in Custody's Recommendation 295, that:

³⁶ Minister for Aboriginal Affairs, *Media Release*, 14 April 1991

- a. *All teacher training courses include courses which will enable student teachers to understand that Australia has an Aboriginal history and Aboriginal viewpoints on social, cultural and historical matters, and to teach the curriculum which reflects those matters;*
- b. *In-service training courses for teachers be provided so that teachers may improve their skill, knowledge and understanding to teach curricula which incorporate Aboriginal viewpoints on social, cultural and historical matters; and*
- c. *Aboriginal people should be involved in the training courses both at student teacher and in-service level.³⁷*

Support Staff

4.80 One response to the shortage of trained Aboriginal teachers is to increase the use that is being made of Aboriginal support staff or para professionals. Aboriginal support staff include Aboriginal Education Workers (AEWs), sometimes referred to as teaching assistants or teaching aides; and Aboriginal liaison officers and student councillors. Aboriginal support staff are particularly important in secondary schools where there continues to be an acute shortage of Aboriginal teachers.

4.81 Aboriginal support staff act as role models. They are a valuable resource where Aboriginal studies programs are included in the curriculum; they can act as councillors and home/school liaison officers in combating high truancy rates; and they assist in the identification of health and learning disabilities.

4.82 The important role that is played by education workers is recognised in the Commonwealth Government's Second Stage response to the Royal Commission into Aboriginal Deaths in Custody. \$20m has been allocated over a period of five years to registered education providers for the employment of additional Aboriginal education workers.

4.83 The Committee noted that some progress had been made in improving the conditions of service for Aboriginal support staff, in accordance with Recommendation 297 of the Royal Commission into Aboriginal Deaths in Custody, that they be provided with appropriate 'recognition and remuneration'.

4.84 The South Australian Department of Education has developed a training model for its Aboriginal Education Workers which includes accredited training and development and ongoing professional support. South Australia was

³⁷ Royal Commission Into Aboriginal Deaths In Custody, *National Report; Overview and Recommendations*, p96

the first State to develop a specific Aboriginal Education Workers Industrial agreement.³⁸

4.85 A Teacher Aide award has been negotiated in Victoria. The award became operable on 1 July 1990. The Western Australia Ministry of Education provides skilling courses for Aboriginal Education Workers which lead to salary increments; and encourages Aboriginal Education Workers to enrol in the Bachelor of Arts (Education) course at Edith Cowan University. In 1991, 25 Aboriginal Education Workers were enrolled in this course.³⁹

4.86 New South Wales has created a full career structure with training at Sydney University, professional status, and an opportunity to move to full teacher status. In 1990, one hundred and sixty one Aboriginal Education Assistants were employed by the Department of School Education and there were plans to employ a further 29.⁴⁰

4.87 In the Northern Territory negotiations are being conducted with the Australian Teachers Union on an award to cover Assistant Adult Educators and Aboriginal Assistant Teachers. In its response to the Royal Commission into Aboriginal Deaths in Custody, the Northern Territory Government reported that:

*The provision of Remote Area Teacher Education and mixed mode programs and the growth of effective programs from Bachelor College may mean that the Assistant Teacher category may phase out much sooner in the Northern Territory than it was envisaged five or so years ago. This is particularly the case if the great majority of people still in that category elect to upgrade their training.*⁴¹

4.88 During the course of its recent language Inquiry this Committee was alerted to the case of an Aboriginal teaching aide in Queensland who was performing an invaluable service in teaching Aboriginal language and culture but because he did not possess recognised qualifications, he was paid a pittance. This case highlighted the fact that it is not additional formal training that is required by many Aboriginal teaching aides but professional and financial recognition of skills already possessed.

4.89 The Queensland Department of Education Working Party is reported to be conducting a review of the employment conditions of 'para-professional

³⁸ *Aboriginal Deaths In Custody; Response by Government to the Royal Commission*, Vol 3, p1119

³⁹ Ministry of Education W.A., *Aboriginal Education Operational Plan; Report to the Department of Employment, Education and Training*, April 1991, p2, Exhibit No. 9

⁴⁰ New South Wales Government, evidence, pS464

⁴¹ *Aboriginal Deaths In Custody; Response by Government to the Royal Commission*, Vol 3, p1120

education workers in Queensland schools' with a view to providing such workers 'with permanency and a career structure'.⁴²

4.90 The Committee is pleased to note the Commonwealth Government's assurance in its response to the Royal Commission into Aboriginal Deaths in Custody that 'it will work with State and Territory Governments on a strategic approach to the provision, training and remuneration of Aboriginal support staff'.⁴³

4.91 The heavy reliance on Aboriginal teaching assistants is essentially a stop gap measure, until there is a satisfactory number of Aboriginal teachers in the system. Aboriginal teachers are needed in the front line to give Australian school children, Aboriginal and non-Aboriginal, positive attitudes about the roles of Aboriginal people.

The Aboriginal Student Support and Parent Awareness Program

4.92 The aim of the Aboriginal Student Support and Parent Awareness (ASSPA) program is to make the hitherto alien school system more responsive to the needs of Aboriginal students by increasing parent and community involvement in Aboriginal education. It is hoped that this involvement will increase the educational participation and attendance of Aboriginal and Torres Strait Islander youth of compulsory schooling age.

4.93 The Aboriginal Student Support and Parent Awareness Program provides funding on a per capita basis to school based parent committees for a range of activities including excursions, cultural lessons and innovative projects. The funds are administered by locally based Aboriginal Student Support and Parent Awareness Program committees comprising parents of Aboriginal and Torres Strait Islander students and school staff. ⁴⁴ The allocation to the Aboriginal Student Support and Parent Awareness Program, from the federal budget, over the 1990/2 triennium is \$8.799m in 1990; \$9.276m in 1991; and \$9.680m in 1992. ⁴⁵

4.94 By the end of 1991-2, some 2,600 Aboriginal Student Support and Parent Awareness Program committees were in operation with around 10,500 parents and 60,000 Aboriginal and Torres Strait Islander students involved in the

⁴² *Aboriginal Deaths In Custody; Response by Governments to the Royal Commission*, Vol 3, p1118

⁴³ *Aboriginal Deaths In Custody; Response by Governments to the Royal Commission*, Vol 3, p1118

⁴⁴ Department of Employment, Education and Training, supplementary submission, pS1235

⁴⁵ Department of Employment, Education and Training, pS659

program. This compares with 2200 committees and some 50,000 students in 1990-91.⁴⁶

4.95 The Royal Commission into Aboriginal Deaths in Custody commended the Aboriginal Student Support and Parent Awareness Program as 'an appropriate recognition of the need for the participation of Aboriginal people at a local level in the delivery of school programs'. The Commission also cautioned that the success of the program was 'dependent on the extent to which the Aboriginal community is guaranteed adequate consultation, negotiation and support in devising and implementing this program'.⁴⁷

4.96 The Committee heard some criticisms of the operation of the Aboriginal Student Support and Parent Awareness Program committees. The reluctance of some school principals and boards to form committees, in case divisions might be created, was mentioned as were the attempts by some principals to divert funding away from Aboriginal projects for more general school use.

4.97 The strongest criticism came from Tasmania. The Committee was told of an altercation that arose at a school at Bridgewater-Herdsman's Cove when the headmaster wanted the money to be spent on computer equipment while the Aboriginal parents wanted the funds to finance a cultural trip to Oyster Cove and other historic Aboriginal sites. The outcome was that some parents withdrew their children from the school and enrolled them elsewhere.⁴⁸

4.98 It was also reported that many Aboriginal high school students were reluctant to participate on the Aboriginal Student Support and Parent Awareness Program committees; and that Aboriginal parents were reluctant to assume the leadership of such committees.

4.99 It appears that many of the problems that surfaced when the Aboriginal Student Support and Parent Awareness Program committees were first introduced and which prompted the Royal Commission into Aboriginal Deaths in Custody to sound a cautionary note, have been tackled by Commonwealth, State and Territory Governments.

4.100 The Aboriginal Student Support and Parent Awareness Program committees have been encouraged to liaise with the local network of the Aboriginal education consultative groups set up in each State. The Department of Employment, Education and Training has produced a training course and a set of guidelines for the Aboriginal Student Support and Parent Awareness Program members. The Western Australian Ministry of Education is preparing a package of videos and support materials for Aboriginal Liaison Officers to use with the committees.

⁴⁶ Department of Employment, Education and Training, supplementary submission, pS1235

⁴⁷ Recommendation 293: Royal Commission Into Aboriginal Deaths In Custody, *National Report; Overview and Recommendations*, p95

⁴⁸ Department of Employment, Education and Training, Tasmania, evidence, p44

Aboriginal Liaison Officers are reported to be assisting committees in the various States and Territories. The Northern Territory has noted the success of the Aboriginal Student Support and Parent Awareness Program committees particularly in urban schools.⁴⁹

4.101 The Department of Employment, Education and Training told the Inquiry that 'in terms of the ASSPA committees themselves, we believe it is one of the most successful programs'.⁵⁰ The Committee is also of the opinion, that, in the broad view, the Aboriginal Student Support and Parent Awareness Program is a success, but it does not wish to appear too sanguine. As a New South Wales Department of Employment, Education and Training officer cautioned:

*Wherever you go, you have got the hard and fast people who consider that Aboriginal people are being given too much attention. Getting Aboriginal parent participation is one thing, getting the committees accepted by the establishment is another situation.*⁵¹

4.102 In the context of funding for the Aboriginal Student Support and Parent Awareness Program committees, the New South Wales Aboriginal Education Consultative Group (AECG) told the Committee of its concern that the needs of urban Aboriginal and Torres Strait Islander people in New South Wales have been neglected. This neglect, said the Aboriginal Education Consultative Group, stemmed from 'the stereotyping of Aboriginal people which encourages and reinforces the belief that only so-called "traditional" Aboriginal people are the "real Aborigines" '.

4.103 The New South Wales Aboriginal Education Consultative Group drew the attention of the Committee to what it saw as an 'assumption in government circles that the needs of urban Aboriginal people in general and of urban Aboriginal students in particular are less urgent than those in remote Aboriginal communities and students'. This assumption is reflected 'in the fact that Aboriginal students defined as "remote area" in the Aboriginal Student Support and Parent Awareness (ASSPA) guidelines put out by the Department of Employment Education and Training (DEET) attract twice as much Commonwealth funding to their schools under this program as do students defined as "not remote" '.⁵²

4.104 By contrast, the Royal Commission into Aboriginal Deaths in Custody saw the involvement of Aboriginal parents as being crucial in the urban situation where Aboriginals might find themselves in a minority and therefore more culturally isolated:

⁴⁹ *Aboriginal Deaths in Custody; Response by Governments to the Royal Commission*, Vol 3, p1105

⁵⁰ Department of Employment, Education and Training, Canberra, evidence, p589

⁵¹ Department of Employment, Education and Training, Sydney, evidence, p421

⁵² New South Wales Aboriginal Education Consultative Group, ppS273-274

But in those places where Aboriginal children attend school with other non-Aboriginal children - and where they may in fact represent a minority in the school as well as the community - the highest priority should be given to involving Aboriginal parents and students in consultative and decision-making processes.⁵³

4.105 The Committee recommends that:

in urban areas where Aboriginals and Torres Strait Islanders are in a minority, local Aboriginal Education Consultative Groups and Aboriginal Student Support and Parent Awareness Program Committees, in association with school principals, should make every effort to involve Aboriginal and Torres Strait Islander parents and students in consultative and decision-making processes. (Recommendation 24)

Tertiary Education

4.106 *'Members of the Aborigine population of Australia were strangers to higher education, or indeed to anything more than basic primary education unit until the 1960s'.⁵⁴*

4.107 The Aboriginal and Torres Strait Islander population are no longer strangers to higher education. The Committee was told that in 1980 there were only two Aboriginal students at the University of Tasmania; in 1990 there were 58. Over the past twenty years there has been a commendable improvement in Aboriginal access to and participation in higher education. In 1972, there were 72 Aboriginal students in higher education, in 1990 there were 3607.

4.108 The greatest increase occurred between 1988 and 1990 when Aboriginal and Torres Strait Islander enrolments in higher education went from 2565 to 3607, an increase of 40%. Aboriginal students increased their representation in total higher education from 0.6% to 0.7% in the same period. By 1993 the number of Aboriginal students is projected to increase by 80% over the 1990 level.⁵⁵

⁵³ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 4, p349

⁵⁴ Don Anderson, 'Access to university education in Australia 1852-1900: changes in the undergraduate social mix', *Higher Education Review*, Vol 24, No 2, 1992, p24

⁵⁵ *Financial Review*, 7 January 1992

4.109 Bridging courses have had a significant impact on the success of participation rates in higher education, as have special entry provisions that universities have in place and tutorial assistance that institutions provide.

4.110 In its submission to this Inquiry the Penrith City Council commended the Aboriginal Unit at the University of Western Sydney for its success in encouraging Aboriginal people to enrol in courses at that University.⁵⁶

4.111 One cause for concern noted by the Schools Council Report is that most Aboriginal and Torres Strait Islanders in higher education are mature age students. For the current generation to develop, the report says, the Year 12 transfer rate needs to improve dramatically.⁵⁷

4.112 One of the targets of the Aboriginal Education Policy is to move away from the traditional concentration of Aboriginal students in teacher training and the arts and increase the number of Aboriginal students across all courses by 1995 including Law, Business and Administration, Medicine and Health.

4.113 The Committee has noted that since the commencement of this Inquiry the Commonwealth Government has responded to Recommendation 257 of the Royal Commission into Aboriginal Deaths in Custody:

That special initiatives now in place in a number of tertiary training institutions such as medical schools, to facilitate the entry into and successful completion of courses of study and training by Aboriginal students be expanded for use in all relevant areas of health services training.

4.114 In February 1992, the University of Queensland received a grant of \$180,000 to assist with the establishment of an Aboriginal and Islander Health Unit within its Tropical Health Unit. The grant is being made from the higher education National Priority Reserve Fund.⁵⁸

Curriculum

4.115 The Royal Commission into Aboriginal Deaths in Custody recommended that school curricula should incorporate Aboriginal history and Aboriginal viewpoints on social, cultural and historical matters. The Commission also recommended that, at a local level, Aboriginal people should assist in the preparation and delivery of these courses. The Department of Employment, Education and Training shares this perception and has announced that curriculum

⁵⁶ Penrith City Council, pS269

⁵⁷ Schools Council, National Board of Employment, Education and Training, *Aboriginal and Torres Strait Islander Education in the Early Years*, p4

⁵⁸ Minister for Higher Education and Employment Services, *Media Release*, 6 February 1992.

development is an area of priority in the Aboriginal Education Policy's first triennium.

4.116 In April 1991 the Minister for Aboriginal Affairs, the Hon Mr Robert Tickner, in announcing details of the National Reconciliation and Schooling Strategy, noted:

the education system has made significant advances in recent years in improving Aboriginal content in schools, but more remains to be done to create a society better informed of the important place of Aboriginal people in this country.

4.117 The National Reconciliation and Schooling Strategy has been backed by a \$462,000 package, which includes a provision for the 'development of appropriate and consistent Aboriginal studies curricula for all schools across Australia from kindergarten to Year 12'.⁵⁹ As part of this Strategy a nationally agreed Philosophy and Guidelines for Aboriginal and Torres Strait Islander Studies (Kindergarten to Year 12) is currently being developed by the States' and Territories' Coordinators for Aboriginal Education, an Advisory body to the Australian Education Council.⁶⁰

4.118 The Committee found that the States and Territories are at different points in the development of curriculum in the schools and that there is little uniformity of practice. The Committee did gain a general impression that good curricula are being developed for secondary education. It is of some concern, however, that Aboriginal studies courses are being set up as option programs rather than programs which all Australian students undertake.

4.119 At the primary level there is less consistency. It still seems quite possible that some Australian students will go right through their schooling system without ever having to encounter an Aboriginal studies program.

4.120 South Australia has introduced Aboriginal Studies elements into courses for lower secondary school and Aboriginal issues such as land rights are a component of the compulsory Australian Studies program in years 11 and 12. Currently there are 12 primary and 5 secondary published courses being used in South Australian schools with more under development.

4.121 Aboriginal Education Resource Teacher and Aboriginal Education Worker teams are employed to provide in-service support to schools in using a course effectively. In addition, Aboriginal Education Officers are cooperating with other curriculum officers to develop Aboriginal perspective in other subjects. In Coober Pedy, an Aboriginal education worker has got older Aboriginal people to come in and tell the stories which the students are recording. 'They are not telling

⁵⁹ Minister for Aboriginal Affairs, *Media Release*, 14 April 1991

⁶⁰ Adrian Tucker, 'Towards a National Philosophy and Guidelines for Aboriginal and Torres Strait Islander Studies, K-12', *Curriculum Perspectives*, Vol 12, No 2, June 1992, pp30-36

the stories to Aboriginal kids, they know them, they are telling them to the rest of the community'.⁶¹

4.122 The Western Australian Ministry of Education has been engaged in the development of Aboriginal studies course material for primary and secondary schools for several years. In 1990, an Aboriginal studies course comprising three units was trialled in 20 schools across the State. The course was prepared by Aboriginal people in consultation with numerous Aboriginal communities. The course is taught in the team teaching mode and Aboriginal people are part of the team as 'informer or consultant' for which role they receive remuneration.

4.123 In 1992, all secondary schools in Western Australia had the option of taking up the Aboriginal studies course. Thirty four schools exercised this option in 1992 and an additional thirteen will do so in 1993.⁶² There was also the option, the Committee was told, for the social studies units to incorporate some parts of the Aboriginal studies units which would enrich social studies units that were already being taught in the schools.

4.124 While Aboriginal studies is not at present mandatory, a consultant for the Western Australian Ministry of Education informed the Committee that they were

*moving towards putting pressure on the Ministry to make it mandatory for all schools, for all secondary students to at least take a unit of Aboriginal studies.*⁶³

4.125 The Committee considers it of special importance that Aboriginal studies should be taught in all schools and, most certainly, in the 'up-market' schools from which many of the senior public servants and government leaders of the future will be recruited.

4.126 At one informal discussion, in the West Australian wheatbelt, the Committee was told that there had been some resistance from non-Aboriginal parents to the introduction of Aboriginal studies in one school. But once the course was underway, 'the kids are asking their parents to explain the history and treatment of Aboriginals'.

4.127 The Aboriginal Studies Unit at the Western Australian Ministry of Education is also developing Aboriginal studies for primary schools. Materials and guidelines are in preparation for trial in 1993. The approach is different. 'Instead of writing separate units', the aim is:

to provide classroom teachers with an Aboriginal studies thread which would go through all parts of the curriculum. So that when a teacher

⁶¹ Department of Employment, Education and Training, Adelaide, evidence, p357

⁶² Information from Western Australian Ministry of Education, 2 November 1992

⁶³ Ministry of Education, Perth, evidence, p 110

*is teaching mathematics, for instance, they would relate to that part of the Aboriginal culture and history that they could incorporate into the work that they are doing, or whether they are doing music or history or whatever it may be.*⁶⁴

4.128 Tasmania has non-compulsory Aboriginal studies in years 9 to 12. The material is considered to be an improvement on what has previously been taught with the historical material being superior to the coverage of contemporary Aboriginal affairs.⁶⁵ Victoria intends to develop Aboriginal curriculum material in the next three years at the primary and secondary level.⁶⁶

4.129 The Northern Territory has had a common core curriculum from intake to year 10 since the mid 1980s. Included in this are a number of elements related to an understanding of Aboriginal culture. Many of the programs with Aboriginal content are prepared by the local communities and Aboriginal groups themselves. The Northern Territory has noted some shortcomings in its delivery of Aboriginal studies. In its 1990 Strategic Plan it was noted that 'despite substantial development work' there was a 'lack of a comprehensively staged and integrated curriculum and materials specifically written for use in Aboriginal schools'. Curriculum reform is presently underway.⁶⁷

4.130 Queensland has recently introduced work on Aboriginal issues in each grade level in primary schools. In June 1991, the Queensland Education Minister commissioned a review to see what measures are required to upgrade the Queensland State government school educational curriculum, not only in terms of its focus on Aboriginal students but students in general, in terms of their appreciation of the Aboriginal cultural heritage.

4.131 In New South Wales, an Aboriginal studies curriculum was developed over a 4 year period in consultation with Aboriginal and non Aboriginal people. In 1991, of the 350 high schools in New South Wales, 13 departmental schools and 2 non-departmental schools offered the course with an examination at Higher School Certificate level in 1992. Courallie High School in Moree was amongst this first group. In 1992, 51 of the State's high schools offered the course. Out of a total enrolment of approximately 800, one third of the students taking the course were Aboriginal.⁶⁸ The syllabus is structured so that it encourages the participation of Aboriginal people in its delivery and in the design of locally based material.

4.132 In New South Wales, at the early secondary level, 3 syllabuses are currently under development: Australian history, 7 to 10; geography 7 to 10; and

⁶⁴ Ministry of Education, Perth, evidence, p111

⁶⁵ Tasmanian Government, evidence, p5

⁶⁶ Department of Employment, Education and Training, Victoria, evidence, p88

⁶⁷ Northern Territory Government, pS774

⁶⁸ Communication from New South Wales Department of School Education, 4 August 1992

Aboriginal studies, 7 to 10. The geography and Australian history syllabuses both have considerable Aboriginal content. The Committee was informed that the Director General of School Education in New South Wales and the President of the New South Wales Aboriginal Education Consultative Group have given consideration to 'mandating Aboriginal study syllabuses from years 7 to 12'. Aboriginal studies would then become a compulsory subject within the *human society and its environment* key learning area.⁶⁹

4.133 While the generalisation could be made that less was being done on Aboriginal studies in primary schools, primary school curricula are organised differently to take into account the different stage of cognitive development students have reached. In the earlier years, pre-school to year 6, it is difficult to develop a discrete Aboriginal studies project because of the more experiential nature of teaching and learning in those years. Primary children are much more involved in Aboriginal culture, dance, plays and school visits.

4.134 The Commonwealth Government's new Reconciliation and Schooling strategy, has as one element the establishment of a sister school relationship between Aboriginal and non-Aboriginal schools, which will see primary schools paired. The basic aim is to encourage a penfriend relationship between schools of high Aboriginal population and schools of a high non-Aboriginal population. It is hoped that this will develop into an exchange of videos, group tours etc. According to the Department of Employment, Education and Training, the Sister Schools Project will probably be the main focus for some time in the primary domain.

4.135 It was noted that not all teachers are obliged to do courses in Aboriginal Studies. The Committee strongly supports the provision in the Commonwealth Government's National Reconciliation and Schooling Strategy for the 'development of consistent teacher education courses to promote greater sensitivity towards Aboriginal issues and Aboriginal and Torres Strait Islander students'.⁷⁰

4.136 The Committee recommends that:

Commonwealth, State and Territory Governments and tertiary education institutions should endeavour to make Aboriginal studies mandatory in all teacher training courses.
(Recommendation 25)

⁶⁹ New South Wales Department of School Education, evidence, p405

⁷⁰ Minister for Aboriginal Affairs, *Media Release*, 14 April 1991

4.137 A national Aboriginal and Torres Strait Islander curriculum strategy is essential to make sure that all Australian schoolchildren have exposure to Aboriginal culture and history. The Committee strongly supports moves in train to develop agreed Aboriginal and Torres Strait Islander studies curricula guidelines. Through the Commonwealth Programs of National Significance, an audit and review of all Aboriginal study material was completed in 1990. Included also was the Mapping of the Curriculum Exercise for Aboriginal studies materials. A philosophy and guidelines statement is being developed by the National Working Party on Aboriginal Studies (Kindergarten to Year 12).

4.138 The Australian Education Council's National Collaborative Curriculum Project commenced in 1990 has identified 8 key learning areas for study in Australian schools. One area, Studies of Society and Environment includes Aboriginal and Torres Strait Islander studies which, the Council has directed, should be secured in the area. A statement and profile for each of the key learning areas are to be completed by mid 1993.

4.139 There is no obligation on any part of the system to use such a statement as anything but reference material. However, the statements do provide the first open and accessible basis for public discussion of curriculum and as such may become a catalyst for a more co-operative analysis of Australia's needs in this area. The Committee deals further with this subject in Chapter 9 (paragraphs 9.115-9.116).

CHAPTER 5

ACCESS BY ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE TO EMPLOYMENT AND TRAINING

Introduction

5.1 An indication of the pervasive impact of unemployment on the lives of many Aboriginals and Torres Strait Islanders is the fact that 'eighty-three of the ninety-nine people whose deaths were examined by the Royal Commission were unemployed at the time of their deaths'.¹

5.2 Although there has been a significant improvement in Aboriginal education indicators in recent years this has not been matched by the employment indicators. 'Between 1971 and 1986 the proportion of Aboriginal men over 15 who are employed fell from 60% in 1971 to 40% in 1986, a drop of 20%. During the same period, male employment in Australia generally fell from 79% to 66%, a drop of 13%. Employment rates for Aboriginal women rose slightly - from 21% to 22%, but not as much as those for women in the population generally - from 36% to 42%.²

5.3 Aspects of Aboriginal and Torres Strait Islander employment and training have recently been scrutinised by the Royal Commission into Aboriginal Deaths in Custody, and, in considerable detail, by Elliott Johnston QC in his *Review of the Training for Aboriginals Program*. The focus in this chapter is the specific problems concerning Aboriginal and Torres Strait Islander access to employment and training in urban areas, as they were identified in submissions and in evidence to this Committee.

5.4 Using data from the 1986 Census the Department of Employment, Education and Training informed the Committee that urban dwelling Aboriginals and Torres Strait Islanders have better employment and training prospects than their rural and remote dwelling counterparts, as indicated by their higher employment rates and lower unemployment rates:

Almost 40 per cent of Aboriginal people aged 15 years and over who live in urban areas (of at least 100,000 people in total population) are

¹ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p378

² Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p387

employed, compared with fewer than 30 per cent of Aboriginals aged 15 years or more being employed who live in other parts of Australia;

and

The unemployment rate amongst Aboriginals living in urban areas is almost 30 per cent of the Aboriginal labour force in such areas, whereas the recorded unemployment rate (excluding hidden unemployment) amongst Aboriginal people living in other areas approaches 40 per cent.³

5.5 The Department of Employment, Education and Training also reported to the Committee that:

urban dwelling Aboriginal people tend also to benefit more from government employment, education and training policies and programs than their non-urban counterparts because of their geographic proximity to established labour markets, employment opportunities, education institutions and training services, and because of their geographic proximity to government program service delivery mechanisms and programs which assist Aboriginal people to access the labour market and education and training opportunities.⁴

5.6 However, other factors need to be taken into account. Disadvantage may have a different meaning in urban areas. Unlike some Aboriginals in remote areas, urban Aboriginals and Torres Strait Islanders are completely dependent on the labour market and/or government transfers. The cost of living, too, is often higher in urban areas; and, while programs and services including those in the mainstream, may be more readily available in urban areas, many urban Aboriginals and Torres Strait Islanders do not have the skills with which to access them.

5.7 A simple urban/rural divide does not provide sufficient background against which to formulate labour market and income support policies. The geographical spread of the Aboriginal and Torres Strait Islander population, and the variation in different States and in different regions between States in socio-economic status, as detailed in Chapter 1, must also be considered. It was noted that preliminary data from the 1991 Census indicates a move from rural to urban areas, particularly in New South Wales and Queensland. A study based on the 1981 and 1986 Censuses has shown an inflow to medium-sized country towns from smaller surrounding towns. The preliminary data from the 1991 Census also indicates a population shift in favour of the urbanised eastern States.

³ Department of Employment, Education and Training, evidence, pS646

⁴ Department of Employment, Education and Training, evidence, pS643

5.8 It was pointed out in Chapter 1, that, while Aboriginal and Torres Strait Islander incomes are generally higher in urban areas, there are variations within States and between States. Aboriginals and Torres Strait Islanders in the most populous and highly urbanised State, New South Wales, which according to preliminary figures from the 1991 Census has replaced Queensland as the State with the largest Aboriginal and Torres Strait Islander population, are less well off than Aboriginals and Torres Strait Islanders in Victoria, Tasmania and the Australian Capital Territory. Some Aboriginals in remote areas, the Gagadju in the Northern Territory may, indeed, be much better off in socio-economic terms than some Aboriginals in rural New South Wales.

Aboriginal Employment Development Policy

5.9 In 1984, the Commonwealth Government established the committee of Review of Aboriginal Employment and Training Programs, chaired by Mr Mick Miller, to examine Aboriginal and Torres Strait Islander employment problems and recommend what action should be taken.⁵ Successive Commonwealth Governments have been implementing policies to cope with high Aboriginal and Torres Strait Islander unemployment rates since the Fraser Government introduced its National Employment Strategy for Aboriginals (NESA) in 1977.

5.10 The Miller Committee reported that previous government initiatives to improve Aboriginal employment had been largely unsuccessful, and recommended new directions for the future.

5.11 The Commonwealth Government endorsed the broad findings of the Miller Report and, in 1987, launched its response in the form of the Aboriginal Employment Development Policy. The Policy, which pays particular attention to the dependence of the Aboriginal and Torres Strait Islander population on unemployment benefits, has the following broad objectives:

- . *employment equity with other Australians, that is to increase the proportion of Aboriginal people aged 15 and above who are employed from 37 per cent to around 60 per cent;*
- . *income equity with other Australians, that is a doubling of the median income of Aboriginals;*
- . *equitable participation in primary, secondary and tertiary education; and*
- . *a reduction of Aboriginal welfare dependency to a level commensurate with that of other Australians; that is a reduction in Aboriginal*

⁵ For a discussion of earlier Government initiatives see Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, pp 360-363

dependency on unemployment benefit from the current level of around 30 per cent of the working age population to only five per cent.

5.12 The targets for the achievement of employment equity by the year 2000 were specified as: to increase the annual net stock of jobs held by Aboriginal people by 1100 in the private sector and by at least 500 in the public sector; and, in conjunction with the Aboriginal and Torres Strait Islander Commission, to increase the number of Aboriginals owning their own business by 350 per annum.

5.13 The Department of Employment, Education and Training stressed, in its submission, the innovative aspect of the Aboriginal Employment Development Policy compared to previous policies:

this policy differs from previous policies specifically in that it addresses the particular aspirations and employment needs of Aboriginal people arising from markedly different social circumstances. It also acknowledges the concentration of Aboriginal people in rural and remote areas where there are few or no mainstream employment opportunities.

The Aboriginal Employment Development Policy has 'two thrusts':

1. *Increasing opportunities for Aboriginal people in the regular labour market to achieve equity with other Australians in the rates and levels of permanent employment; and*
2. *Generating employment through greatly enhanced assistance for community development and the expansion of the economic bases of Aboriginal communities, including recognition of and support for traditional Aboriginal economic activities as a legitimate form of employment.*

5.14 The Aboriginal Employment Development Policy strategies to implement its goals vary according to the circumstances and location of the client population. Cities, large towns and small country towns account for the residence of about 70% of the Aboriginal population. In these situations there is access to the regular labour market, although in the smaller country towns this is severely limited. The strategy in these situations is to both increase access to the regular market and to support employment in Aboriginal community projects.

5.15 Only a tiny minority of those Aboriginals and Torres Strait Islanders who live in small multi-racial townships and town camps are able to gain regular full-time employment. The majority are dependent on government-funded, community-based enterprise and development projects. The Department of Employment, Education and Training explains that:

The strategy in these situations is to develop that employment base through new and existing community development projects and

*Aboriginal enterprises. It is recognised that traditional economic activities provide some employment in many of these communities. Support for that activity forms an essential part of the strategy.*⁶

5.16 Johnston considers that there is an argument for saying that the Aboriginal Employment Development Policy makes 'too rigid a distinction' between urban Aboriginals and those living in remote communities, town camps and settlements of less than 1000. Whilst there may be no 'real labour market' in the latter, 'in the former the empowerment of Aboriginal society and the restoration of Aboriginal self esteem also require community developed initiatives in many fields'.⁷

The pursuit of statistical equality in the Aboriginal Employment Development Policy

5.17 The equation of equity with statistical equality has been queried, principally, by the Australian National University's Centre For Aboriginal Economic Policy Research (CAEPR):⁸

*The interpretation of equity which predominates in the Aboriginal Employment Development Policy statement is as a synonym for the achievement of statistical equality in employment and income status between Aborigines and other Australians by the year 2000. This, we believe, is an unfortunate use of the term. It fails to acknowledge just how deep-rooted and structural are the causes of low economic status among Aborigines, and as such sets standards and goals for Aboriginal employment policy against which the Aboriginal Employment Development Policy is inevitably going to fail.*⁹

5.18 Some four 'aspects of the deep-rooted nature of low Aboriginal employment and income status' are identified by Altman and Sanders. One aspect is the historical legacy of exclusion and marginalisation which contributes to the entrenched nature of Aboriginal underemployment. Another aspect, based on the research of Tesfaghiorghis and Gray, is that because of the increasingly youthful nature of the Aboriginal and Torres Strait Islander population, in comparison with

⁶ Department of Employment, Education and Training, evidence, pS649-650

⁷ Elliott Johnston, *Review of the Training for Aboriginals Program*, Australian Government Publishing Service, Canberra, 1991, pp 8-9

⁸ The Centre for Aboriginal Economic Policy Research (CAEPR) was established in March 1990 to undertake research into employment and labour market issues relating to Aboriginals. The Centre operates under an agreement between the Australian National University and the Aboriginal and Torres Strait Islander Commission.

⁹ J.C. Altman and W.G. Sanders, 'Government initiatives for Aboriginal employment: equity, equality and policy realism' in J.C. Altman (ed) *Aboriginal Employment Equity by the Year 2000*, Research Monograph No 2, Canberra, Australian National University, Centre for Aboriginal Economic Policy Research, 1991, p9

the total Australian population, the Aboriginal population of workforce age in the year 2001 will be considerably larger than Aboriginal Employment Development Policy targets. According to Tesfaghiorghis and Gray, to meet the statistical target, 115, 400 Aboriginal and Torres Strait Islander people would need to be employed by 2001, almost three times the number that were employed in 1986.¹⁰

5.19 A third aspect is locational disadvantage. In comparison with the rest of the population, a much larger number of Aboriginal and Torres Strait Islander people live in remote areas where formal labour markets are either non-existent or extremely limited, with very few opportunities for further development. At the same time, a relatively large proportion of the Aboriginal and Torres Strait Islander population lives in rural areas where employment opportunities are few due to the current recession and to long term structural adjustment.

5.20 Finally, for those in remote areas still living a partly traditional lifestyle, as is the case with the participants in the homelands movement, the question of cultural appropriateness of employment is an issue. Altman and Sanders write, 'if we are to be realistic and genuine about the possibility of such choice, then we should also acknowledge that it renders inappropriate the pursuit of total statistical equality between Aborigines and other Australians'.¹¹

5.21 The National Report of the Royal Commission into Aboriginal Deaths in Custody also contains a reservation about statistical equality.¹²

5.22 The Committee notes that a formal independent evaluation of the Aboriginal Employment Development Policy, involving the Aboriginal and Torres Strait Islander community, was planned for the end of the first five year period: 1992. That review has now been rescheduled for 1993 to ensure that the Department of Employment, Education and Training has before it the full results of the 1991 Census.

5.23 In this Inquiry the Committee has focused on three major areas of the Aboriginal Employment Development Policy :

- . Public sector strategies;
- . Private sector strategies;

¹⁰ H. Tesfaghiorghis and A. Gray, 'The demographic structure and location of the Aboriginal population: employment implications' in *Aboriginal Employment Equity by the Year 2000*, p60

¹¹ J.C. Altman and W.G. Sanders, 'Government initiatives for Aboriginal employment: equity, equality and policy realism' in J.C. Altman (ed) *Aboriginal Employment Equity by the Year 2000*, Research Monograph No 2, Canberra, Australian National University, Centre for Aboriginal Economic Policy Research, 1991, pp. 9-10

¹² Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p366-367

Community Development Employment Project (CDEP) scheme in urban areas.

Public Sector Strategies: Australian Public Service

5.24 After the adoption of the Aboriginal Employment Development Policy the Commonwealth Government reaffirmed a policy of achieving a goal of Aboriginal employment of 1% to 2% of total employment across the Australian Public Service (APS). The public sector strategy emphasises the recruitment of Aboriginal people to permanent positions and the development of measures for career advancement. Assistance is provided to State and Territory Governments for the development of their own strategies. That assistance is in the form of meeting costs of training associated with recruitment. Public sector targets for Aboriginal and Torres Strait Islander employment are negotiated through the Steering Committee of the Strategy, which comprises representatives of the State and Commonwealth Governments.

5.25 The Royal Commission into Aboriginal Deaths in Custody was critical of the progress in the Aboriginal and Torres Strait Islander employment strategy in the Australian Public Service comparing its record unfavourably with that of State and Territory Governments.¹³ This Inquiry, however, found that on balance, the Australian Public Service has been more successful in meeting its Aboriginal employment targets than the States have been.

5.26 A similar view was expressed by Elliott Johnston QC, in his *Review of the Training for Aboriginals Program*. Johnston noted that there had been considerable recruitment across the board and while the exact percentage was not known because of identification difficulties, 'the percentage of Aboriginal employment is certainly about 1.4 per cent or better'.¹⁴

5.27 Johnston summarised some of the weaknesses that have emerged in the Australian Public Service strategy for the employment of Aboriginals and Torres Strait Islanders, also identified by this Inquiry:

I have been told that career development schemes have not generally been implemented, with the consequence that Aboriginal occupants of identified positions often lack the skills or self-confidence to compete for positions in the APS generally. Another inhibiting factor is that senior positions tend to be concentrated in Canberra where some Aboriginal people do not wish to live. Whilst the policy certainly envisaged the enhancement of Aboriginal recruitment to 'identified positions' there has been a tendency to look only to those positions,

¹³ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p382

¹⁴ Elliott Johnston, *Review of the Training for Aboriginals Program*, p45

with the result that Aboriginal recruitment has mainly been in the areas of departments supplying services to Aboriginal people - DEET, ATSIC, Social Security and Aboriginal Hostels (plus Australian National Parks and Wildlife Service).¹⁵

5.28 It appears that these weaknesses are being addressed in the new Australian Public Service Aboriginal Recruitment and Career Development Strategy announced in December 1991 and implemented from 1 July 1992. "The intention of the strategy is to achieve equity in employment of Aboriginal and Torres Strait Islander staff across all departments and at all levels".¹⁶ The identified position strategy is to continue to be used; its retention was strongly recommended by the Johnston review. A report to Cabinet is required one year after the implementation of the strategy.

Public Sector Strategies: States and Territories

5.29 The Royal Commission into Aboriginal Deaths in Custody was complimentary about the promotion by the Department of Employment, Education and Training, in conjunction with State and Territory Governments, of special strategies for recruiting Aboriginals and Torres Strait Islanders to the State public services:

One of the few significant examples of progress in the area of Commonwealth coordination is the successful negotiation of public sector employment strategies by most State and Territory Governments.¹⁷

5.30 Less progress has been made in the meeting of statistical targets for the employment of Aboriginals and Torres Strait Islanders in State public services.

5.31 In 1988 the New South Wales Government introduced its four-year New South Wales Public Sector Aboriginal Employment Strategy aimed at Aboriginal employment across all government departments and not confined to areas servicing Aboriginal people; it set a target of 2% Aboriginal representation in the New South Wales public sector by the end of the four year period; and it aimed at the improvement of career development and promotion opportunities.

¹⁵ Elliott Johnston, *Review of the Training for Aboriginals Program*, p.45

¹⁶ *Aboriginal Deaths In Custody; Response by Governments to the Royal Commission*, Vol. 3, p1155

¹⁷ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p377

5.32 A joint Commonwealth/State Government review of the strategy, initially planned for 1991, was postponed. As a result, the review committee was to have finalised its report in April 1992.¹⁸

5.33 In March 1992 the New South Wales Public Service employed about 3370 Aboriginals, representing approximately 1.5% of the total public sector workforce. The Aboriginal population of New South Wales is 1% of the State's total population; the 1.5% representation rate falls well below the 2% target set in 1988.¹⁹

5.34 It was suggested to the Committee that the target was, perhaps, too ambitious; it was established too early and without paying proper attention to the numbers of Aboriginal people who were in a position to choose public sector employment or to have the appropriate qualifications.

5.35 The training activities undertaken as part of the strategy include management courses for Aboriginals employed in middle-level positions and skills development related to vocational training. Up to June 1991, 560 career development courses had been conducted and information about their impact collected as part of a joint Commonwealth/State Government review of the strategy.²⁰ The New South Wales Government also has an identified positions strategy. The Commonwealth and New South Wales Governments have recently negotiated a new strategy which is awaiting Ministerial approval.

5.36 Johnston, while praising the philosophy behind the New South Wales strategy, expressed concern at what appeared to be 'a weakness in evaluation and checking ...'²¹ The Committee shares Johnston's concern as it was unable to find out either the spread of Aboriginal and Torres Strait Islander public sector employment across departments or the levels at which Aboriginals and Torres Strait Islanders were employed.

5.37 The Northern Territory also set itself what has turned out to be, with hindsight, too ambitious a target. In 1984, the then Chief Minister set a target of 20% in the Territory's Public Service so that the Territory would have an Aboriginal employment figure in the public service commensurate with the number of Aboriginals in the Territory's population. In a survey conducted in 1990, it was discovered that Aboriginal representation was approximately 660 which amounted

¹⁸ New South Wales Government, evidence, p382

¹⁹ New South Wales Government, evidence, p 378

²⁰ *Aboriginal Deaths In Custody, Response by Governments to the Royal Commission*, Vol 3, p.1157

²¹ Elliott Johnston, *Review of the Training for Aboriginals Program*, p47

to about 5% or even considerably less of the Territory's Public Service, then numbering about 12,000. The survey did not include the teaching service, police or prisons.

5.38 Ms Dembski, Assistant Director of the Aboriginal Development Unit with the Northern Territory Department of Education, told the Committee that the 20% target was unlikely to be met:

*because most of the jobs in the Public Service are in urban areas and a lot of Aboriginal people choose to stay in remote localities. So we will probably not get to that but we are pushing to have as high a level as we can.*²²

5.39 The Northern Territory Public Service has a career development strategy in line with the general national policy of all public services, State and Federal, concerning Aboriginal employment, training and career development. Individual departments are being approached to develop strategies for employing Aboriginal people through such means as cadetships, placements and traineeships.

5.40 It was suggested to the Committee that lack of 'ambition' on the part of many Aboriginal public servants was a factor working against efforts by the Northern Territory Government to encourage the promotion of Aboriginals in the public service.

5.41 According to Ms Dembski some Aboriginal people were not ambitious for promotion and tended to stay in the same job. Promotion, however, would not only enable Aboriginals to achieve greater influence in the public service, but would free up positions for the employment of more of the Aboriginal population.

5.42 The Western Australian Public Service Commission's Aboriginal Employment Career Development Strategy, a five-year agreement between Commonwealth and State, was launched in December 1989. 'The underlying thrust of the Strategy is to improve in number and status the Aboriginal employee component of the public sector, to a figure more in line with the population percentage of Aboriginals in the wider community, which is around 3 per cent.'²³

5.43 The Aboriginal Employment Unit, located in the Public Service Commission, has oversight of the Strategy and has worked closely with a number of departments in the development of specific Aboriginal employment strategies. Targets were given for recruitment into nine categories including professional and technical cadets, apprenticeships, graduates and middle management personnel. The

²² Northern Territory Government, evidence, p472

²³ Public Service Commission of Western Australia, 'Aboriginal Employment and Career Development Strategy, 5 Year Commonwealth/State Agreement, 1990-1994; Progress Report, July 1992'.

agreement also provides for specific detailed aims in career development, training and other measures including induction/orientation workshops, cross cultural training and others.

5.44 Two surveys of public sector organisations in 1988 and 1991 show that there has been an impressive increase in the numbers of Aboriginal public sector employees from 1030 in 1988 to 1529 in 1991, an increase from 1.05% to 1.5%.

5.45 In July 1992, the Aboriginal Employment Unit reported that in the two and a half years of the Strategy's operation around 300 Aboriginals have benefited through either direct employment or career development:

*The number benefiting through employment was 230, up to 70 % of which were to permanent positions with the others temporary with varying degrees of permanency applying.*²⁴

5.46 In late 1991, an independent consultant reviewed the appropriateness, effectiveness and efficiency of the Strategy. The review considered it highly unlikely that the Strategy would be able to achieve its goal of a 3% proportion in five years, 'as an approximate doubling of current numbers would be necessary to achieve a 3% proportion across the public sector, to a total of just over 3000 employees.'²⁵

5.47 Only six departments had proportions of Aboriginal employees in excess of 3% of the total workforce, and these were all in areas which had a responsibility for servicing Aboriginal needs: Aboriginal Affairs Planning Authority, 47.6%; Department of Community Services, 12%; Alcohol and Drug Authority, 5.9%; Homeswest, 4%; the Aboriginal Sites Department of the Museum, 3.9% and Corrective Services, 3.7%.²⁶

5.48 The least impressive result was posted by the Ministry of Education. The *West Australian*, in August 1992, told readers that a recent survey by the Public Service Commission's Aboriginal Employment Unit had shown that the Ministry of Education had the lowest proportion of Aboriginal employees in the public sector. Only 273 of the Ministry's 21,816 employees were Aboriginals and only 85 of those were permanent staff. The *West Australian* went on to report that the Ministry had

²⁴ Public Service Commission of Western Australia, 'Aboriginal Employment and Career Development Strategy, 5 Year Commonwealth/State Agreement, 1990-1994; Progress Report, July 1992'.

²⁵ Malcolm Allbrook, 'Evaluation of the Western Australian Public Service Commission's Aboriginal Employment and Career Development Strategy', November 1991, p44

²⁶ Malcolm Allbrook, 'Evaluation of the Western Australian Public Service Commission's Aboriginal Employment and Career Development Strategy', November 1991, p45

undertaken to boost its Aboriginal employment rate by almost 200% under a new career and employment plan launched on 5 August 1992.²⁷

5.49 The review identified some areas for concern including: the failure to meet apprenticeship targets due, to some extent, to the downturn in the labour market; the clustering of Aboriginals in functional areas such as health, housing, police, corrections and community services; poor promotion of the Strategy especially in country areas; lack of knowledge about the Strategy and its requirements by the Department of Employment, Education and Training staff and particularly Commonwealth Employment Service officers; insufficient resources provided to the Aboriginal Employment Unit (which compared unfavourably with those allocated to the South Australian equivalent); the inability to attract sufficient numbers of graduates to meet the quota; inadequate monitoring and review procedures; and the concentration of Aboriginal employees in wages employment, Level I and identified positions, while representation at middle, executive and professional levels was minimal.

5.50 The review concluded that:

*there is little evidence that the aims and functions of the Strategy have become entrenched in public sector employment practices. Without continuing positive action, the gains of the last few years could easily be lost.*²⁸

5.51 The review recommended the reaffirmation of the Strategy with attention to be paid to increased promotion, regionalisation, resources and monitoring. As a result of the review, some changes were proposed for the Strategy and, in April 1992, endorsed by the Public Service Commission. The Commission is awaiting an endorsement from the Department of Employment, Education and Training.

5.52 The South Australian Government has reached its target of having an Aboriginal employment rate in the State's Public Service of 1%. The representation is uneven, however. The Committee was told that agencies such as Family and Community Services and Health may have a rate of 3% or 4%, while at the Electricity Trust it may be 0.01%.²⁹ A number of career development strategies have been put in place to facilitate the achievement of Aboriginal employment at all levels of the public service and across a much broader range of occupational strategies.

²⁷ *West Australian*, 6 August 1992

²⁸ Malcolm Allbrook, 'Evaluation of the Western Australian Public Service Commission's Aboriginal Employment and Career Development Strategy, November 1992, p41

²⁹ South Australian Government, evidence, p322

5.53 The Tasmanian Government is negotiating with the Commonwealth for the provision of funds to enable it to develop an employment policy and strategy for Aboriginals in the State Service.³⁰

5.54 The Victorian Government was the first State administration to develop an Aboriginal Employment Strategy, commenced in December 1987 as a three year joint Commonwealth/State agreement. An independent evaluation in 1991 noted the 92.3% increase in Aboriginal people employed in the State public sector, 'almost the targeted doubling of numbers'. Progress had been made in increasing Aboriginal representation across occupations and the numbers of Aboriginals in targeted positions, and in the provision of training and development opportunities.

5.55 Causes of concern included: 'the disparity between metropolitan and regional recruitment, those Aboriginals in rural areas having less success in accessing the Strategy'; a loss of momentum evidenced 'by a falling rate of increase in Aboriginal employment'; and a tendency to rely on 'the use of identified positions to promote further growth'.

5.56 Amongst the recommendations were:

- . a renewal of commitment to the Strategy at Ministerial and Chief Executive level; and the finding of a 'way of guaranteeing the accountability of agencies to the Strategy';
- . an increase in appointments to permanent positions; and better marketing amongst Aboriginal school leavers and tertiary students;
- . 'the broadening of the Strategy to include the entire public sector including non-Public Service agencies';
- . the development of plans 'to move Aboriginal staff into mainstream positions to enable further recruitment to identified positions';
- . a proper auditing of the Strategy by the Auditor General, to establish a '...financial information system which gives better data on unit costs of strategy elements';
- . improved monitoring and further evaluation. Suggestions included the addition of a question on Aboriginality to the personnel Management

³⁰ Tasmanian Government, evidence, p13

Information System or an annual survey of Aboriginal public sector employees.³¹

5.57 Johnston commended the former Victorian Government on the quality of the review of the first strategy and took particular note of its comment on identified positions:

Indeed the use of identified positions to develop opportunities is a sound way to approach the removal of barriers to Aboriginal employment and it provides a platform from which other career opportunities may develop. However there is a need to design a strategic approach to the movement of staff out of identified positions

...³²

5.58 Victoria's new Strategy for 1991-1994 aims at an overall Aboriginal employment rate over the three years of 1% of public sector staffing with an emphasis on regions with a large Aboriginal population. Each public sector department is to 'aim for no less than 0.5% of Aboriginal staff'. Training and other measures are included to promote career development.³³

5.59 Johnston was disturbed at evidence of less than satisfactory retention rates in Victoria and South Australia. Figures suggested were about 65% for South Australia and 75% for Victoria.³⁴

5.60 The Queensland Government's Public Sector Aboriginal Employment Strategy administered by that State's Department of Employment, Vocational Education, Training and Industrial Relations, has set a goal of 2.4% Aboriginal and Torres Strait Islander representation in the public sector by the year 2000.³⁵

Public Sector Strategies: Statutory Authorities

5.61 The pursuit of Aboriginal and Torres Strait Islander employment equity in the Statutory Authorities is less advanced than in the public service but some initial steps have been taken.

³¹ The Moreland Group, *Evaluation of the Victorian Public Service Aboriginal Employment Strategy, 1991*, quoted in Malcolm Allbrook, 'Evaluation of the WA Public Service Commission's Aboriginal Employment and Career Development Strategy', November 1991, pp14-16

³² Quoted in Elliott Johnston, *Review of the Training for Aboriginals Program*, p49

³³ Evidence, pS488; *Aboriginal Deaths In Custody; Response by Governments to the Royal Commission*, Vol 3, p1158

³⁴ Elliott Johnston, *Review of the Training for Aboriginals Program*, p49

³⁵ Queensland Government evidence, pS1064

5.62 In New South Wales, the Department of Employment, Education and Training has negotiated agreements with the Roads and Traffic Authority and the Health Commission. In South Australia, the Department of Employment, Education and Training has negotiated agreements with the Health Commission and with the Department of Technical and Further Education' to promote and provide training for Aboriginal people directed to employment opportunities in local government and statutory authorities'.³⁶ Australia-wide agreements have been negotiated with the Australian Broadcasting Commission, Telecom, Australia Post and the Australian National Parks and Wildlife Services.

5.63 One of the advantages for Aboriginal and Torres Strait Islander people of the drive for employment equity in statutory bodies is the greater spread of job opportunities throughout the country and the greater opportunity for outdoor work.

5.64 The Committee recommends that:

- . **Commonwealth, State and Territory public sector recruitment strategies should not only aim at a total target figure, but a target for Aboriginal employment across geographical areas and at all levels of the public sector; (Recommendation 26)**
- . **targets should be extended to the whole public sector including statutory authorities and government-owned businesses; (Recommendation 27)**
- . **there is a close monitoring and evaluation of those strategies in progress. (Recommendation 28)**

Public Sector Strategies: Local Government

5.65 Employment in local government would appear to be a viable option for Aboriginal and Torres Strait Islander people, particularly in rural urban areas where there is a relatively high proportion of Aboriginals and Torres Strait Islanders to the total population. However, as pointed out in Chapter 2, there have been, to date, very limited opportunities for Aboriginals and Torres Strait Islanders in this tier of government. In local government, Aboriginals and Torres Strait Islanders tend to be employed in unskilled, outdoor work; a type of employment usually more suited to men rather than women. This work is also less likely to be available on a permanent basis.

³⁶ Elliott Johnston, *Review of The Training for Aboriginals Program*, p53

5.66 The Committee was told of entrenched racism in many country areas which made the atmosphere for Aboriginal and Torres Strait Islander employment less than congenial. There was positive news from some places, particularly Moree in New South Wales and Albany in Western Australia. It was also said, however, that in some areas only a Department of Employment, Education and Training subsidy would persuade a local council to take on Aboriginal and Torres Strait Islander employees; and that the span of their employment was limited to the period of the subsidy.

5.67 There is a specific need for Aboriginals and Torres Strait Islanders to be employed in local government positions where personnel are required to interact regularly with the Aboriginal and Torres Strait Islander community. The employment of Aboriginals and Torres Strait Islanders in such positions as liaison officers and counter and contact staff would help to increase the sensitivity of local government authorities to the needs of this section of the community. Local government positions should also, of course, be available across the broader range of council positions.

5.68 One factor inhibiting Aboriginal and Torres Strait Islander employment on local councils is lack of relevant skills. This is an area that should be the specific target of the Training for Aboriginals Program (TAP).

5.69 There are clearly opportunities for targeting training programs which would enable Aboriginal and Torres Strait Islander people to gain local government professional qualifications and consequently to fill suitable skilled positions. The Committee considers that a greater emphasis should be placed on this aspect.

5.70 In Moree, for example, the Committee was told by the Shire Clerk that local councils in remote areas had difficulty attracting qualified staff from metropolitan areas. One strategy that suggests itself for Moree, and other towns in rural New South Wales (and elsewhere) with large Aboriginal and Torres Strait Islander populations on the one hand, and an inability to attract skilled staff for local council positions, on the other, is to provide special scholarships and training for local Aboriginals. Unlike many non-Aboriginals, they may be willing to stay in the area.

5.71 Some steps have been and are being taken to remove barriers to the employment of Aboriginals and Torres Strait Islanders in local government. The Federal Office of Local Government and the New South Wales and South Australian Governments, for example, have implemented programs to improve Aboriginal and Torres Strait Islander employment in local government.

5.72 The New South Wales Local Government Aboriginal Employment Strategy has a target of 376 Aboriginal people in permanent employment over the five year period, 1990 to 1995. The strategy aims to achieve equity for Aboriginal people in terms of:

- *equitable access to permanent employment;*

- *equitable participation in all work areas, including those that require accreditation and qualification; and*
- *representation at all levels of employment.*³⁷

5.73 The strategy offers financial assistance to local government agencies for recruitment and training, including further training for existing employees. The objectives of the recruitment strategies are:

- *to increase the number of Aboriginal people in permanent employment; and*
- *to ensure that Aboriginal people are equitably represented across all occupations, including those that require accreditation and qualifications for entry.*³⁸

5.74 So far the strategy has had mixed success. In late 1991, only eight positions were reported to have been secured.³⁹ South Australia's local government employment strategy has also met with mixed success to date. It has met with success in Adelaide but not in country areas such as Port Lincoln and Murray Bridge.

5.75 The Committee commends steps, such as those indicated above, which have been taken to increase Aboriginal and Torres Strait Islander participation in local government employment. A lot more work will be required, however, to bring Aboriginal and Torres Strait Islander employment to a level where it is in proportion to the Aboriginal and Torres Strait Islander working age population of the area. The desired outcome is that the proportion of permanent Aboriginal and Torres Strait Islander employees should not be less than the proportion of Aboriginal and Torres Strait Islander people in the workforce within a local government area.

5.76 The Committee considers that, in such an historically contentious area as local government, to wait for an attitude change to percolate up from the bottom is simply not practicable. Instead, there is a strong case for mandatory strategic plans, monitoring and review mechanisms, and targeting.

³⁷ *Aboriginal Employment Strategy for Local Government in New South Wales, 1991, section 1.2*

³⁸ *Aboriginal Employment Strategy for Local Government in New South Wales, 1991, section 2.2*

³⁹ Elliott Johnston, *Review of the Training for Aboriginals Program*, p57

5.77 The Committee recommends that:

the Minister for Local Government seek the cooperation of State and Territory Ministers and the Australian Local Government Association to ensure that Equal Employment Opportunity provisions are observed by local governments throughout Australia, particularly in relation to:

- **removing barriers to Aboriginal and Torres Strait Islander permanent employment by local governments; (Recommendation 29)**
- **each local government workplace including permanent Aboriginal and Torres Strait Islander employees in at least the same proportion as they occur in the workforce of the local government area; (Recommendation 30)**
- **providing training opportunities for Aboriginal and Torres Strait Islander people to gain local government professional qualifications. (Recommendation 31)**

Private Sector Strategies: Regular Labour Market

5.78 Aboriginalisation in the public sector is possible through interventionist government policy, but is more difficult to achieve in the private sector which, according to the 1986 Census, contributes 72% of total employment in Australia. By contrast only 53.5% of the Aboriginal and Torres Strait Islander population were employed in the private sector (see Table 5.4). "There is also evidence that the role of the private sector suggested by census data is exaggerated for Aboriginals, in that much or even most of the "private" employment is actually government funded".⁴⁰

⁴⁰ A. Gray and H. Tesfaghiorghis, 'Social indicators of the Aboriginal population of Australia', Australian National University, Centre for Aboriginal Economic Policy Research, Discussion Paper No 18, 1991, p21

**Table 5.4 Employment/industry sector by sex:
Aboriginal and total population, 1976-1986 Census**

Industry Sector	1976 ^a	1986
Aborigines: males		
Federal Government	6.8	<u>8.5</u>
State Government	18.0	<u>20.9</u>
Local Government	6.9	<u>9.3</u>
Private sector	68.3	<u>54.7</u>
Not stated	NA	<u>6.6</u>
<u>Total</u>	<u>100.0</u>	<u>100.0</u>
Aborigines: female		
Federal Government	8.4	11.0
State Government	20.2	27.3
Local Government	1.4	2.9
Private sector	70.0	51.3
Not stated	NA	7.5
<u>Total</u>	<u>100.0</u>	<u>100.0</u>
Aborigines: total		
Federal Government	7.3	9.4
State Government	18.7	23.3
Local Government	5.2	6.9
Private sector	68.8	53.5
Not stated	NA	6.9
<u>Total</u>	<u>100.0</u>	<u>100.0</u>
Total population: males		
Federal Government	8.5	8.5
State Government	14.4	14.2
Local Government	2.3	2.7
Private sector	74.8	72.7
Not stated	NA	1.9
<u>Total</u>	<u>100.0</u>	<u>100.0</u>
Total population: females		
Federal Government	5.8	6.5
State Government	16.8	18.0
Local Government	0.8	1.4
Private sector	76.6	71.7
Not stated	NA	2.4
<u>Total</u>	<u>100.0</u>	<u>100.0</u>
Total population		
Federal Government	7.6	7.7
State Government	15.3	15.7
Local Government	1.7	2.2
Private sector	75.4	72.3
Not stated	NA	2.1
<u>Total</u>	<u>100.0</u>	<u>100.0</u>

a. The 'not stated' in 1976 were included with the private sector.

Source: Gray & Tesfaghiorghis 'Social Indicators of the Aboriginal Population of Australia'.

5.79 One Member of the Committee remarked that he had never bought a pair of shoes from or been sold an ice cream by an Aboriginal. A recent study by John Taylor suggested that the under-employment of Aboriginals and Torres Strait Islanders in places such as cafes and restaurants, department stores and banks could be due to 'discrimination or personal choice'.⁴¹

5.80 Retailing and service industries dominate the employment profile in small rural towns, many of which have significant Aboriginal minorities.

5.81 The Aboriginal Employment Development Policy strategies to promote employment equity for Aboriginals and Torres Strait Islanders in the private sector include:

- . *assistance to the corporate sector (ie, firms with at least 1000 employees) for the development of Aboriginal recruitment strategies;*
- . *expansion of wage subsidies as an incentive for the recruitment and training of Aboriginal employees to permanent jobs;*
- . *targets for the Commonwealth Employment Service to achieve non-subsidised placement of Aboriginals in vacancies notified by private sector employers;*
- . *the progressive implementation of a systematic approach to the development of planned industry strategies with an emphasis on decentralised growth industries;*
- . *support for the continuing employment of Aboriginal people in Aboriginal community service organisations;*
- . *further assistance to encourage Aboriginal people to develop small business and other business enterprises.*⁴²

5.82 The barriers to the promotion of Aboriginal employment in the private sector are numerous and include:

- . location;
- . white organisational culture;
- . inadequate education and training of Aboriginals and Torres Strait Islanders;
- . lack of labour market experience;

⁴¹ J. Taylor, 'Industry segregation among employed Aborigines and Torres Strait Islanders', Australian National University, Centre for Aboriginal Economic Policy research, Discussion Paper, No. 22/1992, p14

⁴² Department of Employment, Education and Training, evidence, pS650-651

the current economic climate.

5.83 The Royal Commission into Aboriginal Deaths in Custody *National Report* emphasised the significance of location:

*Employment prospects in small country towns across Australia are in general very poor for the Aboriginal population. Not only has the agricultural employment base significantly diminished, but within the towns most appointments are dependent on personal contacts, and the lack of government infrastructure limits the opportunities for agencies such as the Commonwealth Employment Service to intervene.*⁴³

5.84 Mr David Rathman, Director of State Aboriginal Affairs in South Australia, stressed that:

*The private sector is still highly institutionalised with stereotypes about Aboriginal people. To break through those barriers is enormously difficult in the current climate when you have 200 people turning up for one job.*⁴⁴

5.85 In both the public and private sector it is often the lack of the necessary skills which is barring Aboriginals and Torres Strait Islanders from vacancies in the labour market. Johnston reported that he was told on numerous occasions by Aboriginals and Torres Strait Islanders and non-Aboriginals, officials and non-officials, that if government or large employers were to put in an immediate request for, say 750 workers, they could not be supplied, because none would be available that had the requisite training and education.⁴⁵

5.86 The Aboriginal and Torres Strait Islander Commission submission drew attention to the fact that the large numbers of Aboriginals and Torres Strait Islanders with police records was also a deterrent to private sector employers.

National employment strategy

5.87 There are two major private sector employment strategies being promoted under the Aboriginal Employment Development Policy, a national strategy aimed at securing agreements with peak bodies in the private sector and a more grass roots strategy aimed at finding opportunities at the local job market level.

5.88 The Director of the Sydney Office of the Department of Employment, Education and Training told the Committee that his Office had succeeded in having the Employers Federation of New South Wales take on an Aboriginal Employment Officer. The initiative has had mixed success. Expecting one officer to cover the

⁴³ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p408

⁴⁴ South Australian Government, evidence, p313

⁴⁵ Elliott Johnston, *Review of Training for Aboriginals Program*, p32

whole State, rural and urban, has proved overly ambitious. But the initiative has been fruitful to the extent that it has led to a national agreement with the Australian Chamber of Commerce and Industry (ACCI).⁴⁶

5.89 The Australian Chamber of Commerce and Industry employment strategy is designed to:

- . *increase the number of ATSI people in permanent employment in the private sector. Specifically targeting Aboriginal jobseekers and school leavers aged between 15 and 24;*
- . *establish effective long-term ties between employment organisations, employers, Aboriginal employment agencies and training providers; and*
- . *establish, or work with existing, Local Aboriginal Employment Promotion Committees.*⁴⁷

5.90 An element of the strategy is to have Aboriginal Employment Industry Advisers in each State capital. In the short term (1993-1996), these advisers will promote the aims of the national project at State level by:

- . *identifying Aboriginal and Torres Strait Islander jobseekers including their geographical locations and skill levels;*
- . *matching this information with the skill demands of those employers who wish to employ ATSI jobseekers;*
- . *facilitate the placement of job ready ATSI jobseekers into private sector employment;*
- . *assist in the development of measures to increase the retention of Aboriginal people following placement; and*
- . *develop and implement pre-training courses for ATSI jobseekers aimed at developing the core competencies necessary for entry level employment in particular industries.*⁴⁸

5.91 Johnston noted in his *Review of the Training for Aboriginals Program* that, while the Australian Chamber of Commerce and Industry's scheme is significant in itself because it denoted the interest of the peak body, that it had 'not

⁴⁶ Evidence, p416

⁴⁷ Department of Employment, Education and Training, supplementary submission, pS1239

⁴⁸ Department of Employment, Education and Training, supplementary submission, pS1239-40

yet been productive of significant placements'. One of the difficulties 'has been some inability of Aboriginal job seekers to meet the skill needs of the vacancies generated by the Confederation's activity'. This emphasised the importance of the training element in the Aboriginal Employment Development Policy strategy.⁴⁹

5.92 According to the Department of Employment, Education and Training, the Australian Council of Trade Unions has recently indicated support for an initiative similar to that of the Australian Chamber of Commerce and Industry, 'based on the employment of eight Aboriginal Liaison/Employment Officers to promote private sector employment for ATSI people'.⁵⁰ Strategies are also in place in the mining, pastoralism and tourism industries; and significant progress has been made through an officer working with the New South Wales Retail Traders Association.

5.93 The Committee was interested to hear that Western Australian Aboriginal Employment Action targets firms of 1000 people or more and encourages them to adopt strategies within those major companies to employ, train and provide career development for Aboriginal people.⁵¹

5.94 The possibility was raised of having employment agreements in place with large retail chains such as Woolworths and Coles Myer.

5.95 Given the fact that at the 1986 Census the Aboriginal population of the Northern Territory represented 22.4% of the total Territory population, it could be argued that the Aboriginal population should be well represented in Darwin's retail sector. It does need to be noted, however, that it is only in the Northern Territory that there are more Aboriginal people living in rural and remote areas than in urban areas and small country towns of more than 1000 people.

Aboriginal Employment Promotion Committees

5.96 A step taken to focus more directly on the generation of employment for Aboriginals and Torres Strait Islanders at the local level is the establishment of Aboriginal Employment Promotion Committees. The proposal originally came from the Aboriginal Employment Development Policy and was strongly endorsed by the Royal Commission into Aboriginal Deaths in Custody which recommended:

That increased funding be allocated to the establishment of local employment promotion committees comprised of representatives of Aboriginal groups, local employers, government departments and unions... (Recommendation 309).

⁴⁹ Elliott Johnston, *Review of the Training for Aboriginals Program*, p62

⁵⁰ Department of Employment, Education and Training, supplementary submission, pS1240

⁵¹ Western Australia, evidence, p174

5.97 The aims of such committees are:

- . *to develop and implement strategies to assist Aboriginal people gain employment.*
- . *to raise the awareness of Aboriginal people to local employment opportunities; and*
- . *to lobby for change at the local level to achieve the above purpose.*

5.98 Sixteen pilot committees commenced operation in June 1992. Three are in major urban centres, Darwin (Northern Territory), Ipswich (Queensland) and Rockingham (Western Australia). Additional committees have been set up in the major regional centres of Dubbo and Nowra in New South Wales; and Cairns, Townsville and Rockhampton in Queensland. Additional committees are planned for Redfern and South Brisbane.⁵²

5.99 The Committee was told that in Port Hedland, where there is the largest urban concentration of Aboriginals and Torres Strait Islanders in Western Australia, outside Perth, only about one half of a per cent of the workers at the Mount Newman Mine were Aboriginal and Torres Strait Islander, whereas the local council employed a reasonable proportion of Aboriginals and Torres Strait Islanders.⁵³ It would seem an obvious example of a case for study by a local Aboriginal Employment Promotion Committee.

5.100 The Committee is convinced of the value of having a reporting mechanism for large organisations in the private sector, similar to that which is now in place in the case of women, where companies have over 100 employees.

5.101 The Committee recommends that:

affirmative action legislation be put in place to require all firms employing over 100 employees to report on steps being taken to promote the employment of Aboriginals and Torres Strait Islanders. (Recommendation 32)

⁵² Department of Employment, Education and Training, supplementary submission, ppS1238-39

⁵³ The Committee was told this during a visit to Western Australia

The Community Development Employment Projects (CDEP) Scheme

5.102 The Community Development Employment Projects (CDEP) scheme was introduced in 1977 to cater for remote communities where there was little prospect of employment or economic development. In 1987 the scheme became a key element in the new Aboriginal Employment Development Policy. It has subsequently been adapted and expanded to cope with other areas of entrenched Aboriginal unemployment in rural urban areas and, most recently, has become available for metropolitan urban centres.

5.103 The objectives of the Community Development Employment Projects scheme are:

To provide employment opportunities for Aboriginals and Torres Strait Islanders in locations where there are no, or limited, alternative prospects in order to:

- *reduce Aboriginal and Torres Strait Islander dependence on social welfare benefits; and*
- *and improve elements of their social, cultural or economic life which enhance self-management by Aboriginal and Torres Strait Islander communities.*⁵⁴

The scheme is the largest single program within the Aboriginal Employment Development Policy. Expenditure has increased from just under \$40 million in 1986/7, to \$194 million in 1990/91 and to \$204.522 million in 1991-92. The scheme currently accounts for 39.8 % of the Aboriginal and Torres Strait Islander Commission's expenditure.

5.104 Members of Aboriginal and Torres Strait Islander communities participating in the scheme agree to forego their Job Search or Newstart allowances in exchange for the opportunity to earn, through part-time work in projects benefiting the community, at least the equivalent of their allowance entitlements. Community Development Employment Projects grants provide funds for wages and additional costs.

5.105 In the course of its evolution the scheme has been the subject of reports by the Auditor-General and by this Committee. Aspects of the operation of the scheme have been reviewed by interdepartmental committees in 1990 and 1991, and by the Royal Commission into Aboriginal Deaths in Custody. A full evaluation of the Community Development Employment Projects scheme is planned as part of the review of the Aboriginal Employment Development Policy. Flowing from the above-mentioned reports, changes have been made to aspects of the Community Development Employment Projects scheme since the start of this Inquiry.

⁵⁴ *Program Performance Statements 1992-93 Employment, Education and Training (Aboriginal and Torres Strait Islander Commission), Budget Related Paper No. 9.5B, p59*

5.106 The Committee focused on those aspects of the Community Development Employment Projects scheme that are relevant to the needs of urban dwelling Aboriginals and Torres Strait Islanders. The issues raised here are those that were brought to the attention of the Committee in evidence before and submissions to this Inquiry.

5.107 The Committee found the Community Development Employment Projects scheme to be operating effectively in widely different 'urban' environments (within the definition of this report) including rural towns, the Deed Of Grant In Trust Communities (DOGITs) in Queensland, town camps and, occasionally, in metropolitan urban areas. Projects in larger urban areas have included clothing and furniture manufacture, contract gardening, cabinet making, catering, community produce gardens, building and landscaping. In rural towns, Community Development Employment Projects have included arts and crafts manufacture, road repairs, wood cutting and collection, plant nurseries, fencing, rabbit eradication, family day care, sewing groups, poultry farming, maintenance of community facilities, mining equipment manufacture and the establishment of recreational facilities.

5.108 The Community Development Employment Projects scheme is proving of great value in rural towns where, given the intractable and structural nature of Aboriginal unemployment, the attractiveness of the scheme is understandable.

5.109 The Committee heard that the scheme was working exceptionally well at Woorabinda, an Aboriginal community about 170 km south-west of Rockhampton in Queensland. Five hundred of Woorabinda's population of 1500, are participants in the scheme commenced in the mid 1980s. One indication of the popularity of the scheme is a dramatic population increase as Aboriginal people from elsewhere have moved to Woorabinda to enjoy the perceived benefits of participation in the scheme.

5.110 Woorabinda's most successful program to date has been housing repairs. With one exception, tradesmen have come from outside the community but have been expected to work with Community Development Employment Project gangs and take on apprentices within the community for the construction or renovation of houses.⁵⁵ Other projects to combine outside expertise with a local Community Development Employment Project work force have been a water-borne sewerage system and treatment plant, and the new water supply.

5.111 The Tangentyere Council in Alice Springs, a resource organisation for 18 town camps in the area, also reported very favourably on the impact of the Community Development Employment Projects scheme in this region of very high unemployment. The scheme was practically the only avenue for employment with very few Aboriginals being employed in the private sector and only a few in the public service. Under the scheme there were work gangs engaged in plumbing, painting and maintenance. The majority of men in these gangs were either qualified

⁵⁵ Aboriginal and Torres Strait Islander Commission, *Setting Our Own Course*, Canberra, 1992, p16

tradesmen or in training. In April 1992 the scheme was reported to employ 350 people of whom 100 were women.⁵⁶

5.112 An encouraging feature of the success of the Community Development Employment Projects scheme in Alice Springs is that some workers engaged in painting and in catering have been able to secure contracts within the general community.

5.113 Community Development Employment Projects in Wilcannia in western New South Wales included a market garden, maintenance work on outdoor furniture for the Land Council and the management of the local swimming pool. In the planning stages were the setting up of a cherry orchard and a fish farm.

5.114 Much interest was expressed at Wilcannia in the use of the Community Development Employment Projects scheme for housing construction and maintenance. Wilcannia's Aboriginal population was reported to be just over 600 with an average of 6 people to every house. The Committee was told that in two recent building projects for the construction of Aboriginal houses funded through the Aboriginal Development Commission and the Aboriginal and Torres Strait Islander Commission and the State Housing Department, respectively, the work was contracted out. No attempt had been made to write local employment opportunities into these contracts. The Land Council was keen to see that, in future, building and housing maintenance programs should involve employment for local Aboriginals and considered that it would be an opportunity for a Community Development Employment Project.⁵⁷

5.115 The Committee considers that housing construction and maintenance provide an excellent opportunity to develop training programs for Aboriginals and Torres Strait Islanders in the acquisition of building skills. Such programs have the potential to actually give people much more sense of ownership and interest in housing maintenance and put the money back into Aboriginal communities. They are also transferable skills in demand in the general labour market, as has been demonstrated in Alice Springs.

5.116 The Committee recommends that:

**every consideration should be given by the Aboriginal and Torres Strait Islander Commission and Aboriginal communities to the utilisation of the Community Development Employment Projects scheme for housing construction and maintenance.
(Recommendation 33)**

⁵⁶ The Committee was told this during a field visit to Alice Springs

⁵⁷ The committee was told this during a field visit to Wilcannia, New South Wales

5.117 From its earliest days the scheme has been accused of being male-oriented with a bias in favour of public works and town maintenance. The Tangentyere Council, however, has utilised the scheme to provide employment for women in such enterprises as a Homemakers' program, an old people's service, cooking and catering, and gardening. Redfern Aboriginal Corporation in Sydney and Yarrowarra Aboriginal Corporation at Coffs Harbour are other organisations which have been to the fore in ensuring that women benefit from the scheme.

5.118 The Royal Commission into Aboriginal Deaths in Custody recommended that in the forthcoming review of Community Development Employment Projects scheme, attention should be given to:

- e. *Addressing issues of access to income, and meaningful work activities for women participants in CDEP...* (Recommendation 319)

5.119 The Minister for Aboriginal and Torres Strait Islander Affairs in announcing the expansion of the Community Development Employment Projects scheme, as part of the Federal Government's second stage response to the Royal Commission into Aboriginal Deaths in Custody, said that 'a greater emphasis will be given in the expanded scheme to economic development projects for women and young people'.⁵⁸ Under the Community Organisation Young Person's Employment Program, part-time placements and Technical and Further Education-linked training of up to 18 months are being offered to 16 to 25-year-olds.⁵⁹

Social Effects

5.120 The Committee heard of the valuable social effects of the Community Development Employment Projects scheme in improving the self esteem of Aboriginal communities through addressing social problems related to unemployment and in improving relations with non-Aboriginal people in country towns.

5.121 The Tangentyere Council told the Committee that the Community Development Employment Project scheme had contributed to a big improvement in conditions in the town camps in the past 10 years. The scheme had given people a sense of self-esteem because it meant that they had something to do instead of sitting around all day.

5.122 The Community Development Employment Projects scheme in Port Lincoln involves the council, the local schools, police and educational institutions. Zone Commissioner for the Aboriginal and Torres Strait Islander Commission in South Australia, Mr Charles Jackson, described a dramatic change in social attitudes that had resulted from the scheme:

⁵⁸ Minister for Aboriginal and Torres Strait Islander Affairs, *Media Release*, 'Employment Development Scheme Expanded', 24 June 1992

⁵⁹ Minister for the Arts, Sport, the Environment and Territories and Minister for Aboriginal and Torres Strait Islander Affairs, *Joint Media Release* 'Focus on Youth', 24 June 1992

*There are no more Aboriginal people drinking on the foreshore; kids have gone to school; they have increased their attendance at school by about 40 per cent for the simple reason that their mums and dads are working now. The family is not lying in bed at 10.00 in the morning so the kids cannot go to school.*⁶⁰

5.123 In Port Lincoln, the scheme is 'quite a genuine PR exercise' which is able to build bridges with the non-Aboriginal community. In Port Augusta, the scheme benefits not just Aboriginal people but business houses. More money is generated by Aboriginal people and so there are a lot of spin-offs from having the Community Development Employment Projects scheme implemented in those urban situations.

5.124 Tennant Creek expressed interest in the Community Development Employment Projects scheme and at Katherine, Mr John Havnen, Chairperson of Kalano Community Association asked the Committee to:

*Bring to the attention of the ATSIC and the Federal Government that town camp organisations should receive high priority for CDEP because their problems arising from alcohol abuse and cultural and social breakdown were greater than those of remote communities.*⁶¹

5.125 There are more requests for the Community Development Employment Projects than can be fulfilled. It was reported in November 1991 that over 7 000 Aboriginals and Torres Strait Islanders in more than 100 communities were seeking access to the scheme.⁶² The Royal Commission into Aboriginal Deaths in Custody recommended:

That further extension of the Community Development Employment Projects program (or some similar program) to rural towns with large Aboriginal population and limited mainstream employment opportunities for Aboriginal people be considered. (Recommendation 317)

5.126 In 1991-92, the Commonwealth Government approved the expansion of the Community Development Employment Projects scheme by 3100 places over 3 years to new communities, with 800 participant places to be allocated in 1991-92. The program provision for 1992-3 of \$234.596m includes an additional \$1.91m for expansion to new communities as part of the Commonwealth Government's second

⁶⁰ South Australia, evidence, p339

⁶¹ The committee was told this during a field visit to Tennant Creek, Northern Territory,

⁶² Minister for Aboriginal Affairs, 'Government Response to the Recommendations of the House of Representatives Standing Committee on Aboriginal Affairs, Review of Audit Report No 12 of 1990-1991, November 1991'.

stage response to the Royal Commission into Aboriginal Deaths in Custody.⁶³ Currently, some 20,000 people are in the program. By 1994-95, more than 25,000 Aboriginals and Torres Strait Islander workers will be participating in the scheme.

5.127 It is only in the last few years that program guidelines have been altered to allow the scheme to operate in urban areas. In 1992 the Aboriginals and Torres Strait Islander Commission reported that there were 136 Community Development Employment Projects. Seven categorised as urban, were in capital cities or major rural centres.⁶⁴

5.128 The 53 Community Development Employment Projects operating in Western Australia in June 1991 were targeted almost exclusively to remote and isolated communities.⁶⁵ In 1990-91, the Aboriginal and Torres Strait Islander Commission allocation to Western Australia was an estimated \$104.25 million, and of this \$88.85 million or 85% was allocated to the remote region.⁶⁶ Only 53% of the State's Aboriginal population, however, reside in the remote region. In the South West of that State there was a disproportionate lack of Community Development Employment Projects compared to the rest of the state.

5.129 While Sydney now has two Community Development Employment Projects, one in Redfern and the other in Western Sydney, the Committee was told that the full potential for long term employment creation could not be realised if the historic pattern of funding were to continue with the bias in favour of remote areas. Mr Houston compared the Community Development Employment Projects' expenditure in Derby, Western Australia, of \$16,180,000 with that of \$480,000 in his region.⁶⁷

5.130 As the Community Development Employment Projects scheme has evolved, a difference has emerged in the objectives of particular projects which are largely dependent on location. The Report of the Royal Commission into Aboriginal Deaths in Custody noted a possible blurring of objectives and advised that:

The goal of income support for a subsistence community ...is a very different one from the enterprise development or job creation goals of some of the schemes... It is especially important that means be devised to ensure that (unless the scheme is being used primarily as income support for a

⁶³ The \$1.91m relates to wages, on costs and support grants for 750 participants for the last quarter of the financial year, 1992-1993

⁶⁴ *Program Performance Statements 1992-3 Employment, Education and Training (Aboriginal and Torres Strait Islander Commission)*, Budget Related Paper No. 9.5B, p62

⁶⁵ Western Australia, evidence, p 161

⁶⁶ W. S. Arthur, 'Funding allocations to Aboriginal people: the Western Australia case', Australian National University, Centre for Aboriginal Economic Policy Research, Discussion Paper, No No 15/1991, p15

⁶⁷ Evidence, p550

*subsistence community) the CDEP scheme operates as a means to achieve a greater degree of self sufficiency, through the generation of employment in the public or private sector, or through the development of profitable enterprises.*⁶⁸

5.131 In remote areas it may be unlikely that the Community Development Employment Projects scheme could operate with a sunset clause, in the near future. However, in rural urban and metropolitan urban areas, there is more potential for the scheme to develop an economic base and an economic structure for a community. As the Royal Commission into Aboriginal Deaths in Custody noted:

*Ultimately, the CDEP scheme should serve as a springboard to less artificial and more independent ways of improving the economic position of community members.*⁶⁹

5.132 In several of the centres visited by the Committee, including Port Lincoln, small businesses were started as Community Development Employment Projects that have subsequently generated sufficient cash flow to pay workers out of the profits of the enterprise.

5.133 The Royal Commission into Aboriginal Deaths in Custody suggested that:

*Where enterprise development is the aim of a project, 'sunset' targets should be set for the end of the CDEP support. CDEP projects should be a means to enhanced economic independence for Aboriginal people rather than simply becoming institutionalised as another form of welfare dependency.*⁷⁰

5.134 The Committee is also mindful of the Royal Commission into Aboriginal Deaths in Custody recommendation that spending on training and other active labour market policy programs (such as Community Development Employment Projects) should have preference over unemployment relief programs.⁷¹

⁶⁸ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p439

⁶⁹ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p428

⁷⁰ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p428

⁷¹ Minister for Aboriginal Affairs, *Media Release*, 24 June 1992

5.135 The Committee recommends that:

- the Aboriginal and Torres Strait Islander Commission give consideration to a substantial expansion of Community Development Employment Projects, particularly in urban areas; (Recommendation 34)
- where a Community Development Employment Projects scheme is operating as a labour market program, a sunset clause should be inserted. (Recommendation 35)

5.136 In rural and remote areas, where the scheme had its origin, the general rule has been that there should be consensus within a community before a Community Development Employment Project is implemented. In urban areas, however, where the Aboriginal population may be less homogeneous, the community consensus model poses some problems, as the Aboriginal and Torres Strait Islander Commission outlined in its submission to the Inquiry:

The practice of seeking to access the urban population via local incorporated Aboriginal and Torres Strait Islander organisations is proving to be only marginally effective due to misperceptions about the nature of the urban Aboriginal and Torres Strait Islander 'community' with the result that communication and consultation processes are not adequately reaching the majority of urban dwellers.⁷²

5.137 To adapt the scheme to urban conditions the Aboriginal and Torres Strait Islander Commission has favoured a project-based rather than community-based administrative model with participation being on a volunteer basis.

5.138 The Committee recommends that:

the Aboriginal and Torres Strait Islander Commission should ensure that the model of a project-based Community Development Employment Projects scheme is actively promoted in metropolitan and other urban areas, as appropriate, as part of its Community Development Employment Projects approval process. (Recommendation 36)

⁷² Aboriginal and Torres Strait Islander Commission, evidence, pS400

Training and Management

5.139 The Committee, like the Royal Commission into Aboriginal Deaths in Custody, has been impressed with the 'dramatic changes' that have been brought about in many Aboriginal communities as a result of the Community Development Employment Projects scheme. But a constant criticism that has been made is that there has been inadequate effort going into the training of people involved in the management of Aboriginal organisations, including, to some extent, people who are in management levels in Community Development Employment Projects.

5.140 Complaints were made to the Committee about lack of adequate training both at the project level and at the administrative level. In rural New South Wales the Committee heard that many Community Development Employment Projects were faltering because insufficient time was spent in co-ordinating them. According to the Assistant State Manager of the Aboriginal and Torres Strait Islander Commission in South Australia, Mr Richard Preece:

It is an absolutely marvellous program where it is managed properly. The key to its successes is its management ... Usually, my experience is that where a Community Development Employment Project has not been particularly successful in communities it is because the management structures of the community have not been strong.⁷³

5.141 These issues were recently addressed by this Committee in the recommendations in its *Review of the Auditor General's Report No 12, 1990-91, Aboriginal and Torres Strait Islander Commission, Community Development Employment Projects⁷⁴* and in the *Review of the Training for Aboriginals Program*.

5.142 As a result of the Training for Aboriginals Review the community training and enterprise support elements of Training for Aboriginals were transferred from the Department of Employment, Education and Training to the Aboriginal and Torres Strait Islander Commission from 1 July 1992. It is anticipated that this move should alleviate problems that have been identified in training support for Community Development Employment Projects programs.

5.143 The question of the relatively low payment received by participants in Community Development Employment Projects in comparison to regular labour market programs was raised before the Committee. A research project into the impact of applying appropriate industrial relations awards to Community Development Employment Projects was recommended by this Committee in its Review of Audit Report No. 12. The Government supported this recommendation

⁷³ Evidence, p341

⁷⁴ Australian Government Publishing Service, Canberra, 1991

and it is expected that the project will be completed in time to be of benefit to the 1992-93 review of the Aboriginal Employment Development Policy.⁷⁵

5.144 The Committee recommends that:

the Aboriginal and Torres Strait Islander Commission take into account when evaluating Community Development Employment Project applications, that training should not be for its own sake, but directly related to general labour market employment or enterprise development both in the public and private sectors or to community development. (Recommendation 37)

⁷⁵ Minister for Aboriginal Affairs, 'Government Response to the Recommendations of the House of Representatives Standing Committee on Aboriginal Affairs, Review of Audit Report No 12 of 1990-1991, November 1991'

CHAPTER 6

HOUSING NEEDS OF URBAN DWELLING ABORIGINALS

Introduction

6.1 " *What we want*" makes it sound like we want this and we want that, it's not. What we want is every Australian's basic right, housing, education and good health, and we are not getting it in the situation we are in now.¹

6.2 The lack of housing, overcrowding and poor standard of housing were problems raised at virtually every place the Committee visited. The availability and adequacy of housing is a central determinant of overall living standards. Aboriginals and Torres Strait Islander people are significantly disadvantaged in their housing. Many live in sub-standard housing and some 'long grass' urban dwellers have no housing at all. The inadequacy of housing was raised as a major issue by most of the people the Committee spoke to during this Inquiry.

6.3 Despite expenditure in excess of one billion dollars on Aboriginal housing programs by the Commonwealth since 1968, it is estimated that over 70,000 of the 228,000 Aboriginal and Torres Strait Islander population are either homeless or live in inadequate or inappropriate housing.²

6.4 The 1986 Census identified that there were 54,134 Aboriginal and Torres Strait Islander families at that time, of which about seventy percent lived in urban areas. Seven out of every ten Aboriginal and Torres Strait Islander households were renting their dwellings compared with three out of ten in the wider population.

6.5 There is general agreement by housing service providers and Aboriginal and Torres Strait Islander agencies and individuals that Aboriginal and Torres Strait Islander housing provisions are inadequate. Comprehensive up-to-date data on existing infrastructure, and unmet demand is lacking. Existing infrastructure data should include the number of accommodation units, their capacity and condition.

¹ Darryl Pearce, 'Aboriginal housing issues' in *Shelter*, Vol 5, Nos 2 & 3, Nov 1988-March 1989, p46

² Aboriginal Development Commission, Aboriginal and Torres Strait Islander Housing & Accommodation Needs Survey, 1987

6.6 Urban dwelling Aboriginal and Torres Strait Islander people access housing accommodation from the following major sources:

- State and Territory housing authorities;
- Aboriginal housing co-operatives;
- Aboriginal and Torres Strait Islander Commission housing loans; and
- private sector housing.

6.7 Urban dwelling Aboriginal and Torres Strait Islander people are heavily reliant on public housing for their housing accommodation needs.³ State and Territory Government housing authorities and other government agencies provided the majority of rental accommodation to Aboriginal and Torres Strait Islander households.

6.8 Private sector rentals, which include accommodation provided through Aboriginal organisations and housing associations, accounted for 35% of Aboriginal and Torres Strait Islander households.⁴

6.9 Only a little under 25% of Aboriginal and Torres Strait Islander families own or are buying their own homes compared with the general Australian rate of 70%. The proportion of Aboriginal and Torres Strait Islander households who either own or are purchasing their homes is greatest in the major urban centres.

6.10 There is still a significant number of Aboriginal and Torres Strait Islander people living in improvised dwellings, whether makeshift buildings or caravans. In urban areas 0.8% lived in improvised dwellings, not counting those in caravans.⁵

6.11 Until recently, urban dwelling Aboriginal and Torres Strait Islander people's needs were largely ignored as they were classed as successful products of the assimilation policies of the earlier part of this century. They are not seen as 'real' Aborigines and Torres Strait Islanders and have become the forgotten people of this country. This is dealt with further in Chapter 9. It is a common perception that urban dwelling Aboriginal and Torres Strait Islander people's needs are no different to the rest of the community, and that they have fair and equitable access to mainstream services.

³ Queensland Government, evidence, pS1073

⁴ Australian Bureau of Statistics, *Census 86 - Aboriginal and Torres Strait Islander People*, 1991, p14

⁵ Australian Bureau of Statistics, 1991, pp14 & 36

6.12 Because of these views, and the lack of recognition of contemporary urban dwelling Aboriginal and Torres Strait Islander culture, there have been some major planning disasters in housing provision in urban situations. These include the clustering of Aboriginal and Torres Strait Islander people when providing housing accommodation, effectively creating ghetto's in rural and metropolitan areas throughout the country. In other areas, family groups have been broken up in housing allocations.

6.13 During the latter half of the 1970s, urban dwelling Aboriginal and Torres Strait Islander people's Aboriginality began to be recognised. Because of the lack of data and research into urban dwelling Aboriginal and Torres Strait Islander situations it was frequently presumed that they possessed the same cultural norms of remote 'traditional' Aboriginal and Torres Strait Islander people. This came about because of the misperception of 'community'. It is wrongly assumed that all urban Aboriginal and Torres Strait Islander people possess a strong sense of communal identification and act solely for the common good.

6.14 In its submission the Aboriginal and Torres Strait Islander Commission stressed that urban Aboriginal and Torres Strait Islander people possess a distinctive culture which may be localised and individualised in nature.⁶

6.15 This is one of a number of complex issues that directly affect urban housing provision for Aboriginal and Torres Strait Islander people. These issues are not only related to housing but they impact on and are impacted upon by other areas of disadvantage. This is a commonality when dealing with Aboriginal and Torres Strait Islander issues. Issues that disadvantage Aboriginal and Torres Strait Islander people in gaining urban housing are: income, affordability, employment, education, population growth, previous funding and cultural factors. These are dealt with below.

Income

6.16 The income of Aboriginal and Torres Strait Islander people is generally lower than that of other Australians. At the time of the 1986 Census, the median income of Aboriginal people was approximately 64.8% of the median for the Australian population as a whole. It is estimated that 53% of Aboriginal income comes from social security payments, compared to 11% for all Australian households.

Affordability

6.17 Housing is an expensive item in the household budget. The National Housing Strategy has used the term 'housing stress' to describe the situation where low income households pay an excessive proportion (more than 30%) of their income in meeting housing costs.

⁶ Aboriginal and Torres Strait Islander Commission, evidence, pS394

6.18 Over half of the people in housing stress are private renters, social security recipients and single income households. The majority of Aboriginal and Torres Strait Islander people are in one or more of these categories.

Employment

6.19 Apart from inherited wealth and social security payments, income is mainly generated through wages from employment. In 1987, in its Aboriginal Employment Development Policy, the Commonwealth Government acknowledged that Aboriginal and Torres Strait Islander people were the most disadvantaged in the Australian labour market. At that time, only one-third of Aboriginal and Torres Strait Islander people of working age were employed, with unemployment at least five times higher than the national unemployment level.

6.20 Aboriginal employment, where it does exist, is concentrated in the lower skilled and lower paying positions, which are the positions most affected during an economic downturn.

Education

6.21 The level of education reached affects employment and income. The Aboriginal Employment Development Policy noted that the number of Aboriginal people participating in education and gaining recognised skills is lower than the general population, with the retention rate of Aboriginal students in secondary education being less than half of the national rate (see paragraph 4.43). The proportion of Aboriginal people having obtained post-school qualifications is only one-fifth of the national rate. The Aboriginal Education Policy Taskforce in 1988 found that Aboriginal people remain the most educationally disadvantaged group in Australia.

Population Growth

6.22 As outlined in Chapter 1 (paragraphs 1.44-1.46) the Aboriginal and Torres Strait Islander population is an overwhelmingly young population. The 1986 Census found that over half of all Aboriginal and Torres Strait Islander people were under 20 years of age, compared to less than a third of all Australians. It is projected that the population will increase from 227,645 in 1986 to 300,000 by 2001. Over this same period, the 20-34 age group will increase by 70% and the 50-60 age group by 78%. The different demography of the Aboriginal and Torres Strait Islander population compared to the general population needs to be specifically addressed when assessing housing needs as projections based on the wider population changes would be misleading.

Previous funding

6.23 Specific Commonwealth Government funding for Aboriginal housing has been channelled into three types of housing programs:

- the provision of rental housing through State housing authorities;
- rental housing through Aboriginal community organisations; and
- housing loans for home purchase.

6.24 State Governments have provided additional funds. Aboriginal people are also assisted through general public housing, particularly in urban areas.

6.25 Over the period from 1968-69 to 1989-90, some \$1.3 billion of Commonwealth funding was channelled through these programs (approximately \$2 billion in 1989-90 dollar terms). In 1991-92, the Commonwealth provided \$91.2 million for Aboriginal Rental Housing through State housing authorities. The Home Ownership scheme was funded for \$25.4 million in the same year with \$148.9 million provided for the Community Housing and Infrastructure Program.⁷ The latter program includes the provision of essential and municipal services as well as housing.

6.26 Funding of this magnitude should have resulted in significant improvement in housing standards. The fact that this has not been achieved can be attributed in part to factors such as the high maintenance costs of the housing provided, conflict between design and lifestyle and the problems with overcrowding resulting from the failure to reduce the backlog of housing needs. In many cases, Aboriginal and Torres Strait Islander people have not had the background nor the funds to maintain houses of the type constructed. In other cases the standard of the housing provided has been poor.

6.27 Dr Alan Gray has estimated that, between 1971 and 1986, all Commonwealth housing programs for Aboriginal and Torres Strait Islander people delivered about 19,400 dwellings, but the number of Aboriginal and Torres Strait Islander households increased by 16,100 during the same period. Therefore, despite the considerable efforts undertaken, the net reduction in the housing backlog through Commonwealth programs was only about 3300 houses over the 15 years.⁸

Building Standards/Quality Control

6.28 The frequent lack of consultation with Aboriginal and Torres Strait Islander communities and tenants has seen housing delivered in an often inappropriate and haphazard manner. Inappropriately designed housing, which often includes poor quality materials and construction standards has resulted in unsuitable housing, high maintenance costs and a waste of public money.

⁷ *Social Justice for Indigenous Australians*, Budget Related Paper No. 7, Australian Government Publishing Service, Canberra, 1992, p112-115

⁸ *Social Justice for Indigenous Australians, 1992-93*, Budget Related Paper No. 7, p10

6.29 While public housing should be the same standard for all Australians in the public rental market, the reported high incidence of neglect in responding to Aboriginal and Torres Strait Islander repairs and maintenance requirements further exacerbates the problems of inappropriate design and defective workmanship on specific Aboriginal and Torres Strait Islander constructed homes (ie. Aboriginal Housing Rental Assistance Program funded construction). The Committee received evidence of a newly constructed housing village in Western Australia where the taps and light fittings were virtually falling off on initial use. The houses were recently constructed being approximately three months old. The sewerage system had defects which had to be rectified on occupation by tenants. The Committee believes that there is inadequate quality control over such housing construction and subsequent maintenance.

Cultural factors

6.30 Cultural factors have had an impact on the effectiveness of housing provided in the past. Ideas about what a house is and does are very much related to people's backgrounds. Aboriginal and Torres Strait Islander people's ideas of how living space should be arranged and used are different in many cases from those of non-Aboriginal people.⁹ In many instances, housing provided for Aboriginal families has not been related to lifestyle needs, such as mobility, outdoor living, kinship obligations and lack of emphasis on personal possessions.

6.31 For example, in the previously mentioned Western Australian case the 'consultation' with the Aboriginal and Torres Strait Islander community had been a 'choice' from five standard three bedroom suburban house layouts. No consideration had been given to the need for extended families or outdoor living requirements.

Assessing housing needs

6.32 In the past decade there has been some worthwhile research conducted about the housing needs of Aboriginal and Torres Strait Islander people, and while the overall needs are clear, detailed up-to-date assessments are required. However, these needs today remain largely unmet, due to insufficient resources being allocated to address them.

6.33 Will Sanders has produced a valuable overview of the escalating costs versus the need for Aboriginal and Torres Strait Islander housing, and how the system is not able to address the housing needs of the Aboriginal and Torres Strait

⁹ Queensland Government, evidence, p244
Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p462-3

Islander community appropriately.¹⁰ Sanders has outlined the attempts by the former Department of Aboriginal Affairs (DAA) and Aboriginal Development Commission (ADC) (now the Aboriginal and Torres Strait Islander Commission) at determining the national Aboriginal and Torres Strait Islander housing needs statistics for the past two decades and putting a dollar value on the cost of meeting that need.

6.34 The Royal Commission summarised Sanders findings:

In 1983 a 'housing and accommodation needs survey' was conducted jointly by DAA and ADC, and revealed that between 16,300 and 16,700 dwellings were needed. The cost of meeting that backlog at 1983 prices was \$820m. When the joint survey was repeated in 1985 the backlog had grown to 17,600 and the cost of overcoming it to \$1.1 billion. By 1987 the backlog had been brought back to 16,200 dwellings, but the cost of overcoming it had increased to around \$1.3 billion. Sanders concludes:

Even so....those needs were apparently still enormously beyond the capacity of a policy sector with an annual budget of around \$140-150m and financing the construction or acquisition of only 1700-1800 houses per annum.¹¹

6.35 The present programs are barely keeping up with population increase. Estimates from the Australian Health Development Group indicate a need for Aboriginal and Torres Strait Islander housing and infrastructure funding of around \$2.5 billion. Given the expected increase in both the Aboriginal and Torres Strait Islander population and consequently the number of Aboriginal and Torres Strait Islander households, it is very unlikely that the level of funds provided will come anywhere near meeting all the Aboriginal and Torres Strait Islander housing needs within the foreseeable future.

6.36 Figures taken from the *Housing Assistance Act Annual Report 1988 - 1990*, of the Department of Health, Housing and Community Services, showed that the Aboriginal and Torres Strait Islander waiting list for housing accommodation under the Aboriginal Housing Rental Assistance Program was 5713 as at 30 June, 1990. It is estimated that this figure should be approximately trebled as the report did not have any statistics from Queensland, Northern Territory or South Australia.

6.37 During this period there was an increase of Aboriginal and Torres Strait Islander housing stock under the Aboriginal Housing Rental Assistance

¹⁰ W. Sanders, "Reconstructing Aboriginal Housing Policy for Remote Areas: How much room for manoeuvre?", *Australian Journal of Public Administration*, 49, (1), 1990, pp38-50

¹¹ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p457-8

Program of 966 dwellings, less than 10% of the estimated Aboriginal and Torres Strait Islander waiting list. When taken in combination with the forecast Aboriginal and Torres Strait Islander population growth of 1.9% per year (4889 on the 257,333¹² Aboriginal and Torres Strait Islander population) it appears that the housing situation for Aboriginal and Torres Strait Islander people will deteriorate even further in the near future.

6.38 In the 1986 Census, 40% of the Aboriginal and Torres Strait Islander population were under 15 years of age. Consequently the Department of Health, Housing and Community Services, in a discussion paper of the National Housing Strategy, warned that household formation growth will be greater than population growth in the next 25 years:

It has been projected that the number of Aboriginal households will increase much faster than the Aboriginal population over the period from 1986 to 2021. This projection is based on the assumptions that both the mortality and fertility rates will fall. The projected increase over this period is approximately 2000 per year, which is around the same as the number of new dwellings provided under all Commonwealth housing programs for Aboriginal people each year.¹³

6.39 It is quite clear that the demand growth is outstripping the supply growth of Aboriginal and Torres Strait Islander housing. How to begin addressing the need appropriately and equitably is the task that has to be undertaken by the housing providers in consultation with the Aboriginal and Torres Strait Islander community as a matter of urgency.

Assessment by Government

6.40 There are currently two initiatives being undertaken by governments to inquire into housing needs, programs and policy. These are the National Housing Strategy and the National Aboriginal Health Strategy.

6.41 In June 1990, the Commonwealth Government announced a National Housing Strategy (NHS) to undertake a comprehensive review of national housing policies and programs. Over a period of two to three years, the National Housing Strategy will develop for consideration by government, a comprehensive and integrated set of strategies to ensure affordable and appropriate housing which responds to the differing needs of people. The National Housing Strategy has incorporated a special segment to stimulate discussion on the needs of indigenous people.

¹² Preliminary figures 1991 Census

¹³ *Current Factors which affect Housing* in National Housing Strategy, Aboriginal and Torres Strait Islander Housing, Discussion Package, August, 1991

6.42 The National Aboriginal Health Strategy (NAHS) was endorsed by Government in June 1990 and saw historic cooperation by Commonwealth and State Ministers for Aboriginal Affairs, Health and Housing. Funding to implement the strategy was agreed to by government on 13 December 1990.

6.43 Under the National Aboriginal Health Strategy the Commonwealth will provide up to \$232 million over five years to lift unacceptable health and infrastructure standards in Aboriginal communities. Commonwealth funding will be dependent on the States and Territories making substantial contributions.

6.44 One of the elements of the National Aboriginal Health Strategy is to address urgent needs in Aboriginal and Torres Strait Islander communities such as housing, water, sewerage, electricity, communications and roads. Consequently, an initiative of the National Aboriginal Housing Strategy is a major national survey of Aboriginal and Torres Strait Islander housing and infrastructure needs. This is currently being undertaken and is due for completion in early 1993.

6.45 Given the crucial role State and Territory agencies play in the delivery of housing and infrastructure programs for Aboriginal and Torres Strait Islander communities, every effort has to be made to gain agreement from those agencies in the development of the strategies for the collection and use of the information.

6.46 The results of the survey will be used to :

- identify and cost the housing and infrastructure requirements of Aboriginal and Torres Strait Islander communities nationally;
- provide a basis for submissions to government for the funding of the housing and infrastructure requirements of communities;
- provide comparisons among regions and States which will give the Aboriginal and Torres Strait Islander Commission the capacity to prioritise the allocation of resources in an objective manner; and
- provide a guide to the Commonwealth Government to develop a formula for the allocation of funds from the Commonwealth/State Housing Agreement and the Aboriginal Housing Rental Assistance Program between the States and the Northern Territory.

Coordination/Delivery

6.47 There still exists today poor coordination and delivery of housing services to Aboriginal and Torres Strait Islander people, because of the number of players in the public housing sector.¹⁴ Commonwealth, State and Territory

¹⁴ Queensland Government, evidence, pS1074-5

Government housing authorities, such as Department of Health, Housing and Community Services, the Aboriginal and Torres Strait Islander Commission, State and Territory housing authorities and housing cooperatives are all involved in the delivery of housing to urban dwelling Aboriginal and Torres Strait Islander people.

6.48 Coordination in the way services are delivered is poor with various agencies having different policies and guidelines for the type of dwellings. This diversity and lack of coordination contributes to the disadvantaged position of Aboriginal and Torres Strait Islander people in general and reduces the effectiveness of consultation with the relevant Aboriginal and Torres Strait Islander people.

6.49 Sanders also attributes the inaction by housing authorities, in addressing the housing needs of Aboriginal and Torres Strait Islander people in the following way:

There has been institutionalised in the agenda of Aboriginal housing policy a massive statistic of nationwide need and a cost for overcoming it... the Aboriginal housing policy sector seems to have established a long future for itself and a good basis for claims for additional resources.¹⁵

6.50 In its submission to the Royal Commission into Aboriginal Deaths in Custody, the Aboriginal and Torres Strait Islander Commission acknowledged the inadequacy of government programs to address Aboriginal housing needs - a situation which it admits may continue for the next decade:

At present funding levels the unhoused, the inadequately housed and the overcrowded will largely remain so in this century. Government programs have made inroads but not quickly enough. At a conservative estimate it would require \$2.5 billion to enable Aboriginal and Torres Strait Islander communities to catch up with the standards for environmental health taken for granted by the broader community. The number of Aboriginal and Torres Strait Islander households is growing and the existing stock is aging.¹⁶

6.51 The Department of Health, Housing and Community Services in their submission to this Inquiry stated :

it is imperative that closer co-ordination and planning links are developed between Commonwealth and State/Territory Governments, government departments and authorities, local government bodies and other service providers. Housing can no longer be viewed as a service

¹⁵ W. Sanders, 1990, p43

¹⁶ Aboriginal and Torres Strait Islander Commission, submission to Royal Commission Into Aboriginal Deaths in Custody, p6

*in isolation. The very real evidence is that issues of physical, mental and social health and housing are inextricably intertwined and a holistic approach to the provision of services must be developed.*¹⁷

6.52 The Committee finds that current new housing provision is only meeting the growth rate in demand for Aboriginal and Torres Strait Islander housing. It is not addressing the substantial backlog. In addition to the backlog, much of the existing housing stock is substandard and needs to be replaced.¹⁸ The lack of access to housing at a level equal to that available to the rest of the population is a major element in the disadvantage of Aboriginal and Torres Strait Islander people. Many of these people are homeless. Adequate housing is an essential measure of a family's standard of living and its absence jeopardises family members' physical, social and mental health. The Committee believes that addressing these housing needs is an urgent priority if Aboriginal and Torres Strait Islander disadvantage is to be removed.

6.53 The Committee recommends that:

The Minister for Aboriginal and Torres Strait Islander Affairs in conjunction with the Aboriginal and Torres Strait Islander Commission and State and Territory Ministers develop a strategy with appropriate funding to address the backlog of Aboriginal and Torres Strait Islander housing needs over the next 10 years as a matter of high priority. (Recommendation 38)

Government Programs for Housing

6.54 The Commonwealth State Housing Agreement is the Commonwealth Government's major housing program. The primary principle of the agreement is; 'to ensure that every person in Australia has access to secure, adequate and appropriate housing at a price within his or her capacity to pay by seeking to:

- alleviate housing related poverty; and
- ensure that housing assistance is, as far as possible delivered equitably to persons resident in different forms of housing tenure.'

¹⁷ Department of Health, Housing and Community Services, evidence, pS1133

¹⁸ Homeswest, evidence, p220

6.55 The State and Territory housing authorities utilising funds from the Commonwealth State Housing Agreement provide rental housing to the community as a whole, to which urban dwelling Aboriginal and Torres Strait Islander people have access.

6.56 Two more specialised Commonwealth housing programs are specifically aimed at providing rental housing to Aboriginals and Torres Strait Islanders:

- the Aboriginal Housing Rental Assistance Program (AHRAP), administered through State and Territory Government housing authorities; and
- the Aboriginal and Torres Strait Islander Commission's Community Housing and Infrastructure Program (CHIP) administered through Aboriginal and Torres Strait Islander housing organisations.

State and Territory housing authorities

6.57 Due to low income and high unemployment levels, most urban dwelling Aboriginal and Torres Strait Islander people are dependant on the State and Territory housing authorities, and Aboriginal housing cooperatives for rental accommodation.

6.58 While mainstream government rental housing is utilised by some Aboriginal and Torres Strait Islander families, agency records do not always indicate whether tenants are Aboriginal or Torres Strait Islander. In addition, there has been no research or analysis of mainstream housing waiting lists, to determine the number of Aboriginal and Torres Strait Islander people wait listed, therefore there are no reliable statistics available to determine the number of Aboriginal and Torres Strait Islander people who have been accommodated or are listed on the waiting list.

6.59 During its consultations with urban dwelling Aboriginal and Torres Strait Islander individuals and organisations, the Committee had its attention drawn to a range of problems in State and Territory housing provision. Overcrowding, poor standards of workmanship, discrimination, poor maintenance scheduling, high maintenance costs, inadequate maintenance budgets, basis of housing allocation, lack of appropriate services and inappropriate design were all factors that contributed to the problem of rental housing accommodation conditions for urban dwelling Aboriginal and Torres Strait Islander people, who utilised the mainstream housing of the State and Territory housing authorities.¹⁹ This was compounded by a lack of knowledge/skills in housekeeping and homemaking on the part of some tenants.

¹⁹ Queensland Government, evidence, pS1074
Professor A. Radford, evidence, pS52

6.60 One member of the Committee summarised the situations described in informal evidence taken in a number of centres in Western Australia:

*We have got situations where the type of housing being required is probably more appropriately described as historic than livable. We have got examples quoted where maintenance is slow, inadequate, and the money being paid to the contractors, excessive. We have had examples where tenants having moved out are being charged large bills for alleged maintenance work having to be done when they moved out. That work is either not being done by the time the subsequent tenants come in, or, in one case, the house was actually knocked down to make way for another building. However, the tenants were still charged for the maintenance work which one suspects was never done in the first place.*²⁰

6.61 An underlying problem frequently raised was that of discrimination or cultural insensitivity by mainstream housing authority staff.²¹ Evidence heard about Homeswest in Western Australia was reflected in complaints heard in other states. A witness for the Aboriginal and Torres Strait Islander Commission in Perth said:

*the Homeswest bureaucracy has been notable in the past for its lack of cultural sensitivity, particularly as far as Aboriginal people are concerned.*²²

The Western Australian Government confirmed this view, citing the findings of a 1989 study by the Western Australian Equal Opportunity Commission, noting that some discrimination continues.²³

Overcrowding

6.62 Overcrowding was a consistent theme in the evidence taken across Australia. This stems from the marked shortfall in housing supply including the lengthy waiting periods for rental accommodation. The lack of itinerant and emergency accommodation further exacerbates the problem. In some areas this frequently results in up to three families sharing one house. At Woorabinda, the Committee was told that approximately 1500 people lived in 150 houses. Another

²⁰ Mr Nugent, evidence, p150

²¹ Queensland Government, evidence, pS1074

²² Evidence, p148-9

²³ Evidence, pS1020, p203

source refers to 5 or 6 families living in a two bedroom government house in Queensland.²⁴

6.63 The low socio economic status of the people concerned means that most do not have sufficient income to access the private rental market or other forms of rental accommodation during the waiting period. (See paragraphs 6.82-6.95.) There are also other problems in accessing the private market. This situation of being homeless can exist for two to three years as the norm and in some cases can be for a lot longer. If, as in some cases, they are previous tenants of the housing authority and have left accommodation in another area with repairs and maintenance debts owing,²⁵ the situation is further exacerbated and can lead to longer periods of being dependant on family and friends to provide accommodation.

6.64 Some families may choose to have their extended family under one roof regardless of whether there is sufficient housing available for all members. However, most overcrowding is due to additional families being homeless.

6.65 When a housing authority becomes aware of an overcrowding situation it frequently places pressure on the tenant to either move the boarders on or be evicted.²⁶ Because of the Aboriginal and Torres Strait Islander family values structure, which places emphasis on the care and well being of family, including the extended family, the tenant is then in a position where their tenancy is in jeopardy. In some instances accommodating the extended family leads to increased rent, placing added financial burden on the tenants. The Committee believes that penalising existing tenants for the inadequate supply of housing is totally inappropriate. In addition, the Committee heard that extended family members temporarily living with a relative were taken off the waiting list for public housing.²⁷ The Western Australian Government denied this but said that people may be made a lower priority on the waiting list.²⁸

²⁴ Wuchopperen Medical Service quoted in C. Choo, 1990, p87

²⁵ Aboriginal Housing Board of Western Australia, evidence, pS1020

²⁶ Western Australian Government, evidence, p225

²⁷ Western Australian State Office, Aboriginal and Torres Strait Islander Commission, evidence, p151-2

²⁸ Western Australian Government, evidence, p226

6.66 The Committee recommends that:

the Ministers for Aboriginal and Torres Strait Islander Affairs and Health, Housing and Community Services in conjunction with the Aboriginal and Torres Strait Islander Commission and State and Territory housing authorities -

- . ensure that prior to the construction of Aboriginal and Torres Strait Islander housing, negotiations take place with Aboriginal and Torres Strait Islander tenants as to local needs in design and to determine the number of people likely to share a house; (Recommendation 39)**
- . ensure that until sufficient housing can be provided to Aboriginal and Torres Strait Islander people, multiple family occupancy of housing is not penalised by additional rent charges. (Recommendation 40)**

Repairs and maintenance

6.67 The provision and standard of repairs and maintenance to Aboriginal and Torres Strait Islander housing by the State and Territory housing authorities received a considerable amount of attention during the Committee's Inquiry. The majority of Aboriginal and Torres Strait Islander participants, when responding to the Terms of Reference on the provision of housing cited repairs and maintenance as a major problem area.

6.68 In Western Australia, the majority of Inquiry participants were highly critical of Homeswest. They alleged that repairs and maintenance work needed, and that had been reported by Aboriginal and Torres Strait Islander tenants to Homeswest, received very low priority and took up to three months before work was carried out.

6.69 Regional Councillors from the Sydney Region of the Aboriginal and Torres Strait Islander Commission pointed to the low amount provided annually for maintenance of Housing Commission homes.²⁹

6.70 There is evidence to suggest that in many instances the lack of repairs and maintenance contributes directly to health problems of the Aboriginal and Torres Strait Islander tenants living in houses in a poor state of repair. In many

²⁹ Evidence, p545

areas the Committee was told of more extreme cases where urgent repairs such as overflow in septic tanks or blocked sewer pipes which took weeks to have fixed. Sydney Aboriginal and Torres Strait Islander Commission Councillors cited a survey by the Tharawal Aboriginal Corporation:

*In general, the living conditions of Aboriginal people in the metropolitan south-west are poor. We find that 52 per cent of households reported problems with vermin, 18 per cent of households reported leaking roofs, 56 per cent of households had flooding yards, 64 per cent reported problems with draughts, 80 per cent of households reported being inadequately heated, and 47 per cent of households reported that their landlords were not helpful. About 92 per cent of the people in our community live in public housing estates.*³⁰

Since this evidence was given, the New South Wales Department of Housing has held detailed discussions on maintenance and tenancy management issues with the Tharawal Aboriginal Corporation.³¹

6.71 Of particular concern to the Committee was the poor workmanship and the lack of quality control and accountability to ensure that both new buildings and repairs were carried out to an appropriate standard. This quality control should be undertaken by the particular State or Territory housing authority. As a result many Aboriginal and Torres Strait Islander people already in accommodation are living in sub standard conditions.

6.72 The Committee heard of Aboriginal and Torres Strait Islander building teams and maintenance teams being used in a number of areas.³² However, the Committee believes there is much greater scope for their use. As well as providing further local employment opportunities and increased self sufficiency maintenance delays could be reduced and work done in a culturally appropriate way. Training is necessary for construction and maintenance workers. This should be undertaken in consultation with the housing agencies requiring their services.

6.73 Submissions received together with other evidence given to the Inquiry by State and Territory housing authorities pointed out that the costs associated with repairs and maintenance for Aboriginal and Torres Strait Islander occupied dwellings were higher than the average costs incurred for repairs and maintenance across the board. However, the housing authorities did not always acknowledge the contribution of the overcrowding situation to the short replacement life of materials

³⁰ Evidence, p531

³¹ Department of Health, Housing and Community Services, evidence, pS1280

³² Queensland Government, evidence, pS1076, p243
South Australian Government, evidence, p304-5

and facilities. Housing designs are such that accommodation units are built to accommodate one family not three, therefore wear and tear is greatly accelerated.³³ Septic tanks are often overloaded and overflow into yards.³⁴ In some cases the lack of homemaking skills or unfamiliarity with living in urban conventional housing, contributes to the accelerated deterioration of housing stock.

6.74 The Committee recommends that:

the Commonwealth through the Department of Health, Housing and Community Services and the Aboriginal and Torres Strait Islander Commission ensure that adequate quality control is exercised over Aboriginal and Torres Strait Islander housing built with Commonwealth or Commonwealth State Housing Agreement funds; (Recommendation 41)

the Commonwealth ensure that adequate quality control is exercised over repairs and maintenance, including timeliness, to Aboriginal and Torres Strait Islander housing provided by the Commonwealth or under the Commonwealth State Housing Agreement. (Recommendation 42)

6.75 The Committee recommends that the Minister for Aboriginal and Torres Strait Islander Affairs ensures that:

relevant Aboriginal and Torres Strait Islander training institutions and Aboriginal Housing organisations in conjunction with the Department of Employment, Education and Training and the Aboriginal and Torres Strait Islander Commission develop and implement training programs specifically directed at training Aboriginal and Torres Strait Islander people to build and maintain community housing and infrastructure. (Recommendation 43)

³³ Western Australian Government, evidence, pS1019

³⁴ Western Australian Government, evidence, pS1019

6.76 The Committee believes that homemaker services are essential for a significant number of residents, not necessarily only first home residents. These services can provide basic information on the proper use of appliances, care and maintenance of the house and fittings and the need for budgeting to meet electricity and other bills. They should be available for a reasonable settling in period. Because of the cultural sensitivities involved, these services would be best provided by Aboriginal and Torres Strait Islander community organisations under contract to housing authorities. Groups that may be appropriate to provide homemaker training and receive funding include women's groups, housing organisations and health services. Training is also necessary for homemaker service providers. The Committee heard that a homemaker service operated in Western Australia for a time but was discontinued.³⁵ Homeswest advised the Committee:

*we feel our role is that we come in there and build the houses and then we walk away. I think that is one of the major deficiencies in Homeswest at the moment and I think we have got to address it.*³⁶

6.77 The Committee recommends that:

**the Ministers for Aboriginal and Torres Strait Islander Affairs and Health, Housing and Community Services in cooperation with the Aboriginal and Torres Strait Islander Commission and relevant State and Territory ministers ensure that where appropriate Aboriginal and Torres Strait Islander housing programs include provisions for funding Aboriginal and Torres Strait Islander community groups to establish and maintain homemaker schemes, including the training of staff.
(Recommendation 44)**

6.78 Aboriginal and Torres Strait Islander tenants of State and Territory housing authorities, who spoke with the Committee, noted that there was a tendency to accommodate Aboriginal and Torres Strait Islander people in the older housing stock. The Committee heard that in some areas, Aboriginal and Torres Strait

³⁵ Western Australian State Office, the Aboriginal and Torres Strait Islander Commission, evidence, p153

³⁶ Evidence, p207

Islander housing stock was twenty to thirty years old and in a dilapidated condition. This also contributed to substandard living conditions:

Many tenants are living in run-down homes that are badly in need of repair. There are Aboriginal grant properties still standing that are lined with galvanised iron inside and clad with the same on the outside.³⁷

Homeswest estimated that:

of our 38,000 dwellings we have probably got about 20,000 that are at the end of their economic life.³⁸

6.79 Repairs and maintenance of premises on their vacation and subsequent costs and charges, were too often seen as being a penalty for poor workmanship or paying for normal wear and tear. Normal wear and tear should be amortised and covered by normal rent. In some cases it was claimed that tenants were paying for damage that was pre existing on taking up the tenancy.³⁹ The resultant high charges actually stop people from being accommodated with the same housing authority again as they do not have the means to pay outstanding debts. The Aboriginal Housing Board of Western Australia cited an example:

One tenant has problems with water seeping through the bathroom and tiles are falling off the roof of his home. There is a water course running through his property and when the water level rises, it washes across the floor of his home. The fences surrounding his property fall over because the soil is washed away. There was a cost of \$1500 involved for repairs, for which he was billed under repairs and maintenance.⁴⁰

6.80 There is currently a high level of misunderstanding between tenants and housing agencies about damage repairs and the cleaning of vacated premises. The Committee believes that better procedures are needed for checking the condition of a house or flat prior to occupation and on vacation. These checks should be undertaken jointly between the housing agency and the tenants. As many tenants may not be sufficiently experienced in this process it would be appropriate to have an experienced third party present to assist the tenants in the checking process. This could be a homemaker service worker, if this is not directly provided by the housing agency, or another community organisation representative.

³⁷ Aboriginal Housing Board of Western Australia, evidence, pS1020

³⁸ Evidence, p220

³⁹ Aboriginal Housing Board of Western Australia, evidence, pS1019-20

⁴⁰ Aboriginal Housing Board of Western Australia, evidence, pS1019

6.81 As the condition of much of the Aboriginal and Torres Strait Islander public housing stock is generally agreed to be poor, an accurate and fair assessment of the condition of a unit before and after tenancy is essential. A pre-occupation check would also give inexperienced tenants a better idea of the range of items for which they are responsible although this should not replace the homemaker service. Joint exit checks would offer better opportunities for departing tenants to rectify minor repair or cleaning problems themselves rather than pay large amounts for work to be done on their behalf.

6.82 The Committee recommends that:

the Minister for Health, Housing and Community Services in cooperation with State and Territory housing ministers ensure that pre and post tenancy inspections are implemented in public rental housing policy. Tenancy inspections should be carried out with both parties being present ie. the tenant and/or agent and housing authority officer. Where tenants lack suitable experience a third party should be present to assist them.
(Recommendation 45)

Private Rental

6.83 Given the inability of public housing authorities to meet the needs of urban dwelling Aboriginals and Torres Strait Islanders, where waiting lists for accommodation can be for periods of up to three years, many Aboriginal and Torres Strait Islander have to utilise the private rental market.

6.84 It has been estimated that up to 35% of Aboriginal and Torres Strait Islander households utilise the private rental market. However, this includes tenants of Aboriginal housing associations and employer subsidised housing.

6.85 It is highly likely that the majority of urban dwelling Aboriginals and Torres Strait Islanders that are in the private rental market are employed and have an income that allows them to access private accommodation.

6.86 Generally Aboriginal and Torres Strait Islander people are reluctant to seek housing in the private rental market due to the higher rental costs. These can be more than 50% of their income and the high incidence of discrimination experienced by Aboriginal and Torres Strait Islander people in the private rental market is a major deterrent to many potential private renters.

6.87 Housing is expensive to build, buy or rent. As outlined in Chapter 1 (paragraphs 1.48 to 1.62) Aboriginal and Torres Strait Islander people are the most socially and economically deprived group in Australia in that:

- the income of Aboriginal and Torres Strait Islander people is, on average, considerably lower than that of other Australians, approximately 53% of Aboriginal and Torres Strait Islander peoples' income is derived from Social Security payments;
- only one-third of Aboriginal and Torres Strait Islander people of working age are employed.

6.88 Given the above, private rental is not an option for the majority of Aboriginal and Torres Strait Islander people due largely to the lack of finance to access this sector for accommodation.

6.89 The National Housing Strategy in its report on housing choice, *Issues Paper No. 6*, outlined findings on discrimination in the private rental market, experienced by Aboriginal and Torres Strait Islander people:

The Human Rights and Equal Opportunity Commission recorded in 1991, that just under one-in-fifteen (7.4%) of complaints lodged under the racial discrimination act, relate to accommodation. The Royal Commission into Aboriginal Deaths in Custody, drawing on the work of the Aboriginal Women's Taskforce and the Aboriginal Issues Unit, stated:

*Many Aboriginal women and their families were discriminated against in the private rental market[and] that an overwhelming majority of Kooris are unable to access the private rental market either because of low turnover in the area, discrimination or both.*⁴¹

6.90 Similarly, the report Aboriginal Housing Strategy - a Northern Territory perspective written in response to the National Housing Strategy's discussion package on Aboriginal and Torres Strait Islander housing, notes the reluctance of many landlords to rent to Aboriginal families.⁴²

6.91 The New South Wales Anti-discrimination Board provides the following typical example of race discrimination against Aboriginal and Torres Strait Islander people:

⁴¹ Royal Commission Into Aboriginal Deaths in Custody, *National Report*, Vol 4, p466

⁴² Northern Territory Department of Lands and Housing, unpublished, p27

A woman was paying the bond for a rented property when the landlord realised that her defacto, who was sitting in the car outside, was aboriginal. The landlord then refused to give her the lease.⁴³

6.92 The Human Rights and Equal Opportunity Commission in consultation with peak bodies in the real estate industry, housing authorities and tenancy advocacy groups is developing a code of practice for the rental housing market. The code is aimed at the elimination of racial discrimination and the promotion of equal opportunity in the private housing market.

6.93 Rent assistance may be paid by the Department of Social Security to pensioners, beneficiaries and recipients of Family Allowance Supplement. The maximum rates of assistance range from \$31.00 a week for eligible clients without children to \$41.35 a week for eligible clients with three or more children, provided they pay more than \$25.00 in rent a week. The maximum rate of assistance is payable to the above two categories of clients if they pay weekly rent of \$87.00 and \$107.70 respectively.⁴⁴ Despite this assistance many Aboriginal and Torres Strait Islanders find the private rental market beyond their financial capacity.

6.94 The combination of lack of income and discrimination are the main factors that inhibit urban dwelling Aboriginal and Torres Strait Islander people from utilising the private rental market. This removes another option for accommodation and could be the reason why Aboriginal and Torres Strait Islander people are so heavily reliant on public and community housing.

6.95 As mentioned earlier (paragraph 6.75) budgeting can be a serious problem for people on very low incomes and particularly so for new homemakers. The Committee received a good deal of evidence from a number of states of a previous arrangement whereby pensions and benefits could be made payable to the State housing authority which having deducted the rent paid the remainder to the pensioner/beneficiary. Many of those the Committee spoke with wished to have a similar scheme operating again. The Committee believes such a scheme has considerable merit.

⁴³ New South Wales, Anti-discrimination Board, 1990

⁴⁴ Department of Social Security, *Annual Report 1990-91*, p252-3

6.96 The Committee recommends that:

the Minister for Social Security ensure that his Department makes provision for housing rental payments to be deducted from social security benefits on the request of the recipient and paid to the landlord. (Recommendation 46)

Aboriginal Housing Boards

6.97 Advisory committees for Aboriginal housing are operative in each State/Territory. They include representation from Aboriginal and Torres Strait Islander groups, associations and concerned individuals. The exact nature of the representation varies between States. For example, in those States where there is a formally constituted, statewide Aboriginal Housing Board (Victoria and South Australia) this is the representative body. In other instances, Aboriginal Land Councils, Coordinating Councils or representatives of housing associations comprise the Committee.

6.98 These advisory committees provide a forum in which Aboriginal and Torres Strait Islander housing issues are discussed, and recommendations made for consideration by the relevant Housing Authority, State and Commonwealth ministers for housing and related infrastructure service provision.⁴⁵

6.99 Currently Aboriginal housing advisory committees are involved in the direction and expenditure of funding from the Aboriginal Housing Rental Assistance Program, which is a program of Department of Health Housing and Community Services aimed specifically at Aboriginal and Torres Strait Islander housing needs.

6.100 Aboriginal Housing Boards that are constituted bodies stated in their submissions that they are seeking greater responsibility and management of the Aboriginal Housing Rental Assistance Program funds and needed greater resources and autonomy from the State and Territory housing authorities, to be more effective in the delivery of Aboriginal housing services.

6.101 Evidence to the Committee, and inspections during the Inquiry, suggest that the Aboriginal Housing Board concept delivers a more holistic approach to housing for urban Aboriginal and Torres Strait Islander people, in contrast to the mainstream State and Territory housing bodies which tend to focus on the single objective of providing housing accommodation. Aboriginal Housing Boards offer

⁴⁵ Department of Health, Housing and Community Services, evidence, p1132-33.

more tenant support, and work with tenants and the Aboriginal and Torres Strait Islander community, to alleviate some of the broader difficulties urban Aboriginal and Torres Strait Islander people have with gaining housing accommodation.

6.102 The needs of urban dwelling Aboriginal and Torres Strait Islander people are different from the needs of other sections of the community. As a result programs and services should be developed specifically to meet those needs. Mainstream State and Territory housing authorities still tend to view urban dwelling Aboriginal and Torres Strait Islander people as products of the assimilation policy of old. Many of the Aboriginal and Torres Strait Islander people who contributed to this Inquiry felt that they were discriminated against by mainstream housing authorities, and particularly emphasised the suitability of accommodation, the appropriateness of location and the lengthy delays on essential maintenance.

6.103 Housing authorities do not employ enough Aboriginal and Torres Strait Islander staff especially in positions likely to be in contact with Aboriginal and Torres Strait Islander clients. Homeswest in Western Australia advised the Committee that they had recently increased their Aboriginal and Torres Strait Islander staff levels from 4% to 6%. However, 18-20% of Homeswest homes are tenanted by Aboriginal and Torres Strait Islander people.⁴⁶

6.104 The State and Territory housing authorities for purposes of administrative and service delivery ease, deliver one service for all sections of the community. Whilst there has been some recognition by the State and Territory bodies that Aboriginal and Torres Strait Islander people have special needs in terms of housing, they are not in a position to give priority to the urgent housing needs of urban dwelling Aboriginal and Torres Strait Islander people. In the urban areas Aboriginal Housing Boards, if adequately resourced, are best placed to develop and deliver the services required in an appropriate manner.

6.105 The Committee recommends that:

**the Aboriginal and Torres Strait Islander component of the Commonwealth State Housing Agreement be transferred to the Aboriginal and Torres Strait Islander Commission for distribution to the State and Territory Governments.
(Recommendation 47)**

⁴⁶ Evidence, pS1008

Aboriginal and Torres Strait Islander Commission

6.106 The Aboriginal and Torres Strait Islander Commission provides access to housing accommodation for Aboriginal and Torres Strait Islander people, under two programs.

6.107 The Social Advancement program, sub program Housing and Rental Accommodation, makes grant funding available to Aboriginal and Torres Strait Islander community organisations for construction or acquisition of housing stock.

6.108 The Land and Economic Development Program, sub-program Home Ownership, allows eligible Aboriginals and Torres Strait Islanders access to housing through the provision of loan funds.

Housing and Rental Accommodation Program

6.109 In 1990/91 the Housing and Rental Accommodation Program budget was \$53.909m. This funding was utilised to fund 220 Aboriginal and Torres Strait Islander organisations for the construction of 502 houses and the upgrading of 612 dwellings. There are approximately 440 Aboriginal and Torres Strait Islander Housing organisations throughout Australia. Collectively, they currently own approximately 10,000 houses and 2,000 shelters, which have been acquired since the program began in 1972.⁴⁷

6.110 It is estimated that 95% of these units are situated in rural and remote Aboriginal and Torres Strait Islander communities, where there was no existing infrastructure prior to Federal Aboriginal and Torres Strait Islander housing funding.

6.111 The community organisations receiving grant funds have total responsibility for construction or acquisition of housing and are given technical support and assistance by building consultants engaged by the community and the Aboriginal and Torres Strait Islander Commission to assist the community with the design, type of materials to be used and siting of buildings. The consultant also acts as the community agent in the tendering process, the letting of contracts and maintaining quality control checks during construction.

6.112 Housing organisations are expected to collect rent from the tenants to pay for minor repairs and maintenance, insurances etc. as well as to build a capital funds base to construct or purchase housing stock. Aboriginal and Torres Strait Islander housing organisations told the Committee that rental collection was a big problem being encountered by the majority of housing organisations and some had been forced to resort to evicting tenants for non-payment of rent. The housing organisations felt that this was a harsh move in that they were forcing people into

⁴⁷ Aboriginal and Torres Strait Islander Commission, *Annual Report, 1990-91*, p52

homelessness and overcrowding but could see no alternative as they had to pay rates and other charges.

6.113 There was some criticism of local governments in New South Wales which the Aboriginal and Torres Strait Islander organisations felt obstructed them with zoning bylaws and the setting of rates. Some Aboriginal and Torres Strait Islander housing organisations in New South Wales felt that local government should take into consideration that 99% of their housing accommodation should be classed as social housing because, in effect, that was what is being provided. Because of high unemployment in the Aboriginal and Torres Strait Islander community, neither the tenants nor the organisation could afford to pay full rates for their housing developments.

6.114 Equality of access to Community Housing and Infrastructure Program (CHIP) funding, was raised by urban dwelling Aboriginal and Torres Strait Islander people who felt the majority of funding went to remote areas, without adequate consideration of urban dwelling Aboriginal and Torres Strait Islander needs. The Aboriginal and Torres Strait Islander Commission states in its position paper for the National Housing Strategy, that:

CHIP is largely a non-urban program. However, the 1986 census shows that 33% of the Aboriginal and Torres Strait Islander population reside in the non-urban areas. A high proportion of CHIP funds are directed to programs to improve living conditions for that 33% of the ATSI population.

6.115 In the first instance this would seem to add weight to the assertion that the needs of urban people are secondary to the needs of people living in rural and remote areas. However, it needs to be recognised that a large percentage of Community Housing and Infrastructure Program funds are spent in remote areas on the provision of essential services, which are normally provided by local authorities in more settled areas. However, it is important that the interests of each group are recognised.⁴⁸

Home ownership

6.116 The Home Ownership Program has as its objectives:

- to provide housing to Aboriginals and Torres Strait Islanders through access to home loans;
- to ensure that Aboriginals and Torres Strait Islanders have the same opportunity as other Australians to enjoy the benefits of home ownership by providing access to home loans; and

⁴⁸ Aboriginal and Torres Strait Islander Commission Position Paper, *National Housing Strategy*, 1992, p.18

- to minimise the number of Aboriginal and Torres Strait Islander home owners being forced to sell their home, as a result of an inability to make loan repayments, by providing access to a refinancing facility.

6.117 Loans are provided to buy or build average standard homes and purchase price limits are set for each region. The scheme has been targeted at Aboriginals and Torres Strait Islanders who are employed, and all applicants are means tested. The housing loans program has assisted 6000 Aboriginal and Torres Strait Islander families and benefited some 24,000 people by providing housing and home ownership. To date, the program has benefited only 10% of the total Aboriginal and Torres Strait Islander population, which numbered 227,645 in 1986.⁴⁹

6.118 The scheme was established in 1974, and since then 5,687 low-start loans have been approved at a cost of \$245.3 m.⁵⁰ This has assisted Aboriginal and Torres Strait Islander home ownership within the wider community. Home ownership in this context includes those purchasing their homes. Aboriginal and Torres Strait Islander home ownership at the time of the 1986 Census was a little under 25%, in comparison to 70% in the total Australian community. The Australian Bureau of Statistics' figures for home ownership is 26% but is based on the Census standard of household ownership rather than family ownership. As there is a significant proportion of multi-family households, with 54,134 families living in 51,534 households, the Committee believes the adjusted figure to be a more useful indicator. Adjusted home ownership for major urban areas is much higher at 32.34% and is 22.12% for other urban areas.⁵¹

6.119 The Aboriginal and Torres Strait Islander Commission states that the home ownership program is one of the most successful programs administered by the Aboriginal and Torres Strait Islander Commission.

The task ahead

6.120 Since the Commonwealth assumed a major responsibility for Aboriginal Affairs in 1967, its housing policies have been characterised by confusion and ad hoc responses to ongoing hardship for Aboriginal and Torres Strait Islander people.⁵² Habitable housing accommodation or shelter is a basic necessity of life. As outlined

⁴⁹ *Evaluation of Home Ownership*, Aboriginal and Torres Strait Islander Commission, Office of Evaluation and Audit, p 43, March 1992

⁵⁰ Aboriginal and Torres Strait Islander Commission, *Annual Report, 1990-91*, p29

⁵¹ Australian Bureau of Statistics, *Census 86-Australia's Aboriginal and Torres Strait Islander People*, Canberra, 1991, Tables 6.7 and 6.11, pp35-37

⁵² Fisher & Volke, 'Aboriginal Housing' in *Shelter - National Housing Action*, 1989, p25

in the introduction, despite the expenditure of over \$1 billion on Aboriginal and Torres Strait Islander housing programs since 1972, mainly on capital expenditure, little attention has been given until recently to infrastructural development, participation by Aboriginal and Torres Strait Islander people in planning and policy making, development of appropriate organisations, management training or housing support. While the structural problems remain and departments and governments continue their infighting over control of funds to 'solve the Aboriginal housing problem', many Aboriginal and Torres Strait Islander people will continue to live in substandard housing.

6.121 The seriousness of the continuing failure to fully meet Aboriginal and Torres Strait Islander housing needs, is emphasised by the Royal Commission into Aboriginal Deaths in Custody which pointed to the fact that the poor living conditions experienced by Aboriginal and Torres Strait Islander people contributed significantly to the high incidence of deaths in custody.

6.122 It is highly unlikely that there will ever be enough funding available to meet all the housing and infrastructure needs of Aboriginal and Torres Strait Islander people. However, there need to be strategies put in place to start addressing the housing backlog and to ensure that Aboriginal and Torres Strait Islander people are in an equitable position in comparison with the general Australian community.

CHAPTER 7

THE NEEDS OF ITINERANT ABORIGINAL PEOPLE IN URBAN AREAS AND THE PROVISION OF TEMPORARY OR EMERGENCY ACCOMMODATION

Background History

7.1 Aboriginal and Torres Strait Islander people were itinerant in this country prior to British colonisation. This mobility was due to the hunter gatherer lifestyle and the close links the majority of Aboriginal and Torres Strait Islander people hold to the land, for spiritual and physical nurturing. In many areas, Aboriginal and Torres Strait Islander people moved around with the seasons to take advantage of food sources or to avoid temperature extremes or monsoonal flooding. Their close links with the land cannot be underestimated:

*We belong to the ground
it is our power and we must stay
close to it or maybe
we will get lost.¹*

7.2 Despite assimilation policies, the implementation of which led to the detainment of Aboriginals and Torres Strait Islanders in missions and reserves, some continue to be itinerant today. While this mobility may no longer be for hunting or gathering purposes, it is linked with Aboriginal culture, past and contemporary. It is about identity and belonging. This is not to deny that there are reasons other than cultural maintenance that contribute to Aboriginal and Torres Strait Islander itinerancy. (Other reasons for itinerancy will be discussed later in this chapter.)

7.3 For a large number of Aboriginals and Torres Strait Islanders it is important to visit 'home' or 'country' to maintain identity, to maintain family kinship ties and to reaffirm a sense of belonging. Attendance at funerals and other significant family gatherings is considered of paramount importance. In the course of fulfilling these obligations people become itinerant. The period of itinerancy can vary from a few days to twelve months and in some cases longer. Generally those Aboriginal people who are itinerant stay within a circuit or area, during their period of itinerancy.

¹ Narritjin Maymuru, Yirrkala, in *With Head, Heart and Hand*, Anthony Kelly and Sandra Sewell, 1991, p42

7.4 Many Aboriginals and Torres Strait Islanders living in urban areas retain links with their kin in rural and remote areas. In looking at aspects of Aboriginal culture today, the Royal Commission into Aboriginal Deaths in Custody commented on two features of what anthropologist Basil Sansom has described as 'the Aboriginal commonality'. These were 'a connection of people and place' and

a combination of relation to place but at the same time associated with mobility which might be referred to as centred patterns of mobility.

And, informed by anthropological writings, the Commission continued:

Beckett, in relation to western New South Wales, talks about the 'beat'-the set of frequented places joined by a track that each person consolidates and then comes to regard as an individual stamping ground. In Western Australia, similar understandings of region by Nyungars are labelled 'the line' or 'runs', which is the pattern of movement up and down the bitumen strip that connects Perth to Broome. In and around Darwin, the phrase is 'all that place bla Countrymen'. Sansom suggests these terms are 'exact synonyms' for the places they describe; each stands for the set of places that constitute a social ambit for a person of no necessarily fixed residence but of a delimited countryside.

The connection of people and place, then, is fundamental. Within the beat, or on the line or run, the processes of social interaction are strongly influenced by kinship.²

Weight is added to these anthropological insights by a recent social survey *Taking Control: A Joint Study of Aboriginal Social Health in Adelaide*, by A.J. Radford and others, the results of which were canvassed in the Report of the Royal Commission into Aboriginal Deaths in Custody.³ This 'recent survey of eighty-eight Aboriginal heads of household in the Adelaide metropolitan area showed that association with the people, and culture of those living in rural and remote areas remained significant', and that 'Seventy per cent of respondents had

² Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol. 2, p.83-84; the quotations are from: B. Sansom, 'The Aboriginal Commonality', R.M. Berndt (ed.), *Aboriginal Sites, Rights and Resource Development*, University of Western Australia Press, Perth, 1982, p. 125; J. Beckett, 'Kinship, mobility and community among part-Aborigines in rural Australia', *International Journal of Comparative Sociology*, 6,1, 2-23, 1965, p.20

³ The survey, cited below, was also submitted to this Inquiry. A.J. Radford, R.D. Harris, G.A. Brice, and others, *Taking Control: A Joint Study of Aboriginal Social Health in Adelaide with particular reference to Stress & Destructive Behaviours 1988-89 Stage 1: Aboriginal Heads of Household Study*, Flinders University, South Australia, 1989, evidence, pS66

made at least one visit to an "outside" community within the previous twelve months'.⁴

7.5 Aboriginal and Torres Strait Islander itinerancy is, as indicated above, often complex and purposeful, and not to be dismissed as aimless wandering as is often implied by the term 'walkabout'. Itinerancy is often to carry out business be it spiritual, cultural or physical. Aboriginals and Torres Strait Islanders can also become itinerant to obtain medical and legal services, to shop and to obtain alcohol.

7.6 Evidence given to the Committee during this Inquiry suggests that the majority of the itinerant Aboriginal and Torres Strait Islander population in urban areas (both major urban and other urban) are from rural communities. Urban Aboriginal and Torres Strait Islander people are more likely to be itinerant for the purpose of visiting family and 'country'. There are two distinct groups of itinerant Aboriginals and Torres Strait Islanders, that have needs specific to their individual group: the transients and the homeless.

7.7 The Inquiry was told that many of the transient Aboriginals and Torres Strait Islanders in urban areas are from rural and smaller urban centres, and also from 'remote' communities. The objects of such visits include medical treatment for themselves, their children or other relatives, training and education, business with government departments, court attendances, prison releases, cultural exhibitions or performances, or visiting family.

7.8 Many transient Aboriginal and Torres Strait Islander people are neither able to afford short term commercial accommodation nor to support themselves financially during their visits to urban centres.

7.9 From the experience of Aboriginal organisations that have contact with them, the majority of transient Aboriginal and Torres Strait Islander people are either in receipt of Social Security or Community Development Employment Program payments. Their income limits the accommodation options available to them and they often depend on friends or relatives. This contributes to the overcrowding of the host's accommodation.

7.10 The Committee heard that existing Aboriginal and Torres Strait Islander hostels were often utilised to capacity and as a result were not always able to meet the accommodation needs of transient Aboriginal and Torres Strait Islander people.

7.11 Many Aboriginal and Torres Strait Islander people who contributed to the Inquiry said that transient Aboriginal and Torres Strait Islanders did not feel comfortable utilising emergency accommodation run by various church and

⁴ Royal Commission into Aboriginal Deaths in Custody, *National Report*, 1991, Vol 2, p84

charitable organisations. They were often discriminated against by other users of these facilities and rules and guidelines were too rigid.

7.12 The submission of the Victorian Government to this Inquiry said that Koori workers had advised that a large number of itinerant Koories in that State were not being serviced 'because of a suspicion of services offered by both Koori and mainstream providers'.⁵

Fringe Dwellers

7.13 Fringe dwellers from remote rural areas are another group of Aboriginal and Torres Strait Islander people, who are highly mobile and make short to long term visits to urban centres. They come into town for a variety of reasons. However, many do so to obtain alcohol and to be able to drink without breaking their community rules of alcohol free zones or 'dry communities'. While they are in town, many indulge in drinking binges. As a result there is a high level of public drunkenness and in many cases this leads to the fringe dwellers being in conflict with the town community both Aboriginal and Torres Strait Islander and non-Aboriginal. It also brings them into conflict with the law.

7.14 Some traditional town visitors simply wish to live in the open and not in houses or hostels. Transient fringe dwellers often choose to camp in parks and bushland on the fringes of towns with no facilities, or where there are established town camps or communities within the townships. They sometimes utilise the extended family kinship structure for their accommodation needs.

7.15 Fringe dwellers often live in conditions that have been compared to those in the poorer countries of the third world. The Western Australian Water Authority commented that the fringe dwelling communities received very few services. 'The status of the land, the movement of the people and the lack of a cohesive group affects the level of service delivery to the Community'.⁶ In its submission to this Inquiry the Western Australian Aboriginal Affairs Planning Authority stressed that there was a need for greater co-ordination between the different tiers of government in addressing the basic needs of fringe dwellers. The fringe dwelling communities mentioned were at Port Hedland, Kalgoorlie, Halls Creek and Perth. The Aboriginal Affairs Planning Authority is currently co-ordinating strategies involving Homeswest and the Department of Community Services to address needs of fringe dwellers, but, because of the scarcity of resources, progress has been slow.

7.16 The Committee considers that the addressing of the basic needs of fringe dwellers is a matter of urgency. It is important that initiatives be

⁵ Evidence, pS496

⁶ Evidence, pS911

localised, as the fringe dwellers in various parts of the country have needs that are specific to their region.

7.17 What is appropriate to fringe dwellers' needs in one area may not necessarily be applicable to another group of fringe dwellers in another state or region. For instance, in the Northern Territory there has been legislation passed that imposes a two kilometre 'dry' zone, around gazetted towns where people found drinking alcohol can be prosecuted. In Western Australia, the Aboriginal Affairs Planning Authority has implemented programs of support with local Aboriginal and Torres Strait Islander community groups to provide basic shelter and in some areas breakfast programs. Local government authorities have a key role to play in addressing the needs of fringe dwellers, but to date their involvement has tended to be minimal.

7.18 The fringe dwelling issue has many elements to be considered and there are no obvious or easy solutions. The range of issues are complex and require a great deal of consultation and co-operation between affected parties. These parties include local urban and remote Aboriginal and Torres Strait Islander communities, Commonwealth, State, Territory and local governments, and non-Aboriginal town communities. The issues to be addressed are: local government bylaws, State and Territory law, alcoholism, community attitudes, and conflicting cultural and behavioural norms.

7.19 The Inquiry was told that many fringe dwellers would not utilise Aboriginal Hostels or other institutional accommodation as they are seen to have too many rules and regulations and the accommodation is not suitable or appropriately designed for transient fringe dwellers.

7.20 In its submission, the Northern Territory Government drew attention to the situation in urban centres where town campers find that their lifestyle is disrupted on a regular basis by the influx of itinerant people who come to town, sometimes for special events like sporting carnivals, rodeos, Country and Western shows and tribal ceremonies, and sometimes to avoid community rules on the consumption of alcohol or to avoid Community Development Employment Programs.

7.21 The Tangentyere Council of Alice Springs in their submission to the Inquiry, outlined the need for 'visitors camps' to be established. The Council is running a Social Behaviour Project with remote traditional communities. The objectives of the program are to decrease the disruption caused by visitors to town camps, to address the reasons for the 'drift' into town and to provide alternative accommodation options.

7.22 It is recognised that the transient Aboriginal and Torres Strait Islander fringe dwellers have basic needs that have to be met such as shelter and basic infrastructure. The Committee considers that basic shelter and services should be provided for this group of transients. These services must include water, washing facilities, toilets, garbage collection and basic shelter. Hot food

and alcohol rehabilitation services may also be required. Any strategies of assistance would have to be purely on a welfare basis as these people are often dependent on alcohol and have neither the skills nor the financial resources to live in an urban environment. Many people in this group have little or no literacy or numeracy skills and display all the symptoms of traumatised people caught in a poverty cycle.

7.23 There have been difficulties in providing even the most basic facilities to fringe dwellers in some areas due to local government resistance. In some locations there has also been opposition to such service provisions from the traditional communities from which the fringe dwellers originate. Traditional community leaders, who may be more influential with policy makers than the fringe dwellers, want the fringe dwellers returned to their communities. However, it is a basic human right that people decide for themselves where they wish to live.

7.24 The Committee recommends that:

- **the Ministers for Aboriginal and Torres Strait Islander Affairs and Local Government, in conjunction with State and Territory Aboriginal and Torres Strait Islander government agencies and the Aboriginal and Torres Strait Islander Commission, implement programs to address the basic needs of fringe dwellers which include water reticulation, basic shelter, toilets, washing facilities and garbage collection; (Recommendation 48) and**
- **that any programs or assistance provided should be in consultation with the local Aboriginal and Torres Strait Islander communities. (Recommendation 49)**

Homeless Aboriginals and Torres Strait Islanders

7.25 The 1986 Census found that hostels for the homeless, night shelters and refuges accounted for 6% of Aboriginal people counted in non-private dwellings on Census night. The comparable figure for all Australians was less than 1%.

7.26 The actual figure is probably much larger as many itinerant Aboriginals and Torres Strait Islanders would not have been counted in the Census. These would include long grass dwellers, street kids, and people travelling to and from isolated communities. The Committee was told, for example, that there were about 500 transients living in the long grass area

around Darwin.⁷ The Committee also heard that there is a hidden homeless population amongst Aboriginal and Torres Strait Islander people, because many are taken in by relatives and friends. A significant proportion of Aboriginal and Torres Strait Islander people living in overcrowded urban housing are itinerants and otherwise homeless.

7.27 Homelessness is not just about housing, there are psychological, sociological and economic aspects that need to be addressed. However, the quantity, quality and security of tenure of housing plays a major role in the urban dwelling homelessness problem for Aboriginal and Torres Strait Islander people.

7.28 The National Youth Coalition on Housing defines homelessness as:

...The absence of safe, secure, affordable and adequate shelter, as perceived by the individual. This can be defined by a person being in any of the following situations, or combinations of them:

- . having no shelter*
- . being threatened with loss of shelter*
- . having to move constantly between residences*
- . having limited choices of alternative housing*
- . having inadequate accommodation because of*
 - overcrowding*
 - insecure occupancy*
 - lack of emotional support or stability*
 - threat of physical, sexual or emotional abuse*
 - eviction or threat of such*
 - payment of high proportion of income in rent.⁸*

7.29 This definition is applicable to the situation of many urban dwelling Aboriginal and Torres Strait Islander people. Those who have problems of a psycho-social nature are more likely to find themselves without adequate housing.

7.30 Homelessness and inadequate housing are closely interrelated. The Committee considers those at risk to include those whose housing history and current situation feature a lack of quality, stability or permanence. Homelessness often arises when people cannot pay the price asked for the housing they require. Until the general level of housing provision to urban Aboriginal and Torres Strait Islander people is improved the number of homeless Aboriginals and Torres Strait Islanders in urban areas will not be reduced.

⁷ The Committee was told this during informal discussions in the Northern Territory

⁸ *Nobody's Children but Somebody's Problem*, Australian Council of Social Services, 1989,

7.31 Other issues related to homelessness such as unemployment, imprisonment and the poor socio-economic status of Aboriginal and Torres Strait Islanders in general are issues that will not be resolved in the immediate future. In the current economic crisis unemployment for all Australians is at a high level.

7.32 Not all transients are unemployed. The Committee heard that the success of the Community Development Employment Projects scheme at Woorabinda in Queensland had attracted Aboriginals and Torres Strait Islanders from outside this community who wished to have the opportunity to participate. Their presence has exacerbated the overcrowding of existing housing.

7.33 During an informal visit to Moree the Committee was told that seasonal workers employed for about two months in the cotton industry in Moree, Boggabilla and Mungindi, whose numbers included Aboriginals and Torres Strait Islanders, had no accommodation and so were forced to camp on the stock routes - moving from one paddock to another.

Youth homelessness

7.34 In 1989 the Human Rights and Equal Opportunity Commission published its landmark report, *Our Homeless Children* (popularly known as the Burdekin Report). The Burdekin Report found that young Aboriginals and Torres Strait Islanders comprised a disproportionately high number of the young homeless in the metropolitan areas and larger urban centres:

In Perth, for example, one-third of young people contacted by a youth streetwork service during 1987 were Aborigines. (Aboriginal young people in Western Australia make up approximately 4% of the total youth population.) In Adelaide an outreach service reported that, at least on a weekend night, 70% of young people without accommodation in the city are Aborigines - most are aged 14 to 17 years. (Fewer than 1% of South Australia's population are Aborigines.) In O'Connor's study of 100 homeless young people in Kings Cross, Brisbane, the Gold Coast and Canberra/Queanbeyan, four were Aborigines or Torres Strait islanders, while these two groups constitute only 1.4% of the Australian population.⁹

7.35 In looking at the extent of Aboriginal youth homelessness it must be remembered that in comparison with the total Australian population, the Aboriginal and Torres Strait Islander population is a very young population. At the 1986 Census 40% of the Aboriginal population were aged less than 15, compared with only 23% of the total population.

⁹ Human Rights and Equal Opportunity Commission, *Our Homeless Children; Report of the National Inquiry into Homeless Children* (Burdekin Report), Australian Government Publishing Service, Canberra, 1989, p.129

7.36 The Aboriginal and Torres Strait Islander Commission stated in its evidence that 'a large number of Aboriginal and Torres Strait islander youth could be classified as "street kids" '. The Commission also noted that

the increasing incidence of family violence means that more refuges for Aboriginal and Torres Strait Islander women and children must be established. Bridging accommodation is also essential to ease the gap (often more than two years) between a stay in a refuge and access to 'permanent' housing.¹⁰

7.37 The Aboriginal and Torres Strait Islander Commission informed the Committee that family violence is currently the subject of a research project which will contribute to the development of strategies and future policies.

7.38 The Burdekin Report made a connection between homelessness and institutionalisation:

...a significant number of street kids have been fostered or adopted into non-Aboriginal families who, when they become teenagers, question their identity, often with disastrous results which leads to the breakdown of that placement. These young children do not have any links with their family or communities, nor do they have the extended family to fall back on ¹¹.

7.39 The Burdekin Report also made the point that the Aboriginal extended family in some urban areas was not as effective as it had been in the past. In Perth, the Human Rights and Equality Opportunity Commission was told that although the extended family was there, for many young people it was 'dysfunctional' because of 'too much drinking and fighting'. In Albany, the Commission heard:

In our area there is a bit of a myth about the Aboriginal people looking after their own ...The ones who live in the smaller towns around probably do get looked after.

In Adelaide, a witness told the Human Rights and Equal Opportunity Commission that '...the extended family unit is breaking down, so there are very few Aboriginal families that will take in four to five youths a night...'¹²

7.40 This Committee was told in Rockhampton that the 12-15 year old age group was a transient population and if these children could not find accommodation in Rockhampton they would move on to places like Brisbane,

¹⁰ Aboriginal and Torres Strait Islander Commission, evidence, pS417

¹¹ Burdekin Report, p. 133

¹² Burdekin Report, p.130

Townsville or Woorabinda and stay with relatives. At any one time there may be more than one hundred such homeless children within the area or on the move. There was always overcrowding because as soon as one person moved out of a home another one moved in.¹³

7.41 The main reasons suggested to the Committee to account for Aboriginal and Torres Strait Islander youth itinerancy in major towns and cities were the lack of employment and of recreation opportunities in rural areas and the overcrowding of Aboriginal and Torres Strait Islander housing in rural areas. Young people, under the impression that there are more opportunities in the larger centres, arrive in the cities only to find the situation similar to that they left behind. In many cases these young people cannot afford private rental accommodation.

7.42 The Committee was told that young Aboriginals and Torres Strait Islanders did not fit into youth refuges and hostels. They tended not to mix into the mainstream until they were older. Meanwhile, they remained apart and proud of their differences. As a result, they use family networks to meet their accommodation needs and thereby add pressure to urban dwelling family households by creating overcrowding and placing added financial burden on the household. When this network breaks down the youth find themselves having to fend for themselves on the streets. They have little or no income and no immediate prospects of supporting themselves financially. This frequently leads to youth becoming 'street kids' and living by their wits to survive.

7.43 The survival lifestyle of street kids can lead to criminal activities and prostitution as a means of becoming financially independent. This contributes to the high imprisonment rate of Aboriginal and Torres Strait Islander youth.

7.44 Aboriginal and Torres Strait Islander youth are the inheritors of Aboriginal and Torres Strait Islander law, customs and land, they also inherit Aboriginal and Torres Strait Islander poverty, oppression and the struggle to be recognised in their own country. In these times of economic downturn, they are more likely to be further disadvantaged in employment, income and housing.

7.45 The effects of living in or being raised in this sort of environment have long been a reality for Aboriginal and Torres Strait Islander people. Where they live within a largely non-Aboriginal society and are unable to participate equally or equitably in mainstream society or pursue the lifestyle they may seek, the effects of living on the edge of mainstream society can be frustrating and debilitating. To this must be added the effects of past assimilationist practices such as the institutionalised removal of children from families and the establishment of black settlements and reserves. The result for many is suffering, trauma and the loss of self esteem. Psychological and behavioural

¹³ The Committee was told this during an informal visit to Rockhampton

problems that have been created are reflected in the high incidence of Aboriginal juvenile detention in this country.

7.46 This trauma is at the root of many of the problems of Aboriginal and Torres Strait Islander people. One of the key solutions that can be implemented to address the needs of Aboriginal and Torres Strait Islander itinerant youth is the provision of affordable housing to alleviate overcrowding. Housing is a priority need that must be addressed urgently.

7.47 The Youth Social Justice Strategy (YSJS) introduced by the Commonwealth Government in 1989 provided a range of initiatives including accommodation for homeless young people. The evaluation of the Strategy in 1991 found that while the Strategy had benefited disadvantaged youth generally, there had been an inadequate level of assistance provided to the most disadvantaged groups amongst whom were inner urban homeless, Aboriginals and Torres Strait Islanders and young offenders. Enhancements to the Youth Social Justice Strategy, announced in the 1991 Budget, aimed to increase assistance to these groups.¹⁴

Temporary and Emergency Accommodation

7.48 There are, as the Aboriginal and Torres Strait Islander Commission pointed out, an 'extremely large number of departments and agencies' that are involved in the provision of temporary or emergency accommodation to the itinerant Aboriginal and Torres Strait Islander population in urban areas.¹⁵ Apart from families, Aboriginal Hostels Limited (AHL) is the main provider of accommodation for transient Aboriginals and Torres Strait Islanders. Temporary and emergency accommodation is also available to Aboriginals and Torres Strait Islanders under the Supported Accommodation Assistance Program (SAAP) and the Crisis Accommodation Program (CAP) which are joint Commonwealth/State programs. The day-to-day administration of these programs is the responsibility of the State and Territory Governments.

7.49 Aboriginal Hostels Limited provides, through its own hostels and through funding arrangements with the other providers, a range of temporary and long term accommodation services for Aboriginal and Torres Strait Islander people through a national network of 157 hostels.

7.50 Table 7.5 provides an indication of the range of services available.

¹⁴ Department of Employment, Education and Training, supplementary submission, pS1242-1244

¹⁵ Evidence, pS417

Table 7.5 Aboriginal Hostels, Profile of Accommodation

PROFILE OF ACCOMMODATION	AHL		Community Groups		Total	
	Hostels	Beds	Hostels	Beds	Hostels	Beds
Transient	32	967	13	227	45	1194
Substance Abuse Rehabilitation	0	0	27	424	27	424
Legal Half-way	0	0	2	16	2	16
Supporting Parents and Children	0	0	2	26	2	26
Homeless	1	17	5	69	6	86
Medical transient	1	10	0	0	1	10

Source: Aboriginal Hostels Limited - Annual Report 1990-91

7.51 Aboriginal Hostels Limited has the following objective for its Transient hostels:

To provide affordable and culturally appropriate accommodation for Aboriginals and Torres Strait Islanders enabling them to meet business commitments and undertake medical treatment away from their home communities.¹⁶

7.52 In 1989-90 transient and itinerant Aboriginal adults made up 39% of the clients in Company hostels. Their children made up another 23%. These people stay mostly in the Transient hostels with lengths of stay ranging between 1 night and 2 years. The majority, however, stay less than 3 months. Occupancy of Transient hostels averaged 73% in 1989-1990.

7.53 Most Transient hostels are for male and female adults and families. However, some hostels, like the Jane Arnold Hostel in Brisbane are for women only and some, like the Elley Bennett Hostel in Brisbane, are for men only.

7.54 Table 7.6 shows the locations and bed capacities of the Transient hostels. Some hostels are operated directly by Aboriginal Hostels Limited while others are run by community organisations. Company Hostels are operated directly by Aboriginal Hostels Limited usually because it would not be appropriate or practical for a community organisation to operate them. Community Support Hostels are funded by the Community Support Hostels (CSH) Scheme. Under this Scheme, Aboriginal Hostels gives provides grants to community organisations to operate hostels. It is regarded as a cost effective way of meeting hostel needs, which also builds the skill base of the original organisations and promotes Aboriginal goals of self-management.

¹⁶ Aboriginal Hostels Limited, evidence, pS263

Table 7.6 Aboriginal Hostels Limited: Transient Hostels (at 30 June 1990)

Town	State	No. of Client Beds	Name
Company Hostels			
Adelaide	SA	*12	Mulgunya
Alice Springs	NT	39	Sid Ross
Alice Springs	NT	16	Topsy Smith
Brisbane	Qld	27	Elley Bennett
Brisbane	Qld	30	Jane Arnold
Brisbane	Qld	53	Jodaro
Broken Hill	NSW	14	Ngurrampaa
Cairns	Qld	70	Kuiyam
Camooweal	Qld	30	Camooweal Village
Canberra	ACT	11	Doug Scott
Carnarvon	WA	11	Beemidaar
Ceduna	SA	16	Yari Miller
Darwin	NT	38	Daisy Yarmjrr
Darwin	NT	32	Galawu
Darwin	NT	56	Silas Roberts
Derby	WA	42	Derby
Kalgoorlie	WA	21	Trilby Cooper
Katherine	NT	95	Corroboree
Katherine	NT	*10	Katherine
Melbourne	Vic	27	W.T. Onus
Morwell	Vic	16	Lionel Rose
Mount Isa	Qld	29	Kabalulumana
Nhulunbuy	NT	23	Nhulunbuy
Port Augusta	SA	24	Lois O'Donoghue
Perth	WA	14	Allawah Grove
Perth	WA	*7	Nollamara
Rockhampton	Qld	35	Neville Bonner
Sydney	NSW	9	Brewongle
Sydney	NSW	9	43 Liverpool Rd
Tennant Creek	NT	45	Wangkana Kari
Thursday Island	Qld	39	Jumula Dubbins
Toowoomba	Qld	30	Jim Hagan
Townsville	Qld	42	Iris Clay
<i>Sub-total</i>		<i>972</i>	<i>(33 Hostels)</i>
Community Support Hostels			
Ballarat	Vic	13	Ronald Cameron
Brisbane	Qld	16	St Martins
Broome	WA	18	Goolarabooloo
Darwin	NT	23	Mintawyinga
Kalgoorlie	WA	85	Ninga Mia
Port Augusta	SA	8	Pika Wiya
Port Hedland	WA	11	Bloodwood Tree
Perth	WA	*10	Boomerang House
Perth	WA	7	Nungah Shelter
Perth	WA	4	Willong Shelter
Robinvale	Vic	6	Harry Pettit
Rockhampton	Qld	17	Milbi Farm
Yarrabah	Qld	9	Yarrabah
<i>Sub-total</i>		<i>227</i>	<i>(13 Hostels)</i>
TOTAL		1119	(46 HOSTELS)

* in table means hostels specifically for medical transients.
 Source: Aboriginal Hostels Limited, evidence, pS264

7.55 One feature of the services provided by Aboriginal Hostels Limited is short term accommodation for medical transients in urban centres when they require medical services. Katherine Hostel, for example, provides antenatal care and accommodation to women from remote communities. Mulgunya Hostel in Adelaide frequently accommodates people visiting Adelaide for kidney dialysis at Queen Elizabeth Hospital. Aboriginal Hostels Limited also provides hostels specifically for long term homeless people. These hostels serve largely as emergency accommodation for single Aboriginals.

7.56 Aboriginal Hostels Limited, like many other Aboriginal and Torres Strait Islander service providers, is expected to cover the short term national accommodation needs of Aboriginals and Torres Strait Islanders, with only limited resources to adequately address the needs of these itinerant and transient people. In order to keep abreast of accommodation needs in a rapidly changing society which is also undergoing a severe economic recession, Aboriginal Hostels conducts continual research into and evaluation of the needs of individuals and communities. However, the ability of Aboriginal Hostels to respond quickly is severely impeded by lack of funds and resources. The economic and social position of transients will not improve until this situation is addressed.

Supported Accommodation Assistance Program

7.57 Aboriginals and Torres Strait Islanders are also able to obtain temporary and emergency accommodation under the Supported Accommodation Assistance Program and the Crisis Accommodation Program. These programs form part of the Commonwealth Government's People in Crisis strategy, the aim of which is:

To assist people in crisis return to independent living or other appropriate living conditions as soon as practicable through the provision of transitional supported accommodation and related services; assisting them to access longer term housing arrangements and support programs; and through the provision of short-term emergency assistance to people in crisis.¹⁷

7.58 Funds directed towards homeless youth under the 'Burdekin' initiatives of the Youth Social Justice Strategy, are administered in the same way as the Supported Accommodation Assistance Program and the Crisis Accommodation Program.

7.59 The Supported Accommodation Assistance Program is a joint State/Commonwealth program under which financial assistance is made available to approved non-government and local government organisations for the operation of supported accommodation and related support services for homeless people and

¹⁷ Department of Health, Housing and Community Services, *Program Performance Statements 1992-93, Health Housing and Community Services Portfolio*, Budget Related Paper No. 9.8A, p.333

women escaping domestic violence. On a needs-basis, Aboriginal and Islander communities are priority target groups under this Program. Approximately 7% of Supported Accommodation Assistance Program clients are Aboriginals and Torres Strait Islanders.¹⁸

7.60 The Crisis Accommodation Program is a special program funded by the Commonwealth Government through the Commonwealth/State Housing Agreement, under which capital housing funds are available for approved Supported Accommodation Assistance Program services and crisis accommodation services. Under the Program, funds may be used for the purchase, construction, renovation and maintenance of premises to be used for approved services purposes. The Supported Accommodation Assistance Program and the Crisis Accommodation Program are administered within the Department of Health, Housing and Community Services by the Housing and Urban Development Division and by the Housing Branches of the Department's State Offices.

7.61 In its evidence to the Inquiry the Queensland Government set out with commendable clarity details of the operation of Supported Accommodation Assistance Program services in Queensland. In the 1990-91 financial year, there were eighteen Aboriginal Supported Accommodation Assistance Program services out of a total of 159 in Queensland. Twelve of these services were operating in urban areas and most provided accommodation as well as a range of support services. Seven of these services were run by Aboriginal organisations. It is a feature of the Supported Accommodation Assistance Program that funding is made available to Aboriginal organisations to operate services to ensure that they are culturally appropriate and, hence, are utilised to the maximum by Aboriginal and Torres Strait Islander clients.

7.62 The target groups for the Queensland Support Accommodation Assistance Program Services are homeless Aboriginal men, women and families, homeless Aboriginal young people, and Aboriginal women with dependent children who are escaping domestic violence. Table 7.7 shows a break-up of the twelve urban services by service type, target group and location.

¹⁸ *Social Justice for Indigenous Australians, 1992-1993*, Budget-Related Paper No. 7, Australian Government Publishing Service, Canberra, 1992, p.106

Table 7.7 Queensland: Urban Aboriginal SAAP Services, 1990-91.

Service Type	Target Group	Location
A: Urban Aboriginals SAAP Services, 1990-91		
Shelter (2)	Homeless women and children and families	Cairns, Brisbane
Shelter (2)	Homeless men and women	Townsville, Charters Towers
Refuge (1)	Women, and women with children escaping domestic violence	Toowoomba
Shelter (2)	Homeless youth	Townsville, Brisbane
B: Non-Accommodation Support Services		
Meals Service	Homeless men, women and families	Cairns
Drop-in Centre/Meals Service	Homeless men, women and families	Brisbane
Domestic Violence Support Service	Women, and women with children escaping domestic violence	Brisbane
Youth Support Program	Homeless youth	Brisbane
Youth Support Program	Homeless youth	Brisbane

Note: Additional Aboriginal SAAP services operate outside urban areas in Mornington Island, Mt Isa, Doomadgee and Woorabinda.

Source: Evidence, Queensland Government, pS1078

7.63 An additional urban supported accommodation service which is not included in Table 7.7 was approved in 1990-91 to target homeless young Aboriginal women. The service is to operate in the southern suburbs of Brisbane under joint State/Commonwealth funding responses to the problems identified in the Burdekin Report.¹⁹

7.64 In Queensland, the Crisis Accommodation Program is administered by the Department of Housing and Local Government. Similar arrangements are in place in other States.

¹⁹ Evidence, pS1077-1078

7.65 In New South Wales, the State which has the highest number of urban Aboriginal and Torres Strait Islander residents, some of the needs of the itinerant Aboriginal population are addressed by Aboriginal staff of the Department of Family and Community Services and, in the inner city, by Gullama, an Aboriginal Services Centre in Alexandria. The Department provides funding for several supported accommodation projects for people in crisis.

7.66 The provision of temporary or emergency accommodation is catered for under the New South Wales Department of Housing's Crisis Housing Policy. Crisis housing is provided to Aboriginal people who are homeless or imminently homeless and have exhausted all other avenues for assistance and have a temporary need for subsidised rental housing assistance. Six months is the normal period for assistance. Longer term housing may be offered at the end of this time if no alternative housing options exist for the family unit or individuals concerned. 'Approved crisis applicants', according to the New South Wales Government submission, 'are generally allocated surplus leasehold properties made temporarily available by other Government departments, but where no surplus dwellings are available Departmental [Department of Housing] accommodation can be utilised'.²⁰

7.67 The Victorian Government expressed its concern about 'homelessness, family breakdown and the need for emergency accommodation at times of family or personal difficulties' which have created 'urgent needs for itinerant Koori families and individuals in the metropolitan area'.²¹

7.68 In urban Melbourne, there are at present four Aboriginal services funded by the Supported Accommodation Assistance Program. The George Wright Hostel in Fitzroy provides accommodation and support to homeless Aboriginal people in and around Fitzroy. These people are sometimes referred to as 'parkies'. There is accommodation for sixteen residents. Meals are provided to residents and non-residents within this target group.²²

7.69 Elizabeth Hoffman House is an Aboriginal Women's Refuge which recognises the specific needs of Aboriginal women in crisis. Aboriginal women from the metropolitan area are often placed in a difficult situation it was pointed out to the Inquiry. They are uncomfortable in seeking assistance from mainstream refuge services, but at the same time they may not want to use Elizabeth Hoffman House

²⁰ Evidence, pS465

²¹ Evidence, pS496

²² Aboriginal Hostels Limited, *Annual Report, 1991-92*, p24
Negotiations to hand over this hostel to a local community organisation have been unsuccessful and the hostel will continue to be run by Aboriginal Hostels Limited

because their situation will become known in the community. Use of the refuge lacks confidentiality as it is known to most members of the community.²³

7.70 Margaret Tucker Hostel for Girls provides accommodation for Aboriginal girls and young Aboriginal women in need of care and protection, and unable to find alternative accommodation within the Aboriginal community. Youth officers provide support for these girls with the aim of helping them return to the community with basic living skills. Programs are culturally relevant and there is input from the Aboriginal community. The Wirramina Aboriginal Youth Crisis Centre provides support and accommodation to homeless Aboriginal youth. It is under the auspices of the Victorian Aboriginal and Child Care Agency.²⁴

7.71 It has been more difficult in metropolitan Melbourne than in rural areas, the Victorian Government submission noted, to establish effective consultation and service planning mechanisms in the homeless and accommodation area. The Victorian Department of Community Services has noted that where a Koori worker is stationed at a mainstream facility such as Ezename House, the number of Koories using the services has increased.²⁵

7.72 The Committee heard of a number of instances where the accommodation needs of urban Aboriginals and Torres Strait Islanders were not being met. The Committee was concerned to hear from members of the Aboriginal community in Melbourne that there was an increase in the number of older people who died because of lack of adequate shelter.

7.73 The Committee was told during informal discussions in Port Hedland, an area with a large alcohol problem, that existing accommodation arrangements do not cover all types of drinking-related emergencies. In order to gain admission to a recently established temporary alcohol refuge, for example, people had to have been picked up by the police and charged with drunkenness.

7.74 The South Australian Government expressed concern about the shortage of secure, appropriate accommodation for Aboriginal people in crisis in metropolitan Adelaide. Aboriginal hostels were overloaded. There was, specifically, an urgent need for short to medium term accommodation for traditional Aboriginal people who came to Adelaide for medical or other reasons from such places as Yalata, the Maralinga-Tjarutja lands, the Anangu Pitjantjatjara lands and in some cases the Northern Territory.

7.75 Traditional people, it was pointed out to the Committee, require separate supported accommodation with flexible house rules as they often felt

²³ Evidence, pS497

²⁴ Evidence, pS635-636

²⁵ Evidence, pS496

uncomfortable with urban people. Management staff need to be sensitive and sympathetic and the language barrier has to be taken into account.²⁶ Traditional people in an urban environment need an extensive, separate network, the Committee was told during informal discussions in Adelaide.

7.76 In Port Lincoln, the Committee was impressed with the special camping facilities for shortterm traditional visitors provided by the Port Lincoln Aboriginal Organisation.

7.77 During an informal visit to the Danila Dilba Aboriginal Medical Service in Darwin the Committee was told that many Aboriginals in the Northern Territory suffered from renal disease and that, at present, there was no accommodation for them when they had to leave their communities and come to Darwin. The Danila Dilba Aboriginal Medical Service was trying to help these people by having a building renovated to provide them with short term accommodation when they had to spend several days in Darwin and wished to be accompanied by their families.

7.78 The Western Australian Bureau of the Aged told the Committee that:

There is a desperate shortage of 24 hour overnight shelters catering for the more disadvantaged Aboriginal seniors. Many aged Aboriginal people therefore have to use inappropriate shelters not adequately equipped to provide the care needed.

There is also a shortage of low-cost accommodation for the family members of older Aboriginal patients from the country receiving treatment at metropolitan hospitals. In view of the language difficulties and cultural differences, it is important that these people have family members to accompany them, thereby reducing stress and accelerating recovery.²⁷

Conclusion

7.79 Despite the work of Aboriginal Hostels Limited, community groups, and the joint Commonwealth/State Supported Accommodation Assistance Program, it became clear in evidence to the Committee that not all the accommodation requirements of itinerants are being met.

7.80 The evidence points to a need for more short term accommodation in urban areas for itinerant Aboriginals and Torres Strait Islanders. The evidence also indicates that there is insufficient information about the numbers and needs of this particularly group. The Aboriginal and Torres Strait Islander Commission reported

²⁶ Evidence, pS1043

²⁷ Evidence, pS940

to this Committee that it 'has incomplete data on the needs of urban Aboriginal and Torres Strait Islander people for temporary or emergency accommodation'.²⁸ While the data may be incomplete it does not mean that action should not be taken.

7.81 The net effect of the accommodation needs of the itinerant population in urban areas not being met, is the perpetuation of the overcrowding of Aboriginal and Torres Strait Islander homes. This, in turn, contributes to the poverty cycle that some Aboriginal and Torres Strait Islander households experience, as well as placing a strain on family relationships.

7.82 In this time of rapid social change and severe economic crisis more innovative ways of addressing the accommodation needs of the itinerant Aboriginal and Torres Strait Islander population in urban areas are essential. It is imperative that the organisations currently involved in the area should pool their knowledge of the problems and adopt a co-ordinated approach to solutions. Steps in this direction have already been taken. Discussions have been held between Aboriginal Hostels Limited and the Commonwealth Department of Health, Housing and Community Services on issues concerning the planning and operation of Aboriginal hostels. A strategy has recently been put in place 'which should ensure greater cooperation between the Department and Aboriginal Hostels Limited'.²⁹

7.83 It is evident from this Inquiry that not only is greater coordination needed between those organisations responsible for looking after the temporary and short term accommodation requirements of itinerant Aboriginals and Torres Strait Islanders, but more innovative responses are required. The parties which should cooperatively devise these responses are the Aboriginal and Torres Strait Islander Commission, Aboriginal Hostels Limited, local Aboriginal community organisations and the Department of Health, Housing and Community Services. Comfortable and affordable shelter is a basic human right.

²⁸ Evidence, pS417

²⁹ Department of Health, Housing and Community Services, *Annual Report, 1991-1992*, Australian Government Publishing Service, Canberra, 1992, p17

7.84 The Committee recommends that:

- . **the Department of Health, Housing and Community Services, Aboriginal Hostels Limited and the Aboriginal and Torres Strait Islander Commission, in association with relevant local Aboriginal organisations, should, as a matter of priority, consult to develop innovative strategies for meeting the short term accommodation needs of Aboriginals and Torres Strait Islanders in urban areas; (Recommendation 50) and**

- . **funding be provided to allow Aboriginal Hostels or Aboriginal and Torres Strait Islander community groups to provide accommodation for medical transient Aboriginals and Torres Strait Islanders in the larger urban centres. (Recommendation 51)**

* * * * *

CHAPTER 8

MEANS OF INCREASING ABORIGINAL ACCESS TO URBAN RECREATIONAL AND CULTURAL ACTIVITIES

8.1 The former Victorian Government, reflecting the views of a number of witnesses across Australia, stated that:

*Aboriginal people in Victoria have been disadvantaged in their access to personal development in sport and to a wide range of community recreation opportunities because of continuing economic, social and cultural disadvantage.*¹

8.2 In addressing this term of reference the Aboriginal and Torres Strait Islander Commission commented that it was too narrow and risked treating the symptoms rather than addressing the underlying problems and their causes.² While it is essential that underlying problems such as racism and economic and social disadvantage are directly addressed across the board, recreational and cultural activities provide ready opportunities for building bridges between Aboriginal and Torres Strait Islander and non-Aboriginal people. There are a number of direct issues which can be specifically addressed.

8.3 The Tangentyere Council said that recreational and cultural activities:

*play an important part, not only in allowing enjoyable use of leisure time but also in fostering good health and fitness, building self-esteem and strengthening a sense of cultural and community identity.*³

Several witnesses stressed this holistic approach to urban Aboriginal and Torres Strait Islander recreational and cultural activities. The former Victorian Government pointed out that:

leisure issues are an integral part of social planning and that sport and recreation participation opportunities can be coordinated with health and welfare service developments and support for the maintenance of

¹ Victorian Government, evidence, pS498

² Aboriginal and Torres Strait Islander Commission, evidence, pS387-8

³ Tangentyere Council, evidence, pS1217

*Aboriginal culture. In this manner, they can contribute significantly to the quality of life of a greater number of Aboriginal people.*⁴

8.4 In describing the breadth of the issues involved, the Northern Territory Government observed:

The issues relating to access by Aboriginals to recreational, sporting and cultural services are as varied as those confronting the general Australian population. These have much to do with personal inclination, including past life-style, environment, peer pressure and individual desires.

*Some Aboriginal people require additional consideration, as do some people in other groups or "categories" such as youth, ethnic, the disabled, isolated and inner urban citizens.*⁵

8.5 While the emphasis of much of the evidence was on access to activities for leisure purposes, many Aboriginal and Torres Strait Islander people are involved in recreational or cultural activities for financial reward either full-time or part-time.⁶ Quite a number of recreational activities can be engaged in for economic, cultural or recreational purposes, e.g. competitive sports, hunting, fishing, craft. There is often a fine line between amateur and professional or recreational and income-earning activities.

8.6 Sportspeople such as Sir Doug Nichols, Charles Perkins and Evonne Cawley (Goolagong) as well as becoming household names gained economic independence through their sporting prowess.⁷ Desert dot painters have gained international recognition and financial reward for their distinctively Aboriginal art form. The pop group, Yothu Yindi, as well as being financially successful and raising Aboriginal and Torres Strait Islander consciousness through the incorporation of traditional themes and language in their songs, have directly tackled attitudinal change on black and white relationships through songs such as *Treaty*.

8.7 Recreational and cultural activities have, in many areas, led to increased social contact between Aboriginal and Torres Strait Islander and non-Aboriginal people. The personal contact and friendships that result do much to break down the stereotypes that otherwise develop and persist.

⁴ Victorian Government, evidence, pS499

⁵ Northern Territory Government, evidence, pS749

⁶ Victorian Government, evidence, pS500

⁷ C Tatz, *Aborigines in Sport*, The Australian Society for Sports History, Flinders University of South Australia, 1987

8.8 Several witnesses stressed the connection between this Term of Reference and that on community attitudes to urban Aboriginal and Torres Strait Islander people.⁸ For example, the Queensland Government has used the visual arts to take cultural heritage messages to the wider community.⁹ The former Victorian Government pointed out that:

*A high level of personal achievement in sport is acknowledged as a positive element of contemporary Aboriginal lifestyle. The most positive interactions between the Aboriginal and non-Aboriginal community are often seen to take place through sport.*¹⁰

8.9 While shared recreational and cultural activities can bring white and black people closer together, there is at the same time a need for separate facilities owned and controlled by Aboriginal and Torres Strait Islander people. These are needed for a variety of reasons including a greater degree of self determination, expression of and pride in Aboriginality and the provision of suitable alternatives in the face of racism in some areas. In addition, it is important that as far as possible Aboriginal and Torres Strait Islander people own and operate Aboriginal and Torres Strait Islander cultural centres.

Aboriginal and Torres Strait Islander Recreation

8.10 Following a seminar on Aboriginal and Torres Strait Islander sport and recreation held in 1989 the Department of Arts, Sport, the Environment, Tourism and Territories (DASETT) commissioned a study to define recreation in Aboriginal terms.¹¹ The consultant, Judy Atkinson, produced a comprehensive report which used the following wide ranging definition:

*Recreation is the involvement of all peoples as participants, either active or passive, in activities or pastimes that promote refreshment of health or spirit, in all areas of language, culture, fields of sport and survival, through interaction, covering all ages.*¹²

⁸ Aboriginal and Torres Strait Islander Commission, evidence, pS418
Victorian Government, evidence, pS500-502, South Australian Government, evidence, pS1046

⁹ Queensland Government, evidence, pS1080

¹⁰ Victorian Government, evidence, pS498

¹¹ Northern Territory Government, evidence, pS780

¹² Judy Atkinson, *Recreation in the Aboriginal Community*, Report to the Department of Arts, Sport, the Environment, Tourism and Territories, Australian Government Publishing Service, 1991, p2

8.11 As part of her study into Aboriginal and Torres Strait Islander recreation needs, Judy Atkinson conducted a survey of Aboriginal and Torres Strait Islander people across Australia, not just in urban areas. The survey identified a wide range of activities that respondents considered recreational, under the following headings:¹³

Cultural activities:

- . arts and crafts
- . theatre
- . dance
- . music
- . learning new traditional skills
- . exchange visits between groups to share culture, knowledge, skills and enjoyment.

Family activities:

- . family camps and picnics
- . fishing and hunting trips
- . 'golden oldies' dinners and get togethers
- . old time dances
- . sing songs and music festivals
- . visiting friends/relations
- . debutante/National Aboriginal and Islander Day Observance Committee balls.

Outdoor/Adventure activities:

- . bush adventure camps
- . bush walks
- . swimming
- . canoeing
- . horse riding
- . learning horse craft skills and rodeo.

Sporting activities:

- . sports carnivals (both intra and inter community)
- . football
- . netball
- . basketball
- . all kinds of European type sports with an emphasis on team/fun
- . traditional sports

Educational activities:

- . researching and recording family/community histories
- . reading
- . film-making/watching

¹³ J. Atkinson, 1991, p13-14

- . learning at Technical and Further Education or through other courses

Youth Club activities:

- . all sports
- . theatre
- . arts and crafts
- . discos
- . youth exchange visits
- . music
- . adventure excursions
- . watching television/videos
- . camping trips

Other activities:

- . watching television/videos
- . card games
- . bingo
- . National Aboriginal and Islander Day Observance Committee week activities

Barriers to access

8.12 A number of factors limit the access of Aboriginal and Torres Strait Islander people to recreational and cultural facilities in urban areas. These include economic, cultural and educational factors together with varying degrees of racism. Aboriginal and Torres Strait Islander people are often denied access to particular recreational opportunities because their economic status prevents them affording fees or equipment for themselves or their children.¹⁴ Many Aboriginal and Torres Strait Islander families are unaware of the range of activities available to the community generally. Increasingly, many activities involve nominations, registration and other administrative paperwork.¹⁵ Some Aboriginal and Torres Strait Islander people will need assistance with these, otherwise they may be deterred by potential embarrassment due to difficulties with writing or literacy. While the assistance of experienced friends will be available to many, this should not be assumed.

8.13 In some smaller rural centres, major recreational facilities are provided by private sports or service clubs. Historically, many of these have been discriminatory and are still seen as not encouraging Aboriginal and Torres Strait Islander membership. In one New South Wales town visited by the Committee the only TAB outlet was within a club where access by the Aboriginal and Torres Strait Islander community was severely restricted. Sporting associations or clubs do not

¹⁴ Western Australian Government, evidence, pS958

¹⁵ Western Australian Government, evidence, pS956, S960

generally have a policy of specifically encouraging Aboriginal and Torres Strait Islander involvement in sport.¹⁶

8.14 Many non-Aboriginal institutions and social or cultural organisations promote non-Aboriginal culture and values, often quite incidentally to their main purpose.¹⁷ This can create subtle and unintentional barriers to Aboriginal and Torres Strait Islander acceptance and participation. The Western Australian Government observed that traditionally, Aboriginal and Torres Strait Islander people shy away from programs organised and run by non-Aboriginal people.¹⁸

8.15 Public facilities are intended to be available to all members of the wider community. However, many Aboriginal and Torres Strait Islander people are discouraged from using them because of cultural differences, historical exclusion, or continuing discrimination. As mentioned in Chapter 2, a significant number of local government authorities do not acknowledge their obligation to provide equal services to Aboriginal and Torres Strait Islander residents. Some private operators of leased council facilities, such as swimming pools, do not provide equality of access to Aboriginal and Torres Strait Islander people. Christine Choo reports discrimination against young Aboriginal children at municipal pools that greatly inhibited their access.¹⁹ There is clearly a need for councils and other owners of public recreation facilities to ensure that equitable access is provided at publicly owned facilities.

8.16 While some community recreational facilities have been provided through Aboriginal and Torres Strait Islander funding sources, the Aboriginal and Torres Strait Islander Commission warns that it does not have sufficient resources to meet all of the capital development requests it receives and concludes:

It is therefore important that adequate communication links be established within each State between Aboriginal and Torres Strait Islander people and the various State and local authorities responsible for recreational, sport and cultural activities and that those authorities accept their responsibilities to Aboriginal and Torres Strait Islander people. The Commission views this issue as very important, as it is an area in which Aboriginal and Torres Strait Islander people have demonstrated specific skills and abilities and through which

¹⁶ Western Australian Government, evidence, pS958

¹⁷ House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Language and Culture - A Matter of Survival*, Australian Government Publishing Service, Canberra, 1992, p43-44

¹⁸ Western Australian Government, evidence, pS956

¹⁹ C. Choo, 1990, p65

*perceptions of these people by the wider community can be positively influenced.*²⁰

8.17 The Committee was heartened on visits to a number of centres, to hear of marked improvements in access to public facilities and of positive steps being taken to encourage Aboriginal and Torres Strait Islander participation.²¹

8.18 The former Victorian Government said that it sought to provide advice and assistance to municipal authorities and community organisations on the development of consultative links with Aboriginal people regarding the provision of sport and recreation facilities, programs and services.²²

8.19 The Western Australian Government saw a need to educate local governments about the benefits of encouraging Aboriginal and Torres Strait Islander access to sporting and recreational programs.²³

8.20 The Committee recommends that:

the Ministers for Local Government and Aboriginal and Torres Strait Islander Affairs in cooperation with State and Territory Governments, the Australian Local Government Association and national sporting associations:

- **initiate pilot programs in consultation with Aboriginal and Torres Strait Islander people to develop Aboriginal and Torres Strait Islander access to mainstream urban recreational and cultural activities; (Recommendation 52) and**
- **improve the coordination of recreation and cultural services and support provisions to Aboriginal and Torres Strait Islander organisations and their members. (Recommendation 53)**

²⁰ Aboriginal and Torres Strait Islander Commission, evidence, pS418

²¹ Informal discussions in Tennant Creek, Alice Springs, Albany and Moree Western Australian Government, evidence, p128-9

²² Victorian Government, evidence, pS498

²³ Western Australian Government, evidence, pS964

Recreation management

8.21 The former Victorian Government observed that:

*whilst there are many talented sports people and a high level of interest in recreation activity within the Aboriginal community there have been only limited opportunities for these interests to be channelled into the management and administration of either mainstream or Aboriginal community sport and recreation services.*²⁴

The importance of Aboriginal and Torres Strait Islander organisations appointing their own recreation officer was stressed by several witnesses. During the Inquiry the Committee spoke to a number of organisations which had either made specific appointments, or where other positions included responsibility for recreational activities.

8.22 The Committee believes that greater use should be made of Aboriginal and Torres Strait Islander recreation officers and appropriate forms of training be provided. Training should ensure that recreation officers can cater to the broad range of recreational needs of all ages and both sexes. It has been a criticism that some recreation officers have concentrated on sport and that this has been predominantly male sport. The concentration on sport has frequently been due both to the type of government funding available and to the practice of selecting recreation officers on their sporting ability.²⁵

8.23 Judy Atkinson found in her study that many Aboriginal and Torres Strait Islander people would like to help in running recreational programs as volunteers but needed a little help in getting started.²⁶ She suggests that a number of volunteer workers with particular interests, working with recreation officers, could provide varied and balanced activities.²⁷ Recreation committees have been formed within some organisations to ensure that a range of interests are covered and to make the best use of the human resources available.

8.24 Social problems often surface as a result of boredom, lack of opportunity and low self-esteem. While the health and social benefits offered by recreational and cultural activities are immense the Committee agrees with Judy Atkinson when she warns against treating these activities as a panacea:

²⁴ Victorian Government, evidence pS499

²⁵ J. Atkinson, 1991, p40

²⁶ J. Atkinson, 1991, p39, 42

²⁷ J. Atkinson, 1991, p42

*Any proposal that promotes sport, and recreation by default, as a panacea for all social ills is rejected.*²⁸

She goes on to say:

*involvement in organised, competitive sport does not rank particularly highly in the leisure/recreational activities of most Aboriginal Australians. Therein lies the problem; with increased calls for government to improve recreational facilities and programs for us, and as government responds as it must, there is danger that the response will be to address only one section of community needs. While sport continues to be promoted as a solution to the delinquency, deviancy and high incarceration rates of young males, the response by government will be to address that perceived and promoted need, in the hope this will provide quick and simple solutions to a complex problems.*²⁹

8.25 The need for suitable recreational facilities for older people was outlined by the Western Australian Government:

Many older Aboriginal people are very isolated, and those who are caring for their grandchildren are under a great deal of stress as a result. The stress is exacerbated by their ineligibility for the Family Allowance or any other child care benefits.

*Most activity centres offer highly structured programs that are not culturally appropriate. More flexible programs would be more suitable, or activity/craft/day care centre programs established and run by Aboriginal people themselves.*³⁰

8.26 These potential dangers underline the need for better cross cultural awareness amongst organisers of mainstream activities and greater self-determination in predominantly Aboriginal and Torres Strait Islander activities. The appointment of recreation officers and the provision of suitable training is of vital importance if they are to effectively assist the broad range of recreational activities across the sexes and age groups.

²⁸ J. Atkinson, 1991, p2

²⁹ J. Atkinson, 1991, p11

³⁰ Western Australian Government, evidence, pS946

Self Determination in Recreation

8.27 Whether gaining access to mainstream recreational and cultural activities or accessing Aboriginal and Torres Strait Islander activities, the activities must be appropriate to the person. Judy Atkinson says of organised activities:

*The provision of good sporting and recreational activities must be developed in a manner that empowers people at a local level to organise and be involved in recreation in ways meaningful to them. For an individual it may, in the final analysis, legitimately be involvement in sport by preference, but others will have preferences for other forms of recreation. It is necessary to recognise the needs of all members of the Aboriginal family for participatory, as well as passive recreation.*³¹

8.28 Of the need for Aboriginal and Torres Strait Islander control over organised activities she says:

*It may be that Aboriginal people do not organise and develop recreational activities in the same way as non-Aboriginal people. It is more important to allow our people to find their own ways of doing things and have them know that these ways are good and have meaning in the social structures in which they live.*³²

8.29 Atkinson points to the dangers of the lack of Aboriginal and Torres Strait Islander control over recreational programs:

*if recreational "intervention" is not based on recognition of, and support for, leisure activities that have meaning to us all, we stand in danger of losing our ability to determine the boundaries of our recreational socialisation. Recreation in western society is big business, and is being increasingly bureaucratised. Within white society, people largely believe that they can only be involved in recreation that is of any value if it costs money; large playing fields, indoor stadiums, and experts who can teach them how to recreate. Too many people do not know how to constructively use their leisure time without external help. They have become disempowered in the use of their own creativity.*³³

8.30 The Committee concludes that there is a need to establish Aboriginal and Torres Strait Islander controlled recreational activities and facilities. While

³¹ J. Atkinson, 1991, p12

³² J. Atkinson, 1991, p45

³³ J. Atkinson, 1991, p12

good use should continue to be made of volunteer recreation workers there is a need for trained recreation officers to provide or facilitate a wide range of activities for urban indigenous people of all ages. Support should be provided to volunteer workers through in-house training and resource material such as the information kit prepared by the Department of Arts, Sport, the Environment, Tourism and Territories. Recreation officers should be supported by consultant recreation officers at the regional and/or State level.

8.31 The Committee recommends that:

the Minister for Aboriginal and Torres Strait Islander Affairs in conjunction with State and Territory governments ensure that:

- **greater use is made of trained recreation officers by Aboriginal and Torres Strait Islander organisations by recognising these positions for funding purposes; (Recommendation 54)**
- **further training courses are provided at a regional level to improve access to pre-service and in-service training for Aboriginal and Torres Strait Islander recreation officers; (Recommendation 55) and**
- **State and Territory governments appoint an Aboriginal and Torres Strait Islander recreation officer to liaise with, and act as consultant to recreation officers within Aboriginal and Torres Strait Islander organisations and liaise with major sporting and recreational associations. (Recommendation 56)**

Sport

8.32 There is a wide range of sport enthusiastically played by both Aboriginal and Torres Strait Islander and non-Aboriginal people. There is a universality about sport which removes many of the barriers inhibiting Aboriginal and Torres Strait Islander participation in other social and economic activities. As mentioned earlier, many Aboriginal and Torres Strait Islander people have risen to the top in their sporting field. These high-profile successes have boosted the Aboriginal sports profile and self-esteem. Sporting and consequent financial success has provided direct empowerment for many of these sporting stars.

8.33 Professor Colin Tatz has pointed to the success of Aboriginal and Torres Strait Islander people in 'stadium' sports such as football and boxing which are cheap to enter and which have provided the attraction of money as professionals. He contrasts this with the relative absence of Aboriginal and Torres Strait Islander stars in more expensive pursuits such as golf, skiing, equestrian sports (other than rodeo), motor sports, cycling, yachting and rowing.³⁴ Some of these sports can only be accessed through private clubs. Access to the full range of sporting activities will only come with the removal of the economic and social disadvantage of Aboriginal and Torres Strait Islander people.

8.34 While public attention may be focussed on the high profile players the vast majority of sports participants play in lower levels of the sport. Their access to sporting facilities is more tenuous than that of the star players and is the area of concern of this report. As mentioned earlier, some are excluded because of cost barriers involved in their preferred sport, others are deterred by the administrative paperwork that is required to enrol in league sports. Professor Tatz points to strong cultural barriers that still exist in some sports:

*Aborigines play sport in a white world: white games, venues, rules, directors, officials, selectors. Always players or performers, they are never partners in the sports enterprise. It is possible that the birth and growth of black teams has been to enable them to make their own decisions and selections; to be winners, for a change; to provoke - if possible, to evoke - a sense of respect for them as people.*³⁵

8.35 A major concern is the access by Aboriginal and Torres Strait Islander teams to ovals and other facilities. The Committee heard of instances where non-Aboriginal teams were given priority in bookings or where responsibility for any maintenance or repairs to shared facilities was assumed to be the responsibility of the Aboriginal or Torres Strait Islander teams. Resulting tensions have led to a number of Aboriginal and Torres Strait Islander teams seeking to have their own grounds. In other areas, the strength of Aboriginal and Torres Strait Islander clubs alone has warranted their having their own grounds. On its visit to Port Lincoln, the Committee was impressed with the sports facilities developed by the Port Lincoln Aboriginal Organisation as part of a broad complex of Aboriginal facilities.

8.36 A number of Aboriginal and Torres Strait Islander sports festivals, not always urban, have grown in popularity and raised the pride of those involved. These include the 'Aboriginal Olympics' sports festival at Yuendumu and the Island of Origin rugby league competition in Torres Strait. In NSW there is an annual Koori rugby league knockout competition which in 1992 had more than 50 teams competing.

³⁴ C. Tatz, 1987, p5

³⁵ C. Tatz, 1987, p122

8.37 Racism remains a problem in sport both in overt and more subtle forms. Professor Tatz notes:

*Sport is not separate from life. Where there is racism in political, social, legal, and economic life, so there is racism in the sporting one - diluted sometimes, tempered perhaps, when medals and prizes are being won.*³⁶

Whether it is from opponents, spectators, selectors, ground managers or administrators it can be a serious impediment to joining, playing and enjoying a sport.

8.38 Sporting activities offer substantial social benefits, promote a healthy lifestyle and can be used to combat problems such as boredom and low self esteem, particularly amongst youth.

8.39 The Western Australian Government has recommended specifically targeting and encouraging Aboriginal and Torres Strait Islander children to participate in the Sportsfun leaders' program. This is an after-school activity, offered through the education system, which gives secondary students an opportunity to coach primary school students in a variety of modified sports. Sportsfun programs also operate in other States.

8.40 The Western Australian Government values Sportsfun because it teaches:

*interpersonal skills, responsibility and fosters a better understanding of a range of sports. It also provides encouragement to understand and seek coaching tuition and builds commitment to a positive program.*³⁷

The Committee believes that such programs run with the assistance of Aboriginal and Torres Strait Islander liaison officers, teachers or teaching assistants can be very useful.

³⁶ C. Tatz, 1987, p3

³⁷ Western Australian Government, evidence, pS963

8.41 The Committee recommends that:

the Minister for Arts, Sport, the Environment, Tourism and Territories, in conjunction with State and Territory ministers, seek the assistance of umbrella sporting associations to raise the awareness of their members to the obstacles facing Aboriginal and Torres Strait Islander sports participants and to encourage participation in sports in which Aboriginal and Torres Strait Islander people are underrepresented. (Recommendation 57)

Youth activities

8.42 Many of the needs of urban Aboriginal and Torres Strait Islander youth are similar to those of non-Aboriginal youth and are generally beyond the scope of this report. However, the Committee notes the lack of adequate general youth facilities in many urban areas. While Aboriginal and Torres Strait Islander youth share an interest in and join in a wide range of mainstream young people's activities it is also a period in which they seek to establish their own identity. This Inquiry has been concerned with Aboriginal and Torres Strait Islander youth access to culturally appropriate recreational and cultural activities.

8.43 In a predominantly white society with strong pressures to conform, establishing and maintaining an Aboriginal and Torres Strait Islander identity can add to the usual difficulties of youth. Many believe that they do not properly belong to either culture and often feel stranded somewhere in between. The fractured social environment of many urban Aboriginal and Torres Strait Islander families adds to their cultural and social isolation. The influence of elders is reduced and young people often lack role models, guidance and support. Bush trips are favoured by many Aboriginal and Torres Strait Islander organisations, even for young people from metropolitan areas. These trips allow some experience of traditional heritage as well as establishing contemporary identity, bonding and friendship. They can improve social contact across a broad range of ages.

8.44 Youth camps are also used with a narrower age range. Atkinson refers to successful camps organised by the young people themselves with considerable training and planning preceding the trip.³⁸

8.45 As mentioned in paragraph 8.24, social problems often surface as a result of boredom, lack of opportunity and low self-esteem. Sport and recreational activities provide meaningful leisure activities although these are not a panacea for all ills. There is a need for Aboriginal and Torres Strait Islander controlled

³⁸ J. Atkinson, 1991, p22

recreational activities for both boys and girls providing a range of activities and not just confined to sport. The interest of young Aboriginal and Torres Strait Islander people in music has been picked up by some organisations and bands have been formed. Many organisations arrange discos for young people on a regular basis.

8.46 While separate youth facilities are desirable, more often where they exist, they operate out of general Aboriginal and Torres Strait Islander community facilities. The Committee has recommended that greater use be made of recreation officers to cater for a wide range of recreational activities across all ages. (Paragraph 8.31) However, in some areas the appointment of specialist youth recreational workers is also warranted.

8.47 Greater recognition should be given to Aboriginal and Torres Strait Islander youth issues. In Victoria the Victorian Aboriginal Youth Sport and Recreation Cooperative was recognised by the former State Government as the key agency representing the views of, and providing development support services to Aboriginal and Torres Strait Islander communities.³⁹ The Committee believes this is a model that other States and Territories might follow.

8.48 Youth recreational facilities should be provided by the relevant State and local government. However, the Committee notes that in many instances Aboriginal and Torres Strait Islander youth facilities are provided by Aboriginal and Torres Strait Islander community organisations rather than by general government funded agencies as it would usually be for non-indigenous groups.

8.49 In response to the finding of the Royal Commission into Aboriginal Deaths in Custody that mainstream strategies were not reaching young Aboriginal and Torres Strait Islander people the Federal Government announced a package of assistance measures focusing on indigenous youth.⁴⁰ The package includes three programs, to be funded over five years:

- . Young Person's Development Program (\$23m);
- . Community Organisation Young Person's Employment Program (\$22);
and
- . Young Person's Sport and Recreation Development Program (\$9m).

8.50 Communities will be able to seek funds through the Aboriginal and Torres Strait Islander Commission's Regional Councils, to implement plans they have developed to meet the needs of their young people. Funds will be available to employ community youth workers, for sport and recreation, for cultural education provided by elders, to help young people to move from detention or institutions back

³⁹ Victorian Government, evidence, pS498

⁴⁰ Department of Employment, Education and Training, supplementary submission, pS1243

into the community, to involve them in community work, or in education and training.⁴¹

8.51 Under the Sport and Recreation Program, 38 Aboriginal and Torres Strait Islander workers will be employed in strategic regional locations to develop and promote sport and recreation programs for young people. Development officers will encourage young women and men to take part in sport and recreation, help ensure community access to recreation facilities and improve information available on recreation to young people.⁴²

Government programs

Northern Territory

8.52 The Northern Territory Government has an Aboriginal Recreation Program although this largely caters for remote communities. It does not consider the special needs of 'integrated' suburban residents.⁴³ The Northern Territory Government considers it important to gradually bring Aboriginal communities into the mainstream of sport, through affiliation with Northern Territory Sporting Associations and participation in regular Territory competitions.⁴⁴

8.53 The Northern Territory Office of Sport, Recreation and Ethnic Affairs provides funds for recreation officers and sports development officers to:

*provide much of the stimulus needed to develop suitable facilities, local and regional competitions, and to serve as contacts for Northern Territory Associations in coaching and administrative matters.*⁴⁵

The Office also encourages Northern Territory sporting associations to include Aboriginal communities in coaching programs, through visits by suitably qualified coaches and by inviting Aboriginals to take part in Coaching Accreditation

⁴¹ Ministers for Arts, Sport, the Environment and Territories and Aboriginal and Torres Strait Islander Affairs, *Joint Media Release*, 24 June 1992

⁴² Ministers for Arts, Sport, the Environment and Territories and Aboriginal and Torres Strait Islander Affairs, *Joint Media Release*, 24 June 1992

⁴³ Northern Territory Government, evidence, pS749

⁴⁴ Northern Territory Government, evidence, pS750

⁴⁵ Northern Territory Government, evidence, pS750

Courses.⁴⁶ Funding is provided to sporting bodies for talent identification and development through salary assistance for coaches and administrators.⁴⁷

8.54 To provide skills development for recreation workers a Recreation Certificate course is offered by Batchelor College.⁴⁸

8.55 The Office also provides financial assistance for administrative costs associated with regional cultural and sporting festivals such as Barunga and Yuendumu.⁴⁹

Western Australia

8.56 There is an Aboriginal Sports Unit within the Ministry of Sport and Recreation. This Unit is developing a short course on coaching for Aboriginal and Torres Strait Islander organisations.⁵⁰ The Western Australian Government drew attention to the lack of qualified recreation officers and has initiated a Technical and Further Education course to provide suitable training.⁵¹

New South Wales

8.57 The New South Wales Government together with the Aboriginal and Torres Strait Islander Commission is piloting a program to provide Aboriginal and Torres Strait Islander community members with level-one coaching skills.⁵²

Victoria

8.58 The former Victorian Government's policy on Aboriginal and Torres Strait Islander sport and recreation is to assist the development of self determined, self managed, locally based sport and recreation programs and participant support services in Aboriginal communities throughout Victoria.⁵³ It is understood these measures will be continued by the new Government.

⁴⁶ Northern Territory Government, evidence, pS751

⁴⁷ Northern Territory Government, evidence, pS753-4

⁴⁸ Northern Territory Government, evidence, pS752-3

⁴⁹ Northern Territory Government, evidence, pS753

⁵⁰ Western Australian Government, evidence, pS962

⁵¹ Western Australian Government, evidence, pS956, 964

⁵² Aboriginal and Torres Strait Islander Committee Annual Report, 1990-91, p46

⁵³ Victorian Government, evidence, pS498

8.59 A Koori Recreation Consultant position has been created to assist community development and cultural issues.⁵⁴

Queensland

8.60 The Queensland Government advised that:

To date, there has been no specific focus on policies or initiatives for urban Aborigines and Torres Strait Islanders in the fields of sport and/or recreation.

*The approach has been that all members of the Queensland community, including Aborigines and Torres Strait Islanders can utilise the facilities and services that are available from the Queensland Government in sport and recreation.*⁵⁵

It further advised that:

*Current restructuring of the Division of Aboriginal and Islander Affairs will see an increased policy emphasis on encouraging access and participation in sport, recreation, art and cultural activities by Aboriginal and Islander people throughout Queensland.*⁵⁶

The Arts and Culture Section of the Division of Aboriginal and Islander Affairs is concerned with providing and promoting access by Aboriginal and Islander people to recreational and cultural activities. It provides grants to community organisations in support of cultural activities.⁵⁷

8.61 The Department of Employment, Vocational Education, Training and Industrial Relations (DEVETIR) through the Cairns College of Technical and Further Education, offers an Associate Diploma of Art (Aboriginals and Torres Strait Islanders).⁵⁸

Commonwealth Government

8.62 At the Commonwealth level the Department of Arts, Sport, the Environment, Tourism and Territories sponsored the Judy Atkinson study into

⁵⁴ Victorian Government, evidence, pS500

⁵⁵ Queensland Government, evidence, pS1079

⁵⁶ Queensland Government, evidence, pS1079

⁵⁷ Queensland Government, evidence, pS1079

⁵⁸ Queensland Government, evidence, pS1079

Aboriginal and Torres Strait Islander recreation needs cited earlier in the chapter. Subsequently it has commissioned the preparation of a resource kit including a video and associated teaching material. The resource kit is for distribution to tertiary education institutions for use in the training of recreation workers. It is also being distributed to community organisations with recreation workers or those running volunteer recreational activities.

8.63 The Department has also produced and published a register of all tertiary level courses and subjects which cover recreation, heritage studies or have an Aboriginal and Torres Strait Islander content.⁵⁹

8.64 A range of sport and recreational activities are funded through the Aboriginal and Torres Strait Islander Commission. In 1990-91 \$2.4m was allocated for development grants and recreation programs. In addition \$1.17m was funded for construction of the Kambu Sports Complex in Ipswich, Queensland. The Aboriginal and Torres Strait Islander Commission also funds the National Aboriginal and Torres Strait Islander Sports Awards held biennially.

8.65 Commonwealth assistance for Aboriginal and Torres Strait Islander arts is principally provided through the Australia Council. The Aboriginal Arts Committee of the Australia Council provided around \$3.5 in 1990/91 to support Aboriginal and Torres Strait Islander art and craft centres, arts organisations and individual artists.⁶⁰ The Aboriginal and Torres Strait Islander Commission through its Art and Culture sub-program provides assistance to Aboriginal and Torres Strait Islander organisations to promote and develop their cultural life. An important element of the Aboriginal and Torres Strait Islander Commission's program is the Promotion of Community and Cultural Awareness within Aboriginal and Torres Strait Islander communities as well as to the wider Australian population. The budget for this program in 1990-91 was \$709,000.

Cultural Activities

8.66 Cultural renewal is a crucial process for urban Aboriginal and Torres Strait Islander people. The Aboriginal and Torres Strait Islander Commission states that it is:

of vital importance as it provides a mechanism to demonstrate the identity and skills of urban Aboriginal and Torres Strait Islander people within the wider community, while providing a means of

⁵⁹ Department of Arts, Sport, the Environment, Tourism and Territories, *Aboriginal Recreation, Culture and Related Studies - A National Directory of Tertiary Courses*, Australian Government Publishing Service, Canberra, 1991

⁶⁰ Northern Territory Government, evidence, pS785

*assisting these people to establish their own identities and thus enhance their self esteem.*⁶¹

Most witnesses agreed with this view and the former Victorian Government added that:

*cultural identity and awareness is a key in re-establishing the pride and dignity of Aboriginal people, and thus their capacity to participate in society as equals with non-Aboriginals.*⁶²

8.67 A number of Aboriginal and Torres Strait Islander cultural festivals have developed strong regional, even national, interest and participation. The Barunga Festival, the Laura dance festival and the recent Stompem Ground rock music festival in Broome, have attracted large Aboriginal and Torres Strait Islander and non-Aboriginal audiences. They offer the opportunity for Aboriginal and Torres Strait Islander performers to assert and celebrate their own cultural identity whether it be contemporary urban or traditional.

8.68 In the wider community, Aboriginal and Torres Strait Islander cultural renewal is most visible in the visual and performing arts. Painting, crafts, theatre, dance, music and writing have all seen a dramatic lift in profile in the last few years.

8.69 While better access to mainstream cultural facilities is needed there was general agreement from those the Committee met, on the need for Aboriginal and Torres Strait Islander owned and managed cultural centres. These can directly address local Aboriginal and Torres Strait Islander needs in an appropriate way. Local information and material can be kept in a culturally acceptable way and the centre can provide a meeting place as well as coordinate recreational and cultural activities. The consolidation of cultural identity can be assisted by such centres. The retention and dissemination of traditional culture and language and its integration with contemporary lifestyles and values can be assisted by these centres. They have a vital role in cultural renewal.

8.70 The New South Wales Aboriginal Education Consultative Group points to the cultural isolation of Aboriginal and Torres Strait Islander people in urban centres and regards the provision of appropriate cultural and recreational facilities as imperative.⁶³

⁶¹ Aboriginal and Torres Strait Islander Commission, evidence, pS418

⁶² Victorian Government, evidence, pS500

⁶³ New South Wales Aboriginal Education Consultative Group, evidence, pS274

8.71 During the Inquiry the Committee visited several cultural centres, mainly in rural urban centres, and heard of proposals for several more.⁶⁴ In some instances these are combined with Aboriginal and Torres Strait Islander general community centres and in other cases are specifically set aside for cultural activities.

8.72 Representatives of Mirima Council and Waringarri Aboriginal Corporation told the Committee in Kununurra that:

Traditionally, language and culture based activities have been woven into the fabric of everyday life with no need to create a particular centre or organisation. However, nowadays Aborigines have increasingly less time and opportunities in which to conduct these important language and cultural activities and so require a centre from which these can be focused. Today there is a very rich tradition of the activities which might take place in such a centre, ranging from story telling, singing and dancing to miming, game playing and acting. These cultural activities, which once occurred in a variety of settings as people travelled through their country, now must be stored in one place.⁶⁵

8.73 The Kombumerri Aboriginal Corporation for Culture from the Gold Coast told the Committee of their plans:

we propose to establish an educational centre through which we can impart information about the Yugambeh people and the appreciation that they had for their environment. We have already accumulated a huge volume of data about Yugambeh tribal burial grounds, sites, shell mounds, habitation sites, ceremonial bora rings, tool-making sites, religious sites and genealogies.⁶⁶

8.74 The Aboriginal Educational Consultative Group of New South Wales pointed out that:

The cultural isolation of most Aboriginal people in urban and especially metropolitan centres is further aggravated by the fact that many of these Aboriginal people lack the support of family and kinship networks. ... the AECG regards it as imperative that appropriate cultural and recreational facilities be provided for culturally isolated Aboriginal people in urban and metropolitan centres. The AECG further submits that these cultural and recreational facilities could be integrated with existing Homework Centres. In addition to providing

⁶⁴ Thoorgine Educational and Cultural Centre, evidence, pS283

⁶⁵ *Language and Culture - A Matter of Survival*, 1992, p35-36

⁶⁶ *Language and Culture - A Matter of Survival*, 1992, p36

*facilities for culturally isolated Aboriginal people in urban and metropolitan areas, this could produce important educational benefits as experience has shown that Aboriginal students learn best in an Aboriginal environment that gives them cultural support and reinforces their cultural identity.*⁶⁷

8.75 While the main purpose of most cultural centres is to service the cultural needs of Aboriginal and Torres Strait Islander people they often serve the dual purpose of also promoting Aboriginal and Torres Strait Islander culture and history to non-indigenous people. The Aboriginal Culture Museum in Brewarrina and the Tandanya Centre in Adelaide are examples of cultural centres which give a high priority to promoting contemporary Aboriginal and Torres Strait Islander art, culture and history to the broader community.⁶⁸

8.76 The Victorian Government through its Office of Aboriginal Affairs has funded the establishment of a number of cultural centres which:

*allow for proper preservation and education in local cultural heritage matters, and provide suitable storage facilities for local cultural materials presently held in museums, and private collections, around the world.*⁶⁹

8.77 In addition seventeen cultural officers are employed by Aboriginal community organisations across Victoria under its Aboriginal Cultural Heritage Program.⁷⁰ Training for cultural officers is included in the funding. In consultation with the community, cultural officers conduct education programs within local schools and maintain community control and preservation of culturally relevant sites and artefacts which have been found locally.

8.78 Cultural centres owned and managed by Aboriginal and Torres Strait Islander organisations are essential for the sustenance and renewal of urban Aboriginal and Torres Strait Islander culture.

8.79 The Committee believes that the provision of appropriate cultural facilities at the local level is primarily a State and Territory responsibility, with some provision by local government. This should include the provision of culturally relevant mainstream services as well as specific cultural services to the Aboriginal and Torres Strait Islander community.

⁶⁷ Evidence, pS274

⁶⁸ South Australian Government, evidence, pS1046

⁶⁹ Victorian Government, evidence, pS502

⁷⁰ Victorian Government, evidence, pS500-1

8.80 The Committee recommends that:

the Minister for Aboriginal and Torres Strait Islander Affairs, in consultation with State and Territory ministers, ensure that funding is made available so that Aboriginal and Torres Strait Islander cultural centres can be established in metropolitan and regional areas. Such centres should be owned and managed by Aboriginal and Torres Strait Islander organisations wherever possible. (Recommendation 58)

Media

8.81 Access to culturally appropriate media was an issue raised by one submission. While many remote communities are serviced by Broadcasting for Remote Aboriginal Communities Scheme (BRACS), urban areas are less well serviced. Urban areas of the Northern Territory outside Darwin are serviced by the Central Australian Aboriginal Media Association radio and by *Imparja* television. The Australian Broadcasting Commission provides a half hour program *Speaking Out* once a week on Radio National covering Aboriginal and Torres Strait Islander news, current issues and music.

8.82 While there is an increasing number of Aboriginal and Torres Strait Islander media organisations either operating their own public radio stations or putting together material for broadcast on others' stations there are still many gaps in this network around Australia.

Libraries

8.83 Libraries are important cultural facilities to Aboriginal and Torres Strait Islander people. They give access to an extensive range of information. They collect, store and disseminate local area information and histories. Judy Atkinson found a high level of demand for reading facilities among urban Aboriginal and Torres Strait Islander people, particularly amongst youth.⁷¹ In those homes where adult literacy is low, income is also usually very low and the number of books available for young readers is minimal. Overcrowding in many Aboriginal and Torres Strait Islander houses makes homework very difficult and, while dedicated homework centres are preferable, libraries can provide suitable spaces for homework.

⁷¹ J. Atkinson, 1991, p37-38

8.84 Many municipal and other libraries have taken a proactive role in improving Aboriginal and Torres Strait Islander access to library services⁷² including making rooms available for Aboriginal and Torres Strait Islander group meetings and permanent displays of Aboriginal and Torres Strait Islander cultural material.⁷³ In Port Lincoln, for example, the Technical and Further Education College has provided a room within its library as an Aboriginal history section. However, in other libraries, insensitivity to cultural differences and to Aboriginal and Torres Strait Islander people's special needs, can create barriers to access just as great as direct racism and discrimination.

8.85 The Committee believes that libraries are crucial public cultural resources for urban Aboriginal and Torres Strait Islander people and should be the subject of special attention to improve access.

8.86 The Committee recommends that:

the Ministers for Local Government and Arts and Territories, in consultation with the Australian Local Government Association and the Australian Library and Information Association, continue to encourage and assist libraries to raise the cross-cultural awareness of their staff and to identify the special needs of Aboriginal and Torres Strait Islander people in accessing libraries. (Recommendation 59)

Conclusion

8.87 Aboriginal and Torres Strait Islander people need improved access to urban recreational and cultural activities, both mainstream and those operated by Aboriginal and Torres Strait Islander people. This will enable them to maintain control over their own cultural and recreational activities as well as participate in mainstream activities to the extent they choose.

⁷² Tangentyere Council, evidence, pS1216

⁷³ Northern Territory Government, evidence, pS747-8

CHAPTER 9

COMMUNITY PERCEPTIONS OF URBAN DWELLING ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

9.1 The Committee was asked to examine community perceptions of urban-dwelling Aboriginal people within the wider community and the need to bring about a greater understanding within that community of the culture, past dispossession and continued disadvantage suffered by Aboriginal and Torres Strait Islander people. The Committee considers this last term of reference the most important as it permeates and impacts upon virtually all other issues in urban Aboriginal and Torres Strait Islander affairs. Wider community perceptions about urban Aboriginal and Torres Strait Islander people and issues affect public support for policy, legislation and programs in Aboriginal and Torres Strait Islander affairs. Urban Aboriginal and Torres Strait Islander community activity can be assisted or hindered by those wider community attitudes. Negative attitudes and behaviour of non-Aboriginal people can be quite destructive of individual Aboriginal and Torres Strait Islander basic human rights and of their efforts to increase their level of self determination.

9.2 The Committee finds that wider community attitudes towards urban Aboriginal and Torres Strait Islander people have a significant impact on their physical, social and economic well being.

Opinion Polls and Attitude Studies

9.3 There have been a number of opinion polls and studies undertaken in the last thirty years which have sought to measure public attitudes towards Aboriginal and Torres Strait Islander people. The most extensive poll undertaken was the 1967 Referendum in which over 91% of Australian electors agreed to amend the Constitution so that Aboriginal and Torres Strait Islander people could be counted in the census and the Commonwealth could have legislative powers in Aboriginal and Torres Strait Islander affairs concurrent with the States. Changes to federal electoral legislation in 1962 had given enrolled Aboriginal and Torres Strait Islander people the right to vote in national elections. Prior to these changes Aboriginal and Torres Strait Islander people had fewer rights than other Australians and were effectively classified as part of the flora and fauna of Australia.

9.4 A Morgan Gallup Poll in May 1967 as to what people saw as the 'chief effect' of the constitutional change yielded the following results:

38% anticipated 'better opportunities' for Aborigines, 'improved conditions, better housing, education'; 22% thought the 'chief effect' would be 'equal rights' for Aborigines as citizens (mostly, one might wager, the voting rights that had already been granted); 14% expected that a successful referendum would produce 'higher morals', 'improved status' or 'Aboriginal freedom'; 6% reported 'no effect expected'; 4% referred to 'bad effects' (including 'drinking' and 'more discrimination'); while 16% simply said they did not know.¹

9.5 The 1967 Referendum and Morgan Gallup Poll were conducted during the defined assimilationist period and it would be expected that community attitudes shaped and were shaped by governments' assimilation policies. Many agreed to greater recognition of Aboriginal and Torres Strait Islander people as it would facilitate their assimilation into mainstream society.²

9.6 A poll conducted by Australian National Opinion Polls (ANOP) was commissioned by the Department of Aboriginal Affairs in August 1984 to determine broader community attitudes to land rights. The poll surveyed 2000 adults across Australia, interviewed 28 'opinion leaders' and conducted seventeen group discussions around particular themes. The study targeted the majority of non-Aboriginal Australians who were not firmly committed to or against land rights. This group excluded the 28% who were identified as strongly opposed and the 18% who were identified as strongly supportive of land rights.³

9.7 The poll found the middle (not firmly committed) group were predominantly 'softly prejudiced' about land rights with the potential to significantly harden their attitudes toward Aboriginal and Torres Strait Islander people. However, this category counted those not so strongly opposed with those 'expressing reservations in association with approval'.⁴

9.8 Some observers consider that the Australian National Opinion Poll report paints a less sympathetic picture of community attitudes than is justified from the figures.⁵ However, reported perceptions of the wider community about Aboriginality, particularly of urban Aboriginal and Torres Strait Islander people,

¹ Murray Goot and Tim Rowse, 'The "backlash" hypothesis and the land rights option', in *Australian Aboriginal Studies*, 1991, No 1, p4

² Tim Rowse, 'Middle Australia and the noble savage: a political romance', in J. R. Beckett (ed), *Past and Present, the construction of Aboriginality*, Aboriginal Studies Press, Canberra, 1988, p162

³ Australian National Opinion Polls, *Land Rights - Winning Middle Australia*, January 1985, p58

⁴ Australian National Opinion Polls, 1985, p60

⁵ M. Goot and T. Rowse, 1991, p6

were confirmed as accurate during the Committee's evidence taking.⁶ The Committee stresses that these negative perceptions are far from universal but they are held by a significant proportion of the population. The Australian National Opinion Poll found the predominant stereotype of Aboriginals to be a negative one. The study found that Aboriginal and Torres Strait Islander people suffered from a stereotypical image of being primitive, nomadic, passive and lazy. It found that dual criteria were used by non-Aboriginal people to judge Aboriginality. These were the darkness of skin and the practice of a tribal lifestyle:

*The "real" Aborigines are considered to be those full-bloods living a traditional tribal lifestyle. There is a vast perceptual gap between these and the half-caste, educated radical activists ("Redfern Aborigines") who have adopted urban values and are perceived as the source of many of the troubles besetting the Aboriginal cause.*⁷

The Australian National Opinion Poll report goes on to say:

Beneath this simplified distinction, three classificatory groupings could be identified:

- (i) *educated activists who are almost "white" and totally urbanised;*
- (ii) *Half-castes who live in squalor in slums or on the outskirts of towns; spend all their time drinking alcohol; are stranded between two cultures and have little hope for the future;*
- (iii) *Tribal, "real" Aborigines living on reserves who just want to be left alone to follow their traditional lifestyle as far as possible.*⁸

9.9 'Middle Australia' as defined in the Australian National Opinion Poll saw the route to self-respect for urban Aboriginals as being through integration and acceptance in white society as wage-earners and home-makers.⁹

9.10 It is clear from these stereotypes that many non-Aboriginal Australians have little or no direct experience of the broad range of Aboriginal and Torres Strait Islander lifestyles nor of their recent history. For many of these people their knowledge is derived from the sanitised histories of white settlement and misinformation about Aboriginal and Torres Strait Islander people that was taught

⁶ Western Australian Government, evidence, p99

⁷ Australian National Opinion Polls, 1985, pp 13-14

⁸ Australian National Opinion Polls, 1985, p14

⁹ Australian National Opinion Polls, 1985, p46

in most schools until recently. Historically, this has been overlaid with frequent negative stereotypes in newspapers, film and books.

9.11 Poll results can be affected by the way a question is phrased and the context within which it is asked. Another factor is the extent to which particular issues feature prominently in the current political agenda, especially the way they are reported in the media.¹⁰ The Australian National Opinion Poll occurred at a time when land rights had a high political profile because of the then Federal Government's proposals for national land rights legislation. Land rights became a very large issue in Western Australia with a vigorous hostile campaign being run by the Chamber of Mines in Western Australia.

9.12 It is noteworthy that in the 1967 Referendum with a 91% 'yes' vote, the highest levels of 'no' votes were in Western Australia. The Australian National Opinion Poll in 1984 registered Western Australia as being the most negative state in its attitudes to Aboriginals and Torres Strait Islanders.

9.13 A survey undertaken for the Department of Aboriginal Affairs in 1975 by Wally Mueller and Brian Bishop found that non-Aboriginal adults commonly endorsed statements expressing Aboriginal and Torres Strait Islander inferiority, especially older adults.¹¹ Negative responses included: 68% saying that most Aboriginal and Torres Strait Islander people were dirty and untidy; 35% saying they do not look after their children and 68% saying that few work for their living. Positive responses included 34% saying Aboriginal and Torres Strait Islander people are not lazy and 48% saying they are as smart as non-Aboriginal people. Aboriginal and Torres Strait Islander people were seen as having poor independent living skills with 93% saying they planned little for the future and 69% saying that most Aboriginal and Torres Strait Islander people 'bludge' on non-Aboriginal society.

9.14 A study in 1981 by Knud Larsen in Townsville yielded a high response to general positive images of Aboriginality.¹² However it also yielded some high levels of response to negative images, such as 60.5% believing that despite 'the best efforts of civilisation' Aboriginal people will remain childlike and dependent. It also found a dislike of urban Aboriginals and attitudes that Aboriginals do not conform to white norms, they are hopeless drunks, primitive and they have brought upon themselves the negative treatment they receive.

9.15 Attitudes surveyed by Dr Rob Donovan in 1984, through focus group discussions, found three groups of Aboriginal and Torres Strait Islander people being

¹⁰ M. Edmunds, 1989, p xiii

¹¹ W. Mueller and B. Bishop, *Research report on beliefs about Aboriginals*, WAIT-AID Ltd, Perth, 1975, paragraph 6.1.2

¹² K. Larsen, 'White attitudes in Townsville: Authoritarianism, religiosity and contact'. *Australian Psychologist*, 16, 111-112

identified.¹³ These comprised those who were assimilated and living 'constructive' lives, those who still have social difficulties (such as controlling drinking and aggression to non-Aboriginal people) but are beginning to 'make it', and urban fringe dwellers who live in squalor and give Aboriginal and Torres Strait Islander people a bad name.

9.16 The perceptions of Aboriginal people in four New South Wales towns were studied by Gillian Cowlshaw.¹⁴ Negative perceptions included: Aboriginals being involved in too much crime; being given too much by welfare agencies; and being treated too leniently by the police and courts. They were also perceived as not wanting to work.

9.17 In a survey of Bunbury residents published in 1987, Rob Donovan and Sue Leivers found the following beliefs about Aboriginals.¹⁵ Aboriginals receive too many unfair privileges which lessened their capacity for long term planning, motivation and the value placed on material goods. The 'unfair privileges' included low interest housing loans, transport allowances, job training, a separate legal service and land rights.

9.18 Bunbury residents in the study believed that Aboriginals 'owed' something to the rest of the community for these handouts but were not repaying the debt. Positive beliefs identified included Aboriginal and Torres Strait Islander people having the potential to achieve and 'live constructively'. Some believed that Aboriginal and Torres Strait Islander people did not reach their full potential due to external factors such as a lack of role models.

9.19 The same researchers in studies in Port Hedland and Kalgoorlie found a strong perception of Aboriginality being equated with a handout mentality.¹⁶ Positive family values were identified such as sharing, caring and loyalty although family pressures and obligations were also seen to have a negative value.

9.20 These studies also found perceptions of Aboriginal and Torres Strait Islander people falling into identifiable groups, as they did in the Australian National Opinion Poll and the 1984 Donovan study. In Port Hedland, Aboriginals were seen as either proud and dignified traditional people or urbanised Aboriginals largely living in government housing who were heavy drinkers unable to maintain the houses 'given' to them. In Kalgoorlie, four categories were perceived. The minority were urban assimilated people who have 'lost their culture', hold down jobs

¹³ R. J. Donovan, *Attitudes and beliefs about Aboriginal land rights*, Donovan and Associates Pty Ltd, 1984

¹⁴ G. Cowlshaw, "Race for exclusion", *Australian and New Zealand Journal of Sociology*, Vol 22, No. 1, March 1986, 3-24

¹⁵ R. Donovan and S. Leivers, *Attitudes to Aboriginals: Final report to FCB Shorter and Equal Opportunity Commission*, 1987, Donovan Research

¹⁶ Rob Donovan and Sue Leivers, *Attitudes toward Aboriginals in Kalgoorlie and Port Hedland: Report to FCB Shorter and the Equal Opportunity Commission*, 1987, Donovan Research

and maintain their government housing well. Traditional people living away from the town, maintaining their pride and culture, were also perceived positively. When traditional people come to town and become fringe dwellers they are seen as dirty, unsociable, potential alcohol abusers. 'Half castes' are seen as creating problems, demanding land rights and being unconcerned with traditional culture.

9.21 A National Social Science Survey, conducted by the Australian National University in 1984-5, covered a wide range of political and social issues including a few questions concerning attitudes to Aboriginal and Torres Strait Islander people.¹⁷ Seventy five percent of respondents said that the same amount or more money should be spent improving the living conditions of Aboriginal and Torres Strait Islander people. While this appears to contradict some other survey results critical of a handout mentality the question did not make it clear how the money would be spent.

9.22 A study reported in *Australian Doctor* (1989) describes a survey of medical students at the University of Queensland. Almost half of the students believed that migrants or Aborigines should not be allowed to live their lives as they wished without having to integrate into mainstream society. Heavy racial stereotyping was also evident in student responses.¹⁸ The survey was carried out prior to a fourth-year course on Aboriginal social and health issues.

9.23 These studies show a persistent set of negative views from non-Aboriginal people about Aboriginal and Torres Strait Islander people. These vary in breadth and intensity between states and between rural and urban settings. There is also a significant band of positive attitudes about Aboriginal and Torres Strait Islander people.

9.24 Of concern to this Inquiry is the distinctively negative attitude by many toward urban Aboriginal and Torres Strait Islander people unless they are seen to have been fully assimilated. Such assimilation appears to require a lack of Aboriginality (ie. possessing any visible Aboriginal and Torres Strait Islander culture or values) and a lack of desire for Aboriginal recognition (ie. land rights or cultural pride). The acceptability of Aboriginal and Torres Strait Islander people is still judged by many on how well they are assimilated particularly if they are either urban or do not have sufficiently dark skin.

9.25 The 1984 Australian National Opinion Poll commented on the knowledge of respondents about Aboriginal and Torres Strait Islander affairs:

It would be easy to despair at the extent of ignorance, intolerance and misunderstanding uncovered by our research towards Aborigines generally and land rights more specifically. And much of the opposition to land rights in middle Australia is founded on a lack of

¹⁷ Jonathan Kelley and Clive Bean (eds), *Australian Attitudes - Social and political attitudes from the National Social Science Survey*, Allen and Unwin, Sydney, 1988, p89

¹⁸ Queensland Government, evidence, pS1085

*knowledge and understanding, compounded by underlying fears and prejudice.*¹⁹

9.26 Most respondents in these studies appear unaware of or concerned about the dispossession and mistreatment of Aboriginal and Torres Strait Islander people for decades. This has resulted in social disintegration, economic marginalisation, unacceptable health standards and lack of opportunity. While a growing number of Aboriginal and Torres Strait Islander people gain education, employment and economic independence, across the range of social and economic indicators, Aboriginal and Torres Strait Islander people still record substantially worse outcomes, face greater problems and enjoy fewer opportunities than the rest of the Australian population.

9.27 From the discussions held by the Committee and the above studies the Committee concludes that there is a significant element of negative attitudes within the wider community toward Aboriginal and Torres Strait Islander people, particularly those in urban areas, indeed their very Aboriginality is questioned. At the same time it is clear that many of those surveyed have only a very limited understanding of Aboriginal and Torres Strait Islander history, living standards, contemporary lifestyles and aspirations. There is still a strong expectation of total assimilation of all Aboriginal and Torres Strait Islander people, except, in a strange dichotomy, those living a fully traditional lifestyle. There does not appear to be any middle ground. A large segment of public opinion has not caught up with the change in government policies throughout Australia nor have they been made aware of the destructive and self-defeating aspects of assimilation.

9.28 There are positive 'middle-Australian' attitudes to Aboriginal arts and crafts, sympathy with the environment, traditions, beliefs and culture. These features stem largely from the 'noble savage' stereotype. It is ironic that those Aboriginals and their lifestyle most favourably viewed by middle-Australia are those groups which have been fortunate enough not to have felt the full impact of the destructive experiences and consequences of colonisation.²⁰

9.29 Evidence to the Committee would suggest that governments have not effectively communicated to the adult population the change of direction of the last 15-20 years. While multiculturalism has been a vehicle for cultural pluralism, its broad approach has not focussed sufficiently on the relationship between contemporary Aboriginal and Torres Strait Islander identity and values and their relationship with those of the wider Australian community. Many Aboriginal and Torres Strait Islander people strongly object to being regarded as just another ethnic group as this fails to give recognition to their separate, unique Australian identity.²¹

¹⁹ Australian National Opinion Poll, 1985, p5

²⁰ Victorian Government, evidence, pS484, p53

²¹ Kevin Keefe, *From the centre to the city - Aboriginal education, culture and power*, Aboriginal Studies Press, Canberra, 1992, p71

9.30 Indeed, it would probably come as a great surprise to the majority of Australians to discover that the preamble to the legislation establishing the Council for Aboriginal Reconciliation, passed unanimously with the support of all political parties, acknowledges the occupation of Australia by indigenous people prior to 1788. The recent Mabo decision in the High Court establishing 'native title' in land is a further recognition of the special place of our indigenous people.

Post Contact Australian History

9.31 Aboriginal people have lived in Australia for tens of thousands of years. Estimates of the Aboriginal and Torres Strait Islander population at the time of European settlement vary but it is likely to have been more than 300,000. There were approximately 250 distinct languages when European colonisation of Australia began just over 200 years ago. These languages each had their own range of dialects which probably totalled about 600.²² The original language or dialect groups were small nations with their own culture, language, kinship rules and traditional boundaries. These groups were interdependent in many ways. The dependence on an oral heritage together with the small numbers of some groups meant that these languages and cultures were vulnerable to the various influences wrought by European settlement.²³ Surveys have identified positive attitudes to Aboriginal and Torres Strait Islander people living traditional lifestyles, their culture and their arts. This presumably extends to pre contact history although this is not entirely clear.

9.32 Post contact history of Aboriginal and Torres Strait Islander affairs does not appear to be very well known nor understood in the wider community. There is increasing recognition of the violence which was involved in the settlement of many areas. However, the view that Australia was peaceably colonised remained the official and popular view of post-contact history until recent years. Early settlers were seen as taking up land that was unowned and uncultivated under the doctrine of *terra nullius*. There is some basis for the peaceable occupation view in that Aboriginals rarely opposed the settlers at first sight and fighting typically broke out months or even years after the settlers had established themselves.²⁴

9.33 The Royal Commission into Aboriginal Deaths in Custody stressed the importance of understanding post-contact history:

It is important that we understand the legacy of Australia's history, as it helps to explain the deep sense of injustice felt by Aboriginal people,

²² *Language and Culture - A Matter of Survival*, 1992, p15

²³ *Language and Culture - A Matter of Survival*, 1992, p15

²⁴ Andrew Reiner, *Kempsey: A Study of Conflict*, Department of Aboriginal Affairs, Canberra, 1966, p14
Human Rights and Equal Opportunity Commission, Report of National Inquiry into Racist Violence, Australian Government Publishing Service, Canberra, 1991, p39

*their disadvantaged status today and their current attitudes towards non-Aboriginal people and society.*²⁵

9.34 The awareness shown in survey results of an element of violence in the process of dispossession appears to be relegated to the distant past. Responses such as 'That was two hundred years ago' were frequent and indicated either an inadequate knowledge or some discomfort with a more accurate or current history. Rather than a short unpleasant event two hundred years ago:

*The process of colonisation was characterised by small-scale but systematic physical violence as a 'bloody frontier was moved across Australia' for more than 160 years. It is estimated that during that time approximately 20,000 Aborigines and 2,000 Europeans and their allies were killed in frontier conflict.*²⁶

9.35 Punitive expeditions often led by police became a common response to Aboriginal resistance. Martial law was imposed in the 1820s in New South Wales and Tasmania so that the military could be used in attacks.²⁷ In Tasmania, following continued resistance to attempts to forcibly remove all Aboriginal people to reserves, settlers were authorised to use force to drive Aborigines off settled land. In 1928 martial law was declared in the settled areas giving the military the power to shoot on sight any Aboriginal found there.²⁸

9.36 The Aboriginal and Torres Strait Islander Commission describes how dispossession occurred in two waves:

Firstly, the theft of traditional lands and the violation of culturally significant sites. Not infrequently, this was accompanied by extreme mental and physical violence including murder. The progressive loss of land and associated culture over a period of generations combined with the repression of traditional cultural practices by government officers and somewhat later the anticultural teachings of mission workers served to imbue a sense of worthlessness amongst the survivors.

The second wave of dispossession occurred when lands allocated to Aboriginal and Torres Strait Islander people under relocation schemes, as part of various rural development schemes or as reserves for their

²⁵ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p3

²⁶ Human Rights and Equal Opportunity Commission, 1991, p38

²⁷ Human Rights and Equal Opportunity Commission, 1991, p39

²⁸ Human Rights and Equal Opportunity Commission, 1991, p39

*use and benefit, were often resumed to meet new demands of white settlers seeking arable land as the fringes of settlement extended.*²⁹

9.37 Dispossession involved much more than exclusion from their lands. Many communities were rounded up and sent to distant settlements, often with deliberate fragmentation of social groups. Many were moved from settlement to settlement. Life on many of these settlements is well documented but generally poorly understood in the wider community today. The effects of decades of dehumanising treatment, non-recognition of culture, enforced family break-up and physical and social violence are rarely recognised.³⁰ Punishment was frequently meted out for speaking their own language rather than English.³¹ Those who managed to remain outside of missions and settlements still suffered massive intrusion into their lives by police and other government officials.

9.38 The Royal Commission into Aboriginal Deaths in Custody points to the difficulty non-Aboriginal people have in comprehending how absolute the domination of Aboriginal and Torres Strait Islander people has been. In addition they have not experienced:

the consequent cultural and economic loss, not to say anger, of becoming despised supplicants of those who effected, or benefited from, their dispossession.

9.39 The Royal Commission into Aboriginal Deaths in Custody found:

The reality of the control over Aboriginal lives can be readily demonstrated. It was no less brutal for the fact that the policies which achieved the control were often justified by their authors on humanitarian or paternalistic grounds. In the process of investigating the lives and deaths of each of the ninety-nine Aboriginal people who died in custody Commissioners had access to the files held by government departments and agencies concerning them. No matter what their age at death they all had files.

In many cases hundreds of pages of observations and moral and social judgements on them and their families; considerations of applications for basic rights, determinations about where they could live, where they could travel, who they could associate with, what possessions they could purchase, whether they could work and what, if any, wages they could receive or retain. Welfare officers, police, court officials and countless other white bureaucrats, mostly unknown and rarely seen by the persons concerned, judged and determined their lives. The officials

²⁹ Evidence, pS391
A. Reiner, 1966, pp21-52

³⁰ Aboriginal and Torres Strait Islander Commission, evidence, p388

³¹ *Language and Culture - A Matter of Survival*, 1992, p22

*saw all, recorded all, judged all and yet knew nothing about the people whose lives they controlled.*³²

9.40 The deaths investigated by the Royal Commission were from 1980-1989 underlining the recency of this inordinate control over people. Commissioner Johnston goes on to say:

*It is essential to realise that here I am not describing ancient events. This control - these horrors of subjugation - were still occurring in the 1960s and for much of the 1970s. The anger in the demands for self-determination is so strong because the totality of control is so recent, and the effects of it are continuing and remain painful.*³³

9.41 The effects of this disempowerment were obvious during the period of the 1960s and the 1970s when children were discharged from missions as the Aboriginal and Torres Strait Islander Commission points out:

Without the opportunity to acquire by experience the skills necessary to manage for themselves in the open community, many became drifters who were unable to retain steady employment and a sense of social balance to guide them in their lifestyle. The circumstances of many were worsened by a lack of personal identity and the vacuum created by their loss of contact with kin, a consequence of earlier removal from their family environment.

*A further issue that emerged as a product of institutionalisation, especially when it commenced from an early age, was the loss, in some cases, of parental bonding and subsequent non-development of parenting skills.*³⁴

9.42 Many Aboriginal and Torres Strait Islander people with direct experience of some of the more extreme repressive practices are still alive today but, more importantly, this past is part of the collective memory of contemporary Aboriginal people. That this past is not known or acknowledged by 'middle-Australia' creates a barrier to communication and relationships between Aboriginals and non-Aboriginals. However the attitudes and lack of knowledge about the past by non-Aboriginal Australians have a more directly negative impact on Aboriginal and Torres Strait Islander people and on their efforts to be self-determining. It should be noted that the forced removal of young children from their Aboriginal or Torres Strait Islander parents was still being carried out within the lifetime of most Australians over the age of 25.

9.43 The former Tasmanian Government referred to the ambivalent attitude of the general community toward Aboriginal identity which manifests itself as

³² Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p502-3

³³ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p503

³⁴ Aboriginal and Torres Strait Islander Commission, evidence, pS392

discrimination.³⁵ The Committee believes that the lack of knowledge about the past, the lack of knowledge about contemporary urban Aboriginal and Torres Strait Islander society and culture leave non-Aboriginal opinion unduly susceptible to negative claims and stereotypes propagated by a small proportion of racists. These are readily confirmed by negative or sensationalised media reporting and the sometimes negative public aspects of Aboriginal life.

9.44 Cultural differences, lack of mutual understanding and claims for redress by Aboriginals and Torres Strait Islanders can give rise to fears and uncertainty. The Committee notes that these fears, particularly where there are conflicts over resources, are often founded on incorrect information. While many of these fears arise out of genuine concern, in some instances they have been whipped up into an issue by people with overt racist intent or economic self interest. Recent uncertainty and concern over the High Court's decision in the Mabo case is a good example. While the decision created a number of uncertainties over non-freehold and unleased land it clearly stated the position on freehold and most leased land. In the main judgement for the majority, Justice Brennan described the common law as providing:

Where the Crown has validly alienated land by granting an interest that is wholly or partially inconsistent with a continuing right to enjoy native title, native title is extinguished to the extent of the inconsistency. Thus native title has been extinguished by grants of estates of freehold or of leases but not necessarily by the grant of lesser interests (eg., authorities to prospect for minerals).³⁶

Despite this clear statement there have been a number of extravagant claims about the impact the case would have on freehold lands.

9.45 Ambivalent or negative attitudes actively work against efforts by Aboriginals and Torres Strait Islanders to become economically independent. Worst of all, these attitudes fail to socially discourage or prohibit overt acts of racial discrimination and violence.

Racial violence

9.46 The National Inquiry into Racial Violence conducted by the Human Rights and Equal Opportunity Commission in 1991 found that while racial violence was commonplace during the colonising period a considerable degree of racial violence and harassment continues today. The National Inquiry detailed a wide range of acts against Aboriginals and Torres Strait Islanders as well as acts against other people and groups on the basis of their ethnic identity or their opposition to racism. That Inquiry took the term 'racist violence' to include verbal and non-verbal

³⁵ Evidence, pS468

³⁶ *Eddie Mabo and Ors v. The State of Queensland*, unreported judgement of the High Court of Australia, 3 June 1992, F.C. 92/014, p59

intimidation, harassment and incitement to racial hatred as well as physical violence against people and property.³⁷

9.47 Racism still exists within Australian society but overt forms are diminishing and more subtle forms are often taking their place. Repression was an integral part of the process of colonisation where the original inhabitants were subdued and possession was taken of their land. The colonial era has long been over but some people continue to behave as though repression is still necessary. Despite priding itself as an egalitarian society, discriminatory attitudes permeate the different levels of Australian society to a significant degree. Discriminatory behaviour and overt racism tend to increase during periods of economic down turn as at present.³⁸

9.48 The Inquiry into Racial Violence by the Human Rights and Equal Opportunity Commission found that institutionalised racism and racist harassment and violence continue to the present day:

Although there has been violence against other minority groups throughout Australian history, it has not been of the same magnitude as that against the Aborigines and Torres Strait Islanders.³⁹

The Commission goes on to say:

the problem of racist violence against Aboriginal and Islander people is widespread across Australia. Furthermore, the forms of racist violence manifest themselves in a number of social and institutional arenas. Clearly a major problem brought to the attention of the Inquiry is the problem of racist violence by police officers.⁴⁰

9.49 The Commission focused on the significance of harassment and violence by the police:

There are compelling reasons for considering the use of violence by police officers against Aboriginal and Islander people as part of an institutionalised form of racist violence. The wider policing processes which bring such a massively over-representative number of Aboriginal people into the criminal justice system has the effect of subjecting those persons to violent treatment: the violence which is part of the routine practices of policing. In other words, the processes of criminalisation entail subjecting individuals to varying degrees of violence. Those same processes selectively discriminate against Aboriginal people. In addition, the over-representation has racist

³⁷ Human Rights and Equal Opportunity Commission, 1991, p14

³⁸ Aboriginal and Torres Strait Islander Commission, Sydney Regional Council, evidence, p548

³⁹ Human Rights and Equal Opportunity Commission, 1991, p54

⁴⁰ Human Rights and Equal Opportunity Commission, 1991, p119

outcomes. Aboriginal people are seen in some way to be 'naturally' criminal. As was clear from the report on Redfern and other evidence before the Inquiry, particular policing practices (often involving excessive force) were legitimised on the basis of race.⁴¹

9.50 The Royal Commission into Aboriginal Deaths In Custody found that:

far too much police intervention in the lives of Aboriginal people throughout Australia has been arbitrary, discriminatory, racist and violent. There is absolutely no doubt in my mind that the antipathy which so many Aboriginal people have towards police is based not just on historical conduct but upon the contemporary experience of contact with many police officers. very often police are the visible and obvious target for Aboriginal frustrations which arise from their disadvantaged position in society in matters outside of police action.⁴²

9.51 The Racial Violence inquiry pointed out that those police who acted in racist ways were not doing so in a social vacuum:

The policing apparatus clearly operates within a wider social and political framework. It is apparent that the extensive nature of racist violence by police could only occur in a situation which provides some form of legitimacy or at least condones such actions. Powerful individuals and institutions which condone or legitimise such actions exacerbate racial violence.⁴³

9.52 Present day overpolicing, police harassment and selective enforcement have led to the increasing criminalisation of Aboriginal people as a race.⁴⁴ The Human Rights and Equal Opportunity Commission states that:

The portrayal of Aboriginal people as a law and order problem, as a group to be feared, or as a group outside assumed socially homogeneous values provides legitimacy for acts of racist violence. Those acts of racial violence cover a wide range of incidents, of which police violence is the most extreme and of most concern. However it was clear to the Inquiry that racist violence is an endemic problem for Aboriginal and Torres Strait Islander people. The fact that Aboriginal and Torres Strait Islander people are faced with racial discrimination in almost every aspect of their daily lives is the underlying reason for the high levels of racist violence reported to this Inquiry. In addition, Aboriginal and Islander organisations whose aim it is to promote the

⁴¹ Human Rights and Equal Opportunity Commission, 1991, p120

⁴² Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p195

⁴³ Human Rights and Equal Opportunity Commission, 1991, p121

⁴⁴ M. Edmunds, 1989, p103, 108.
Human Rights and Equal Opportunity Commission, 1991, pp79-122

*economic, social and political well-being of Aboriginal and Islander people were also the subject of attacks - either directly or through processes engendering fear, distrust and opposition. Such attacks are of particular importance because they constantly undermine Aboriginal and Islander initiatives to control and enhance their own lives.*⁴⁵

9.53 While concerns about overpolicing and improper use of police powers continue in some places, the marked improvements in other areas must be mentioned. The Committee heard of a number of successful community policing initiatives ranging from night patrols provided by Aboriginal organisations such as Julalikari and Tangentyere Councils in the Northern Territory to Community Justice Panels operating in Victoria.⁴⁶ These demonstrate the considerable advances that can be made when previously hostile parties come together seeking a genuine understanding of each other's position.

9.54 It should be recorded that in spite of the recommendations of the Royal Commission into Aboriginal Deaths in Custody findings being accepted by all levels of Government, the provision of actual resources by the States and Territories to address the matters raised in the Commission's recommendations has been tardy to say the least. For example, a recent proposal by the Western Australian Department of Corrective Services to release some 500 'minor offenders' from institutions required funding to provide follow-up support services. The Western Australian Government declined to fund this project - the amount was less than \$400,000 - and therefore 500 minor offenders are incarcerated when they need not be. Racism seems to be still well entrenched in the political process.

Aboriginality

9.55 The opinion surveys outlined earlier, together with evidence taken by the Committee, indicate a very limited basis used by most non-Aboriginal people to assess the Aboriginality of Aboriginals and Torres Strait Islander people. This is generally confined to the darkness of their skin and the practice of a traditional lifestyle. Those Aboriginal and Torres Strait Islander people who do not score heavily on these two aspects are not regarded as 'real' Aborigines or Torres Strait Islanders. It is of concern that many Australians still use the discredited metaphors of eugenics, such as 'full blood' or 'half-caste', to conceptualise cultural change.⁴⁷

9.56 Despite urban dwellers not being regarded as 'real' Aboriginal and Torres Strait Islander people, the widespread discrimination and oppression reported does not appear to distinguish between urban and non-urban dwellers.

⁴⁵ Human Rights and Equal Opportunity Commission, 1991, pp121-2

⁴⁶ Informal discussions in Tennant Creek and Alice Springs.
Northern Territory Government, evidence, pS759, p480
Victorian Government, evidence, p65-7

⁴⁷ Tim Rowse, "Middle Australia and the noble savage: a political romance", in J. Beckett (ed), *Past and Present - The construction of Aboriginality*, Aboriginal Studies Press, Canberra, 1988, p175

9.57 There is a widespread perception that urban Aboriginal and Torres Strait Islander people have lost their culture. This view does not countenance the continuous change that occurs within various societies and their cultures particularly through periods of great social upheaval as experienced by Aboriginal and Torres Strait Islander people in the last 200 years. While significant parts of traditional culture and language may have been lost, distinctive aspects of traditional society and culture are retained in a contemporary form and new elements have been acquired. Similarly, 'European culture' as practised in Australia has changed markedly in the last 200 years as witnessed by the mirth of young people at speech styles or social practices of even 50 years ago.

9.58 A survey of Aboriginal people in Sydney's south-west revealed the following:

*48 per cent of Aboriginal households still use traditional Aboriginal remedies, that Aboriginal families visit other members of their families slightly less than once a day, that 95 per cent of families maintain contact with other Aboriginal families, 82 per cent of Aboriginal families discuss Aboriginal issues regularly within the home, a substantial number of Aboriginal families seek advice from family members at times of illness, and a considerable proportion of those people turn to community controlled services for primary health care.*⁴⁸

9.59 Another survey in Adelaide showed that for 17% of respondents discussion about traditional culture, language or customs was constant. Thirty three per cent said it was often, 28% occasional, 6% rare and 16% never. The authors of this study concluded that these responses reveal a great diversity of Aboriginal cultural identification and expression amongst the urban households in the study:

*It is clear that traditional cultural values/ways/language and so on, mean a great deal to between one-third and one-half of households, with another sizeable group who express their culture less strongly, and between 20 and 30% who would seem to claim it is of little importance, at least as gauged in this manner.*⁴⁹

9.60 The strength of contemporary culture and the importance of the residual aspects of traditional culture were witnessed many times by the Committee during informal discussions. The following sums up much of what the Committee heard:

⁴⁸ Shane Houston, Sydney Regional Councillor, Aboriginal and Torres Strait Islander Commission, evidence, p531

⁴⁹ A. J. Radford and R. D. Harris, G. A. Brice, and others, *Taking Control: A Joint Study of Aboriginal Social Health in Adelaide with particular reference to Stress & Destructive Behaviours 1988-89* Stage 1: Aboriginal "Heads of Household Study", Flinders University, South Australia, 1989, evidence, pS66

Nyoongahs⁵⁰ have a culture, and culture is dynamic. We don't have all the 'assets of our culture', which include land, language, identity, art - the intellectual, cultural and spiritual property. But we can still say we own them psychologically and unconsciously.⁵¹

9.61 The Royal Commission into Aboriginal Deaths in Custody deals extensively with the question of Aboriginality in Chapter 11 of its Report.

9.62 The official definition of Aboriginality is in three parts. An Aboriginal or Torres Strait Islander is a person of Aboriginal and Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives. While this is a useful definition for program delivery purposes it does not describe what it is to be Aboriginal from an Aboriginal or Torres Strait Islander point of view.

9.63 The Committee discussed wider community attitudes with urban Aboriginal and Torres Strait Islander people around Australia. The most important change sought from the wider community was simply recognition. They seek recognition of their existence, their past and their aspirations both for themselves and their children.

9.64 Urban Aboriginal and Torres Strait Islander people seek a recognition of their Aboriginality, that is to say their separate identity, shaped as much by the last 200 years as by the thousands before that. Most wish to take their place in Australia as equals not as second class citizens who must deny their identity to assimilate into the broader society.

9.65 This separateness is seen as a key feature of identity by Aboriginal and Torres Strait Islander people but it is also constantly reinforced by significant elements of mainstream society which identifies them as 'not fully assimilated' and applies pressure on them to assimilate. Racial discrimination also reinforces this separateness. During the harsh assimilatory period up to the 1970s during which Aboriginal and Torres Strait Islander language and identity were largely denigrated and repressed, many people were taught to be ashamed of their culture.⁵² While some elements of shame remain there is a strong resurgence of pride in their cultural identity amongst Aboriginal and Torres Strait Islander people.

9.66 Marcia Langton argues that urban Aboriginal and Torres Strait Islander culture cannot be explained by solely emphasising either socio-economic circumstances or differing cultural origins. These and other factors interact to form

⁵⁰ Self descriptive term used by Aboriginal people in South-Western Western Australia

⁵¹ Ted Wilks, Director, Aboriginal Medical Service, Perth, quoted in C. Choo, 1990, p63

⁵² Dr Annette Schmidt, *The Loss of Australia's Aboriginal Language Heritage*, Aboriginal Studies Press, Canberra 1990, p 19-20, 37

elements in the 'construction' of an urban Aboriginal world view and reality.⁵³ She is critical of the 'salvage' approach in Australian anthropology that has seen non-traditional Aboriginal and Torres Strait Islander people as lacking culture and having only some truncated version of European culture.⁵⁴ Langton says that the integrity of urban Aboriginal cultures must be recognised and the changes that have resulted from white settlement should be seen as evidence of their adaptive capacity.⁵⁵ The Aboriginal and Torres Strait Islander Commission stresses that urban Aboriginal and Torres Strait Islander people possess a distinct culture which may be localised and individualised in nature.⁵⁶

9.67 Langton points out that:

*all humans have culture, that culture is the prerequisite for humanness, and that identity for any individual is a multi-variate composition, non-fixed, situational, and continually maintained and transformed by culture.*⁵⁷

She draws attention to the complexity of the social organisation of urban communities through kinship systems, as well as it being the source of the dominant mode of Aboriginal thinking. The severe restrictions imposed on Aboriginal and Torres Strait Islander activities by non-Aboriginal people and institutions are also referred to.⁵⁸ She concludes that:

*urban Aboriginal 'society' and 'culture' must be seen as 'complete, integrated and consistent systems relevant to their members - not merely as a truncated (or castrated) version of any other socio-cultural systems.*⁵⁹

9.68 Jeremy Beckett in the introduction to a collection of articles on Aboriginality points out that:

Aboriginality, then, is a cultural construction. It shares this quality with all other nationalisms, including the Australian This definition does not imply inauthenticity (it is clear that nationalism, ethnicity and Aboriginality remain some of the most passionately felt forms of

⁵³ Marcia Langton, "Urbanising Aborigines - The Social Scientists' Great Deception", *Social Alternatives*, Vol 2, No. 2, 1981, p17

⁵⁴ Marcia Langton, 1981, p17

⁵⁵ Marcia Langton, 1981, p17

⁵⁶ Evidence, pS394

⁵⁷ Marcia Langton, 1981, p17

⁵⁸ Marcia Langton, 1981, p17-18

⁵⁹ Marcia Langton, 1981, p20

identity throughout the world), but simply that they are products of the human imagination This image is a cultural artefact, achieved by remembering things held in common, but also by strategic forgetting. The 'imagining of communities' is not arbitrary, but, like all cultural processes, takes place under particular political and economic circumstances, within a particular cultural tradition and in terms of particular historical experiences. It is these conditions that give the construction its authenticity and also its fluidity.⁶⁰

He goes on to say that there may:

be no one definition that is 'true' even for a particular period, still less for all time. Aboriginality, like other nationalisms, is in a constant process of creation and it may have many definitions that compete for acceptance, among particular groups of Aborigines or Europeans, or in the society at large.⁶¹

9.69 Competing definitions are addressed by another researcher, Sally Weaver, who distinguishes between private and public ethnicity. Private ethnicity is 'practised by groups or networks of aboriginal minority members in their daily lives' being 'defined and rationalised by the aboriginal group not the nation-state'. she contrasts this with public ethnicity which is 'part of the political culture of the nation-state' being 'determined in the public arena of relations between the nation-state and the aboriginal minorities'.⁶²

9.70 Another researcher, Kevin Keefe, has pointed to two key themes in explaining Aboriginality. These are Aboriginality-as-persistence and Aboriginality-as-resistance. Aboriginality-as-persistence is the most common theme of Aboriginality. Elements of this theme include:

a belief in the persistence of an inherently unique identity; the continuity of cultural practices that originate in traditional Aboriginal culture; the common sharing of these by all Aboriginal people in Australia. Aboriginality-as-persistence is founded on a particular notion of culture as a fixed and static body of material, knowledge and concepts. Sometimes, such culture is described as being genetically transmitted, inherited and reproduced.⁶³

Keefe notes that this is also the dominant theme in the Aboriginal studies curricula.

⁶⁰ Jeremy Beckett (ed), *Past and Present - The construction of Aboriginality*, Aboriginal Studies Press, Canberra, 1988, p2

⁶¹ Jeremy Beckett, 1988, p7

⁶² Sally Weaver quoted in Jeremy Beckett, 1988, p4

⁶³ Kevin Keefe, 1992, p46

9.71 While for many Aboriginal and Torres Strait Islander people, Aboriginality-as-persistence is the acknowledgment of their continuity with the past, some non-Aboriginal people impose a more ideological framework on this aspect as involving a snapshot of culture prior to white contact. This image of Aboriginality is 'frozen in the past'⁶⁴ and excludes the crucial elements of contemporary Aboriginality.

9.72 Keefe describes Aboriginality-as-resistance as a more active theme, representing the emergent and resistant aspects of contemporary Aboriginality, that also stresses collective solidarity and opposition to white domination. This Aboriginal culture is a dynamic, creative political process compared to that celebrated in Aboriginality-as-persistence.⁶⁵ Professor W. E. H. Stanner saw Aboriginal cultural change as resistance when he said:

*the Aborigines are widely in an obscure struggle with us the essence of the struggle is their wish to go their own way.*⁶⁶

Keefe says that persistence and resistance are an inseparable dynamic in practice.

9.73 Researcher Tim Rowse has criticised 'the romance of the primitive', claiming that the 'authentic Aborigine' so positively regarded by 'middle Australia' is:

*a fantastic entity much discussed but hardly ever sighted with certainty. Symptomatically, this figure is identified with the 'outback', not a region or even a number of regions, but one metaphorical side of a mythical partitioning of nationhood into primeval and civilised aspects.*⁶⁷

Rowse describes the source of this romantic but fantastic entity:

colonising cultures construct idealised, historic images of the indigenous cultures they subjugate. Adaptations made by the subjugated peoples are regarded as the adulteration and decay of a pristine culture. Controlling the definition of what was essentially characteristic of the subjugated culture, the colonisers reserve the power to distinguish authentic and inauthentic aspects of the living traditions of the colonised. If the colonised argue political demands by

⁶⁴ Kevin Keefe, 1992, p88, 95

⁶⁵ Kevin Keefe, 1992, p46

⁶⁶ W. E. H. Stanner, *White Man Got No Dreaming*, Australian National University Press, Canberra, 1979, p60

⁶⁷ Tim Rowse, "Middle Australia and the noble savage: a political romance", in J. Beckett (ed), *Past and Present - The construction of Aboriginality*, Aboriginal Studies Press, Canberra, 1988, p174

*reference to their culture, the colonisers are quick to adjudicate what is genuine in such claims.*⁶⁸

9.74 Cultural identity and awareness are key factors in re-establishing the pride and dignity of Aboriginal and Torres Strait Islander people. They are essential for Aboriginal and Torres Strait Islander participation as equals in the wider Australian society.⁶⁹ The Aboriginal and Torres Strait Islander Commission agrees, pointing out that until Aboriginal and Torres Strait Islander people gain or regain a greater sense of self-respect, no significant advances will be achieved in social or economic independence.⁷⁰ The direction for future action is outlined by the Aboriginal and Torres Strait Islander Commission:

*the fundamental issue is to redress the trauma imposed as a consequence of colonisation by the effects of dispossession and institutionalisation. That is, to establish an environment within which a healing process may be commenced. It is also submitted that many of the policies and practices invoked by government, perhaps through a lack of understanding, have been culturally inappropriate and have tended to create problems rather than resolve them.*⁷¹

Media

9.75 The media plays a key role in shaping mainstream attitudes toward Aboriginal and Torres Strait Islander people. Without direct experience, the understanding of most non-Aboriginal people about Aboriginals and Torres Strait Islanders, their lifestyles, disadvantage, achievements and aspirations is based heavily on their portrayal in the media.⁷²

9.76 The Royal Commission into Aboriginal Deaths in Custody points to the special position of the media, including its significant role in the Royal Commission being established:

... the media constitutes one of the principal institutions in Australian society, but one that stands in a special relation to the institutions of government. From one point of view, the media incorporates the tensions that exist between the activities of government and the

⁶⁸ Tim Rowse, in J. Beckett (ed), 1988, p174

⁶⁹ Victorian Government, evidence, pS500

⁷⁰ Aboriginal and Torres Strait Islander Commission, evidence, pS403

⁷¹ Aboriginal and Torres Strait Islander Commission, evidence, pS404

⁷² J. Beckett, 1988, p1

Kitty Eggerking and Diana Plater, *Signposts - A guide to reporting Aboriginal and Torres Strait Islander and ethnic affairs*, Australian Centre for Independent Journalism, University of Technology, Sydney, 1992, p10

*community. Historically in this country the best of the media has played the role of monitor and often critic of government institutions and agents. It stands in relation to government practice, therefore, as a form of collective conscience, challenging and putting other institutions under pressure and often acting as a catalyst for change. This it does, not necessarily by initiating change, but in two other important ways. One is by representing to the wider community those actions and processes that are concerned with change. The other is to represent to local communities the standards of a broader community against which their actions are then judged. It locates the local community in the broader community. The media to a large extent, by providing this broader context, sets the agenda. It may not tell us what to think, but it does set the parameters of what we think about.*⁷³

9.77 The media can do much to correct the misinformation of the past and to address current myths about Aboriginal and Torres Strait Islander people. The public opinion surveys outlined earlier in this chapter indicate an alarming lack of accurate up-to-date information on the part of respondents. Many respondents saw Aboriginal people as 'over privileged', which the demographics at the end of Chapter 1 show to be quite the reverse. It should be noted however, that this attitude may not be readily altered by factual information, although information of the kind provided in Appendix 5 will assist in dispelling such myths.

9.78 The evidence to this Committee and to the other inquiries cited above show a need for greater cross cultural awareness on the part of the media and more importantly, on the part of the wider community. This is necessary if the suspicion and fear engendered by negative stereotypes are to be dispelled and similarities and cultural differences within the Australian population better understood and appreciated.

9.79 Aboriginal and Torres Strait Islander people see their portrayal in the media, particularly in the past, as being quite negative. The Royal Commission into Aboriginal Deaths in Custody summed up these attitudes to the media:

*Their view was that Aboriginal people were presented as problems. They considered that their achievements were very seldom given any prominence even if noted at all, whereas failure of an enterprise or failures to account to the satisfaction of a funding agency, on the one hand, were given much publicity. If a non-Aboriginal youth was charged with stealing a car the report announced that 'a youth aged sixteen was charged', but if the youth was Aboriginal that fact was stated.*⁷⁴

9.80 The National Inquiry into Racist Violence found that sensationalist reporting, particularly in headlines, was a major negative influence:

⁷³ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p184

⁷⁴ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 4, p57

*The Inquiry was told that the media may generate a climate which provides legitimacy for racist violence. While the actual facts may be true, the media, it was submitted, was inclined to report in a sensationalist manner, particularly with respect to headlines, with the effect that the headlines frequently obscured the details of the story. For instance the Daily News in Perth (29 November 1989) portrayed a picture of Geraldton as 'under siege' by Aboriginal youth. The headline stated 'Black Terror Grips WA's Sunshine City' and purported to describe a 'Black crime wave'. Evidence to the Inquiry suggested that an underlying factor in the volatility of race relations was the 'prolonged, sensational and biased media coverage which has encouraged racial stereotyping and the denigration of the Aboriginal community.'*⁷⁵

9.81 As part of that stereotyping, the Inquiry added:

*Other research on media reporting of Aboriginal people has argued that there has been a shift over the last thirty years from stereotypical portrayals of Aboriginal people as 'victims' to stereotypical portrayals as 'criminals'.*⁷⁶

This stereotyping as criminals is of particular concern.

9.82 While there has been an extensive history of discriminatory reporting and racial stereotyping, there have been very substantial improvements over the last five years or so. The media coverage earlier this year, following the *Cop it Sweet* documentary on ABC-TV and later video material showing the mockery of Aboriginal deaths in custody, showed that certain behaviour was not acceptable to the wider community. This may not have been newsworthy, as a departure from normative behaviour, two decades ago.

9.83 The Royal Commission commented about the general improvement in the tone of major metropolitan papers:

*... there has been a very considerable change in treatment of Aboriginal people and Aboriginal issues by much of the media over the life of the Commission. Newspapers carry many more stories about Aboriginal achievement, and they usually present it in quite a warm and supporting way.*⁷⁷

The Royal Commission saw this improvement as part of an increasing awareness that there has been ignorance and prejudice in the past and that there is a need for change.

⁷⁵ Human Rights and Equal Opportunity Commission, 1991, p117. See also the Royal Commission into Aboriginal Deaths in Custody, Vol 2, p186

⁷⁶ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, 1991, p118

⁷⁷ Royal Commission into Aboriginal Deaths in Custody, *National Report*, 1991, p57

9.84 Greater Aboriginal and Torres Strait Islander involvement in mainstream media would assist in further developing its cross cultural awareness but other measures are also required. The Committee notes that a major current affairs program, *Real Life*, has an Aboriginal presenter, Stan Grant. The Australian Broadcasting Corporation has a regular radio program, *Speaking Out*, covering Aboriginal and Torres Strait Islander news and current affairs, with most reporters and the presenter being Aboriginal. The growth in Aboriginal and Torres Strait Islander media is giving many more people training and experience which will improve their access to employment in mainstream media.

9.85 The practice of several newspapers having a regular column written by an Aboriginal spokesperson was lauded by the Royal Commission:

*While these are small steps, they are important ones, for what they do is to given Aboriginal people legitimacy in the world that is taken for granted by non-Aboriginal people. It also makes them actors, not victims, in this world, an interest group which is at last gaining a voice in the public arena.*⁷⁸

9.86 The Royal Commission made several recommendations concerning the media. These sought: improved liaison with Aboriginal and Torres Strait Islander organisations, particularly media organisations; the development of codes and policies on the reporting of Aboriginal and Torres Strait Islander Affairs and the inclusion of special units in journalism courses. The Commission also recommended adequate funding of Aboriginal media organisations and the establishment and funding of annual awards for excellence in reporting in Aboriginal and Torres Strait Islander affairs. The Committee endorses these recommendations and notes that they have been unanimously endorsed by Commonwealth, State and Territory Governments.

9.87 While print and television appear to have the greatest media influence on attitude formation, other media and cultural activities have a significant effect. The portrayal of Aboriginal and Torres Strait Islander people in films, theatre, literature and art also influence attitudes, often quite powerfully.

9.88 The current resurgence in Aboriginal and Torres Strait Islander pride in culture and identity has seen a strong growth in indigenous media. This has been accompanied by a growing interest and acceptance by the mainstream, although there is a strong preference in some media for that material which is perceived to be traditional rather than contemporary. The Queensland Government said that it uses the visual arts to take cultural heritage messages to the wider community.⁷⁹ The Committee notes that many other governments and agencies do likewise.

9.89 The Committee believes that this symbiotic growth in indigenous media and cultural activities and in mainstream interest and acceptance, should be further

⁷⁸ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p187-8

⁷⁹ Evidence, pS1080

encouraged, particularly where it reflects contemporary life rather than a romanticised 'noble savage' image.

Attitudes and access to services

9.90 The mainstreaming of services was raised by many witnesses. There is a general expectation that urban Aboriginal and Torres Strait Islander people have access to a wide range of services, particularly in metropolitan areas. However, considerable evidence was heard about negative aspects of these services which discouraged and often prevent Aboriginal and Torres Strait Islander people using them.

9.91 A recent report by the Office of Multicultural Affairs of the Department of the Prime Minister and Cabinet examined the progress made by Commonwealth Government departments in implementing the Access and Equity Strategy. This Strategy aims to provide equal access to government services to all residents of Australia regardless of race, culture, religion or language.⁸⁰

9.92 The evaluation found that barriers to access and equity were inclined to be more marked and resistant to erosion in the case of Aboriginals and Torres Strait Islanders. Particular attention needs to be paid to service provision in urban areas.⁸¹ Cultural barriers were found to represent the greater obstacle to service access and equity.⁸² In Port Hedland, Aboriginals had experienced negative or apparently discriminatory treatment from staff.⁸³

9.93 The results of the opinion surveys detailed earlier in the chapter, together with the reports of the Human Rights and Equal Opportunity Commission and the Office of Multicultural Affairs, clearly indicate that there remains a small minority of people who are overtly racist together with a larger proportion of people who are ambivalent or 'softly prejudiced'. The surveys and reports indicate a poor understanding of contemporary Aboriginality and the socio economic circumstances of urban Aboriginals and Torres Strait Islanders. It is not surprising then that many mainstream services are quite unacceptable to Aboriginal people. They shun them, even when their need for such services is extreme. Until there is a far better understanding of Aboriginality and the cultural differences that exist, specialist Aboriginal and Torres Strait Islander services will continue to be needed to provide a range of services in the medical, health, housing, and educational fields.

⁸⁰ Department of the Prime Minister and Cabinet, Office of Multicultural Affairs, *Access and Equity Evaluation Report 1992*, Australian Government Publishing Service, Canberra, 1992, p1

⁸¹ Department of the Prime Minister and Cabinet, 1992, p9

⁸² Department of the Prime Minister and Cabinet, 1992, p49

⁸³ Department of the Prime Minister and Cabinet, 1992, p50

9.94 The Royal Commission into Aboriginal Deaths in Custody described developments in Sydney more than 20 years ago, although the need for such services has not diminished in that period:

The first Aboriginal Legal Service (ALS) was established in 1971 in Redfern, New South Wales, in response to the escalation of harassment by police 'unnerved at the 'overnight' black population explosion' in inner city Sydney. The community development potential of such services was illustrated early at Redfern Legal Service. When staff noted that some of their more ill clients could not afford private medical care and would rather die than experience the racist humiliation of public hospital admissions or outpatient services, they called a meeting to establish an Aboriginal Medical Service (AMS). Helped by 'genuinely concerned white doctors', the Service began in 1971. It soon demonstrated to the Federal Government that the needs of a distinct Aboriginal clientele had hitherto been neglected. Indeed that demonstration, which was a caution against any further presumption that mainstream services are best for Aboriginal clients, has been one of the two achievements of the ALSs and AMSs. The other is the political experience it has given to a new generation of Aboriginal activists - the employers of non-Aboriginal professionals, not merely their helpers and brokers.⁸⁴

9.95 While a range of Aboriginal and Torres Strait Islander managed services has grown to meet the needs of Aboriginal and Torres Strait Islander people this does not lessen the need for mainstream service providers to improve their cross cultural awareness.

9.96 There are difficulties in providing specific or culturally relevant services to Aboriginal and Torres Strait Islander people in larger urban areas. The Aboriginal and Torres Strait Islander population is usually more diffuse than in smaller towns and town camps. Many have difficulty accessing specialised Aboriginal and Torres Strait Islander services and must either use mainstream services or, if these are not culturally acceptable, go without.

9.97 The extension of the idealised rural community model to the provision of urban services is often inappropriate. While administratively convenient to accept 'representative' Aboriginal organisations as suitable vehicles for service delivery, it assumes a commonality of purpose and identity which is frequently absent. Those people not associated with an organisation, possibly a majority in urban areas, are not adequately consulted, informed of developments, nor do they have ready access to Aboriginal services.

9.98 The Royal Commission commented on Aboriginal commonality and factionalism:

⁸⁴ Royal Commission Into Aboriginal Deaths In Custody, *National Report*, Vol 2, p536-7

In the social world of Aboriginal people, based as it is on small kin groups, factionalism should not be considered to be either a failure by Aboriginal people to take their civic responsibilities seriously, or as merely another manifestation of cultural disintegration. Factionalism may well be, on the contrary, a sign that Aboriginal cultural processes are alive and well, and that what is missing, in the context of incorporation into a European system, is an appropriate internal system of checks and balances to the assertion of legitimate self-interest. The constant accusation of 'nepotism' levelled against Aboriginal people working in Aboriginal organisations or government is better seen in this light. It is the social responsibility of a member of the 'family' or clan to further the interests of other members of that particular group. Such a view poses a significant challenge to the common view of Aboriginal people being part of an absolute group called 'community' and, indeed, to the concept of community itself. It does provide an approach, however, that allows us to examine, for example, the acknowledged existence of factionalism within 'communities'.⁸⁵

The Royal Commission goes on to note that a high regard for autonomy has been considered by many researchers as a particular feature of Aboriginal society:

The importance of identifying this trait with respect to Aboriginal people, however, is to dispel some myths, one of which is that Aboriginal people, as a race, share everything, including opinions, and as part of their processes of social organisation have a single identifiable opinion on any issue.⁸⁶

9.99 As pointed out in Chapter 3 (paragraph 3.17), just as there is a wide cross section of often conflicting views within the general Australian community so, too, the Aboriginal and Torres Strait Islander community is often fragmented in their position on many issues.

9.100 The Committee heard many times of the difficulties some individuals have in accessing Aboriginal or Torres Strait Islander services intended for them.⁸⁷ While significant resourcing of Aboriginal community organisations has been undertaken, the conduct and the control of resources of some urban organisations has been restricted to 'powerful' families while needy families remain powerless. The Aboriginal and Torres Strait Islander Commission suggested that the potential of the strong family networks within urban areas being utilised for the delivery of services, be examined.

9.101 The South Australian Government stated that it was undertaking an audit of Aboriginal Human Services and would focus on the following principles:

⁸⁵ Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol 2, p83

⁸⁶ Royal Commission into Aboriginal Deaths in Custody, Vol 2, p85

⁸⁷ Western Australian Government, evidence, p97

- *The Aboriginal Family is the most powerful resource available to community care.*
- *The Aboriginal extended family is central to Aboriginal life and culture.*
- *Aboriginal families have the right to take responsibility for their community.*
- *Focus for service must be the whole family not the individual issues or problems.*
- *Government services must be community planned at a local level.*
- *Government services must be provided in conjunction with appropriate local Aboriginal communities and family groupings.*
- *Human Services programs for Aboriginals must be designed through cooperation and coordination and delivered as joint programs with Communities.⁸⁸*

It went on to say that the development of an effective service strategy:

... will require a radical re-think of current human services practices, definitions of the family, utilising the strengths of Aboriginal extended kinship networks and working through communities and neighbourhood House programs. Extensive consultations will occur with Human Services Agencies to review programs and services directed towards Aboriginals to assess their appropriateness and cultural sensitivity.⁸⁹

However it noted that some changes were difficult to implement 'because of the entrenched view of a number of the agencies about operating in a traditional way'.⁹⁰

9.102 The Aboriginal and Torres Strait Islander Commission also noted that:

The development of an alternative approach for effective communication and consultation with, and possibly program delivery to, urban Aboriginal and Torres Strait Islander people will require a quantum leap for government and community service delivery staff.⁹¹

⁸⁸ Evidence, pS1034

⁸⁹ Evidence, pS1034

⁹⁰ Evidence, p300

⁹¹ Evidence, pS401

9.103 The Committee recognises this particular problem in service delivery. It is not confined to urban areas but is clearly more acute where populations are more dispersed in large urban centres. In the breadth of this Inquiry the Committee was unable to give this question the close attention it deserves. It was not a major feature in discussions the Committee held, but then these were mainly with organisations. This question raises a range of interrelated issues such as self determination and self management. While bringing decision making and service delivery down to grass roots level and overcoming the problems associated with family domination of some organisations there is a need to ensure that broad policy making remains in representative and accountable Aboriginal and Torres Strait Islander hands.

9.104 There is clearly still a role for broad organisations such as medical and legal services which cannot be provided by smaller family groups. The issues involved are quite complex and will vary significantly from place to place. The Committee believe these issues need to be addressed as a matter of urgency.

9.105 The Committee recommends that:

the Aboriginal and Torres Strait Islander Commission undertake a review to determine the extent to which family structures provide an appropriate base for service delivery to urban Aboriginal and Torres Strait Islander people. (Recommendation 60)

Community awareness raising

9.106 It is clear that general awareness on both sides of the Aboriginal - non-Aboriginal divide needs to be improved. Limited social contact in many areas forces a reliance on stereotypes fed by negative experiences. For Aboriginals and Torres Strait Islanders these negative experiences include past treatment and continuing interference in their lives especially by those in positions of authority. For non-Aboriginal people negative experiences include public drunkenness, criminality and high unemployment.

9.107 There is a need to recognise Aboriginality in all its forms not just the romantically appealing traditional image. Urban Aboriginal and Torres Strait Islander people are widely and incorrectly perceived as not being 'real' Aborigines and Torres Strait Islanders but neither are they accepted as mainstream citizens by significant sectors of the population. They are also, at times, rejected as authentic by fully traditional people.

9.108 In several of the attitudinal studies referred to earlier in the chapter, a significant proportion of non-Aboriginal respondents wanted to 'let bygones be bygones' especially since 'it all happened 200 years ago'. These respondents were willing for children to learn a more accurate history but indicated a reluctance to be

'educated' themselves. Misunderstandings about the recent past continues to hinder relations between adults, and the education of children will be hindered if adults around them, particularly teachers, persist with outdated myths.⁹²

9.109 When a significant proportion of public attitude toward one sector of the community is based on inaccurate information, overlaid with prejudices of the past and this situation is exploited by a small minority who are overtly racist, the Committee believes Governments should lead the way. There continues to be a number of urban myths about Aboriginal and Torres Strait Islander people, particularly those in urban areas.

9.110 The Committee notes that during National Aboriginal and Islander Day Observance Committee Week this year the Minister for Aboriginal and Torres Strait Islander Affairs, the Hon Robert Tickner, released a booklet *Rebutting the Myths* which refuted a number of commonly held myths and provided accurate information on these aspects of Aboriginal life. An updated version of this booklet is Appendix 5. The purpose of the booklet was to reduce the number of negative and inaccurate reports about Aboriginal and Torres Strait Islander people particularly in the media. Mr Tickner noted:

Whether these urban myths are based on racism, misinformation or just plain ignorance, they can be perpetuated until, eventually, they are accepted by many as fact.

9.111 Awareness also needs to be raised of the strong will for renewal and self-determination of Aboriginal and Torres Strait Islander people as outlined by the Royal Commission into Aboriginal Deaths in Custody. This is demonstrated in the large number of Aboriginal service organisations and self-help groups which are actively working in such diverse areas as education, employment, police liaison, child care, medical services, housing and the arts and crafts. The Committee was continually impressed with the capacity and energy of, often quite small organisations to provide appropriate services, often on shoestring budgets.

9.112 Aboriginal and Torres Strait Islander people are still recovering from massive social upheaval and there continue to be casualties in the process. Negative community attitudes and stereotypes can hinder the rebuilding process at a time when it needs considerable support.

⁹² See K. Keefe, 1992, p66

9.113 The Committee recommends that:

the Minister for Aboriginal and Torres Strait Islander Affairs in conjunction with the Aboriginal and Torres Strait Islander Commission and the Aboriginal Reconciliation Council undertake an awareness raising campaign so that the wider community has a better understanding of contemporary Aboriginality particularly in the urban context. (Recommendation 61)

9.114 This Committee welcomes the wide introduction of Aboriginal studies into school curricula. However, as noted in paragraph 9.59, many of these courses tend to deal with traditional aspects of Aboriginal and Torres Strait Islander affairs with comparatively little about contemporary life.

9.115 The Committee recommends that:

the Minister for Aboriginal and Torres Strait Islander Affairs in cooperation with the Aboriginal and Torres Strait Islander Affairs Commission and State and Territory ministers for education

- **review Aboriginal studies curricula to ensure sufficient weight is given to contemporary Aboriginality; (Recommendation 62)**
- **ensure that all students undertake Aboriginal studies units; (Recommendation 63) and**
- **investigate the feasibility of non-Aboriginal students being able to study an Aboriginal language and the culture associated with it. (Recommendation 64)**

9.116 The lack of dialogue between Aboriginal and non-Aboriginal people, at both the personal and institutional level, creates and maintains stereotypical views obscuring the real situation. The Committee has been impressed by the number of urban communities where effective dialogue has been established between Aboriginal and non-Aboriginal groups.⁹³ The considerable advances made by some local governments, previously in conflict with Aboriginal and Torres Strait Islander

⁹³ Western Australian Government, evidence, p128-9, 142
New South Wales Government, evidence, p375, together with informal discussions in Albany.

resident groups, provide striking examples of what can be achieved.⁹⁴ Through sitting down together as equals a much better understanding has been reached of each group's needs and expectations. Adopting joint ownership of problems, and tackling them together is far more likely to produce workable solutions.

9.117 Implicit within the process of dialogue is a recognition of the other person or group and their point of view. It is this basic recognition of their existence, of their cultural differences and of their aspirations (most of which are the same as wider community aspirations) that is sought by urban Aboriginal people. The committee believes that dialogue needs to be established as widely as possible, particularly at the grassroots level. This is a major objective of the Council for Aboriginal Reconciliation.

⁹⁴ Tangentyere Council, evidence, p1205 together with informal discussions in Alice Springs, Tennant Creek and Katherine.

Council for Aboriginal Reconciliation

9.118 The Council was established as a statutory authority in September 1991 under the *Council for Aboriginal Reconciliation Act 1991*. The purpose of the Council is to promote a process of reconciliation between Aboriginals and Torres Strait Islanders and the wider community by:

- . *giving the wider Australian community a greater appreciation of Aboriginal and Torres Strait Islander cultures and achievements;*
- . *giving the wider Australian community a greater appreciation of the unique position of Aboriginals and Torres Strait Islanders as the indigenous people of Australia; and*
- . *fostering an ongoing national commitment to cooperate to address Aboriginal and Torres Strait Islander disadvantage.*

9.119 The Council notes that its task affects the nature of our society and our own standing as a mature, responsible, tolerant and just nation. In its first strategic plan the Council has stated that:

*Promoting positive change at the local community level ensures a grassroots orientation to the work of the Council, providing case examples from which a national framework for reconciliation can be drawn. Without change at the local level, a national initiative will be ineffective.*⁹⁵

9.120 The Council is also planning to work through community organisations to develop community action plans to improve community relations and to increase Aboriginal and Torres Strait Islander involvement in community life or the work of particular organisations.⁹⁶

9.121 The Committee has met with members of the Reconciliation Council and wholeheartedly endorses the work of the Council. The Committee intends to maintain its close links with the Council and its work and believes that other Members of the Parliament can also assist in the reconciliation process.

⁹⁵ Council for Aboriginal Reconciliation, *Triennial Strategic Plan, 1992-93, 1993-94, 1994-95*, Australian Government Publishing Service, Canberra, 1992, p17

⁹⁶ Council for Aboriginal Reconciliation, *Triennial Strategic Plan, 1992*, p17

9.122 While noting that some Members of Parliament, including Mr Nugent from this Committee, are represented on the Council, the Committee recommends that:

Members of both the House of Representatives and the Senate maintain an interest in the work of the Council for Aboriginal Reconciliation and assist the Council at the grass roots organisational level wherever possible. (Recommendation 65)

9.123 The Chairperson of the Reconciliation Council, Patrick Dodson, sets out the questions that the Council will be addressing:

How do you change the racist basis of this society to enable the achievement of a level of rights for Aboriginal people, without creating fear and sending shock waves down the spines of people in many parts of Australia? How can people become a lot more comfortable about the idea that in other parts of the world there are systems of power sharing that haven't thrown those countries into chaos, that haven't resulted in a division of their nation? How do we create that in this country? Our Council will work towards trying to achieve that level of maturity within the nation and it's not going to be an easy task.⁹⁷

9.124 Throughout this Report it is made clear that a much better understanding is needed between Aboriginal and non-Aboriginal Australians. We each need to understand the other's strengths and weaknesses. This can only be achieved through genuine dialogue. The Minister for Aboriginal and Torres Strait Islander Affairs, the Hon Robert Tickner, points out that:

the lasting answer to the relationship issue rests with people, with the ordinary people of this country, and with their attitudes towards one another. There can be no higher objective for our country and its people, as we count down towards the centenary of the Australian Federation, than that we achieve a just reconciliation between the wider community and the original inhabitants, the Aboriginal and Torres Strait Islander people of this country, the first Australians.⁹⁸

⁹⁷ Council for Aboriginal Reconciliation, *Annual Report 2 September 1991 to 30 June 1992*, Australian Government Publishing Service, Canberra, 1992, p1

⁹⁸ Council for Aboriginal Reconciliation, *Annual Report 2 September 1991 to 30 June 1992*, Australian Government Publishing Service, Canberra, 1992, p12

The Committee finds that there is strong bipartisan support for these objectives and endorses the 'vision' of the Council for Aboriginal Reconciliation which is for:

*A United Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all.*⁹⁹

⁹⁹ Council for Aboriginal Reconciliation, *Annual Report, 1992*, p13

* * * * *

CHAPTER 10

ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSIONERS

10.1 Previous reports of this Committee *A Chance for the Future* and *Our Future Ourselves*, have stressed the importance of self-determination and self-management to Aboriginals and Torres Strait Islanders. These reports also pointed out the necessity of emphasising negotiation in the process of consultation, between government service or funding providers and Aboriginal and Torres Strait Islander recipients. The Royal Commission into Aboriginal Deaths in Custody further emphasised the necessity of this approach.

10.2 The Aboriginal and Torres Strait Islander Commission was still very new when this Inquiry began. During the course of this Inquiry the role of the Commission and particularly the role of its Commissioners has become clearer.

10.3 The Aboriginal and Torres Strait Islander Commission is responsible for delivering a wide range of programs to Aboriginal and Torres Strait Islander people and organisations. It is also responsible for programs that require cooperation between the Commonwealth, States and Territories. The Commission has accepted a growing list of responsibilities, such as the transfer of the Training for Aboriginals Program.

10.4 Making government activity more responsive to the needs and wishes of Aboriginal people has become an increasingly important enterprise. The responsibilities and the workload of Commissioners is very demanding. The Committee believes that to carry out these duties adequately, Commissioners should be appointed full time and remunerated in a way that recognises the importance of their task and the time and effort involved. The present annual salary of \$22,839 is quite inadequate. The Committee also believes that Commissioners need to be better resourced to carry out their duties effectively.

10.5 The Committee recommends that:

- **Commissioners of the Aboriginal and Torres Strait Islander Commission should receive a salary, to be determined by the Remuneration Tribunal, which reflects the full time nature of the position and recognises the responsibilities devolved to Commissioners; (Recommendation 66) and**
- **in preparing the budget allocation for the Aboriginal and Torres Strait Islander Commission the Government allocates additional funding to cover increased salaries and resources for Commissioners. (Recommendation 67)**

Duncan Kerr, MP
Chairman

26 November 1992

**DISSENTING REPORT BY MR ANDERSON, MR NUGENT,
MR RIGGALL AND MR RONALDSON**

After serious consideration the Coalition Members of this Committee have decided to submit a dissenting report. We find ourselves unable to support Recommendation 32 that:

Affirmative action legislation be put in place to require all firms employing over 100 employees to report on steps being taken to promote the employment of Aboriginals and Torres Strait Islanders. (Paragraph 5.101)

The Coalition Members are strongly supportive of any measures that will make a positive contribution towards removing the disadvantaged position of Aboriginals and Torres Strait Islanders in Australian society. We consider that Recommendation 32, alone amongst the Report's recommendations, fails that test. It is impractical and unworkable, as we explain below.

1. To impose legal requirements with onerous reporting duties on all firms employing over 100 employees is simply unworkable. The Aboriginal and Torres Strait Islander population is too small and too unevenly distributed for such a provision. A parallel cannot be drawn with the affirmative action policy for women in Australia introduced in 1986. Women form half the population and are evenly distributed across Australia. Aboriginals and Torres Strait Islanders form only 1.5% of the total Australian population and a large proportion are located in rural regions where unemployment is high.
2. The recommendation in favour of affirmative action legislation to promote the employment of Aboriginals and Torres Strait Islanders in private industry is simply not practical. Indeed, there is strong evidence that, at the present time there are not the numbers of Aboriginals and Torres Strait Islanders with the requisite skills and training to enable private employers to comply with the proposed legislation. This point is illustrated by Elliott Johnston QC, in his 1991 *Review of Training for Aboriginals Program*:

Several times in the course of this Review speakers (and they were both Aboriginal and non-Aboriginal, both DEET and non-DEET) spoke to me in words to this effect; 'If government or big employers said tomorrow, we want 750 (or some such figure) Aboriginal workers, we could not supply them'.¹

¹ Elliott Johnston, QC, *Review of the Training for Aboriginals Program*, November 1991, p32-33

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We urge the Government not to implement this Recommendation.

Peter Nugent MP (Deputy Chairman)

John Riggall MP

John Anderson MP

Michael Ronaldson MP

APPENDIX 1

Submissions

<u>Submission No.</u>	<u>Body/Organisation</u>
1	Professor Anthony Radford - Flinders University, South Australia
2	Mr Robert Hill - Bundaberg, Queensland
3	Ms Sandy Toussaint - Broome, Western Australia
4	Mr D W McLeod - South Gilford, Western Australia
5	Port Lincoln Aboriginal Organisation Inc.
6	Council of the City of Lismore
7	Ms Kerin Coulehan - Northern Territory University
8	Aboriginal Hostels Limited
9	Penrith City Council
10	New South Wales Aboriginal Education Consultative Group
11	Thoorgine Educational and Culture Centre - Queensland
12	Summer Institute of Linguistics - Northern Territory
13	Brisbane Indigenous Media Association

- 14 Aboriginal Education Foundation
of South Australia Inc.
- 15 Aboriginal and Torres Strait
Islander Commission (ATSIC)
- 16 Garule Wali Education Reserve Trust Inc.
- 17 Department of Immigration, Local
Government and Ethnic Affairs
- 18 New South Wales Government
- 19 Tasmanian Government
- 20 Victorian Government
- 21 Department of Employment,
Education and Training (DEET)
- 22 Northern Territory Government
- 23 Mr Robert Hulls MP,
Federal Member for Kennedy, Queensland
- 24 Film Australia
- 25 Western Australian Government
- 26 Homeswest
- 27 Western Australian Housing Board
- 28 South Australian Government
- 29 Queensland State Government
- 30 Arrernte Council - Alice Springs
- 31 Department of the Arts, Sport, the
Environment, Tourism and Territories
- 32 Department of Health, Housing and
Community Services
- 33 Australian Library and
Information Association

- 34 Australian Financial Counselling
& Credit Reform Association Inc
- 35 Australian Consumers' Association
- 36 Aboriginal and Torres Strait
Islander Commission (Darwin Regional Office)
- 37 Arrernte Housing Aboriginals Association Inc.
(supplementary submission)
- 38 Mirriwinni Gardens Aboriginal Academy,
Daingatti Aboriginal Corporation and
Thungutti Aboriginal Land Council
- 39 Tangentyere Council
- 40 Northern Territory Government
(supplementary submission)
- 41 Department of Employment, Education and
Training
- 42 Department of Employment, Education and
Training (supplementary submission)
- 43 Department of Health, Housing and Community
Services (supplementary submission)
- 44 Department of Immigration, Local Government
and Ethnic Affairs (supplementary submission)
- 45 Department of Health, Housing and Community
Service (supplementary submission)
- 46 New South Wales Department of Sport, Recreation
and Racing (additional information)
- 47 Aboriginal Affairs Victoria
(additional information)
- 48 Western Australian Ministry
of Education (Additional information)
- 49 Aboriginal and Torres Strait Islander Commission
(Queensland State Office)

Public Hearings Held and Witnesses Heard

29 April 1991 - HOBART

Tasmanian Government

EVERETT, Mr K.J Manager, Office of Aboriginal Affairs

Aboriginal and Torres Strait Islander Commission

MANSELL, Mr B.M Acting Regional Manager, Tasmania

PLOWMAN, Mr C.J State Manager, Victoria-Tasmania

Department of Employment, Education and Training

GIBBINS, Mr R Assistant Director
Aboriginal Programs Branch

LEWIS, M R State Director

30 April 1991 - MELBOURNE

Victorian Government

GARWOOD, Mr T Manager, Office of Aboriginal Affairs

Aboriginal and Torres Strait Islander Commission

BAMBLETT, Mr A Victorian Zone Commissioner

PLOWMAN, Mr C.J State Manager, Victoria-Tasmania

DODD, Mr B Business Services Manager

Department of Employment, Education and Training

EVANS, Mr J	Executive Officer Eastern Aboriginal Employment, Education and Development Unit
HALE, Ms L	Deputy State Director
JACKOMOS, Mr A	Assistant Director Aboriginal Programs Branch
PATON, Mrs D	Executive Officer Education

28 June 1991 - PERTH

Aboriginal and Torres Strait Islanders Commission

BACHMAN, Mr R	Assistant Manager, Policy and Co-ordination
CORNISH, Mr G	Senior Officer, Special Projects
McDONALD, Mr D	Deputy State Manager
MAGILL, Mr M	State Office Co-ordinator
SANTEN, Mr R	Regional Manager

Department of Employment, Education and Training

POLLOCK, Mr J.E	State Director
ROGERSON, Mr G	Acting Assistant Director Aboriginal Education Branch
STEWART, Mr A	Senior Executive Officer Aboriginal Employment and Education Development Unit
TRUST, Ms J.B	Assistant Director Aboriginal Employment Development Branch
WADE, Mr J.R.D	Acting Director Aboriginal and Access Division

Western Australian Government

FRIZZELL, Mr P	Manager of Operations, Aboriginal Education, Ministry of Education
PENNY, Mr G.L	Relieving Senior Consultant, Aboriginal Education, Ministry of Education
PIGGOTT, Mrs I.A	Consultant, Aboriginal Education, Ministry of Education
SIMPSON, Mr T.W	Assistant Director General, Department of Community Services
WYATT, Mr B	Manager, Commonwealth-State Relations Program Aboriginal Affairs Planning Authority

22 August 1991 - CANBERRA

Western Australian Government

JOYCE, Mr G	Acting Executive Director, Homeswest
KICKETT, Mrs M	Chairperson, Housing Board of Western Australia

3 October 1991 - BRISBANE

Queensland Government

BELL, Mr G	A/g Policy Co-ordinator, Human Services, Division of Aboriginal and Islander Affairs, Department of Family Services and Aboriginal & Islander Affairs
MALEZER, Mr L	Divisional Head, Division of Aboriginal and Islander Affairs, Department of Family Services and Aboriginal & Islander Affairs

WAUCHOPE, Mr J Assistant Divisional Head (Services),
Division of Aboriginal and Islander Affairs,
Department of Family Services and
Aboriginal & Islander Affairs

Aboriginal and Torres Strait Islander Commission

ACKFORD, Mr A Acting State Manager
Corporate Services

DELANEY, Mr I Commissioner
Qld, Metropolitan

DONNELLY, Mr P W State Manager

HILL, Mr R Assistant State Director Policy
Co-ordinator

WALKER, Mr J Regional Manager

Department of Employment, Education and Training

McNAMARA, Mr B State Director

O'NEIL, Mr B Director of Aboriginal Programs

WEATHERALL, Mr R Area Director - Central Queensland

WILLETTS, Ms K Assistant Director - Aboriginal Programs

25 October 1991 - ADELAIDE

South Australian State Government

BUTLER, Mrs E Special Projects Officer,
Aboriginal Housing

KNILL, Mr G Director,
Operations,
State Aboriginal Affairs

O'CONNOR, Mr A Research Officer,
State Aboriginal Affairs

RATHMAN, Mr D	Director, State Aboriginal Affairs
TEMME, Mr C	Manager, Aboriginal Housing, South Australian Housing Trust

Aboriginal and Torres Strait Islander Commission

AGIUS, Mr A	Councillor Kairua Regional Council and Interim President
FRY, Mr E	Programs Officer
JACKSON, Mr C	Zone Commissioner
LAMSHED, Mr B	Regional Manager
PREECE, Mr R	Assistant State Manager
ROBERTS, Mr E	Assistant State Manager

Department of Employment, Education and Training

LARKIN, Mr C	Assistant Director Aboriginal Programs Branch
SWIFT, Ms H	State Director

23 March 1992 - SYDNEY

New South Wales Government

ALEXANDER, Dr C	Assistant Director Office of Aboriginal Affairs
KOCKEN, Mr K	Director Office of Aboriginal Affairs
NEAN, Mr P	Chief Education Officer Aboriginal Education Unit NSW Department of School Education

HALL, Mr K	Coordinator Aboriginal Education Unit NSW TAFE Commission
HILL, Mr J	State Manager Prevocational Programs and Aboriginal Education NSW TAFE Commission
WILTON, Mr T	General Manager Housing Services NSW Department of Housing
MATTICK, Ms S	Principal Project Officer Care and Protection Branch Department of Community Services
SHIER, Ms J	Director Care and Protection NSW Department of Community Services
SPASOJEVIC, Ms N	Senior Program Officer NSW Department of Community Services
KEADY, Mr P	Manager Strategic Planning and Policy New South Wales Department of Sport, Recreation and Racing
FORNER, Ms B	Manager Policy and Research Branch NSW Department of Local Government and Cooperatives

Aboriginal and Torres Strait Islander Commission

BELLEAR, Mr S	Commissioner Deputy Chairperson
CARROLL, Mrs E	Regional Councillor
FOLEY, Mr C	Chairperson, Sydney Regional Council
HOUSTON, Mr S	Regional Councillor
PHILLIPS, Mr S	Regional Councillor
STONE, Mr J	Acting NSW State Manager

Department of Employment, Education and Training

ABRAHART, Mr A	State Director
DELANEY, Mr J	Executive Officer Aboriginal Development Unit
PUCKERIDGE, Mrs J	Section Head Aboriginal Education Programs

16 April 1992 - DARWIN

Northern Territory Government

BURGOLF, Cmdr	Commander NT Police
CAIRNS, Mr D	Acting Secretary Department of Education
DEMBSKI, Ms L	Assistant Director Department of Education
MAKEPEACE, Mr C	Assistant Director Department of Education
COLES, Mr D	Assistant Secretary Department of Chief Minister
HEMPEL, Mr R	Senior Policy Adviser Department of Chief Minister
PHEGAN, Mr G	Acting Chief Executive Officer Office of Local Government
WILLIAMS, Mr K	Assistant Secretary Department of Lands and Housing
WOODCOCK, Cmdr	Commander Berrimah Police Centre

Aboriginal and Torres Strait Islander Commission

CALMA-HOLT, Ms R	Assistant Regional Manager
DEAN, Mr D	Assistant Manager
MAKIN, Mr P	Acting State Manager

Department of Health, Housing and Community Services

BROWNE, Dr M	Acting Assistant Secretary Residential Program Management Branch Aged and Community Care Division
HALTON, Ms J	Assistant Secretary Home and Community Care Branch Aged and Community Care Division
KENNEDY, Mr J	Acting Assistant Secretary Health Development Branch Health Advancement Division
MORRIS, Mr R	Assistant Secretary Housing Assistance Branch Housing and Urban Development Division
MOYLE, Mr P	Assistant Secretary Office of Disability Disability Programs Division
REECE, Mr P	First Assistant Secretary Housing and Urban Development Division
STANFORD, Ms A	Director Targeted Services Children's Services Division

Aboriginal and Torres Strait Islander Commission

DELANEY, Mr I	Queensland Metropolitan Commissioner
STEWART, Mr M	Acting General Manager Social Policy Division
WALKER, Mr K	Manager Local Government and Policy Development

24 June 1992 - CANBERRA

Department of Immigration, Local Government and Ethnic Affairs

CALVERT, Mr R	Assistant Secretary Government Relations Branch Office of Local Government
LYNCH, Mr M	First Assistant Secretary Office of Local Government
TAYLOR, Mr P	Manager Community Development Section Government Relations Branch Office of Local Government

List of Exhibits

Victorian Aboriginal Health Service

1. A Clinician's DIABETIC MANUAL

Victorian Housing Board

2. Policies and Procedures

Victorian State Board of Education

3. Koori English

Victorian Child Care Agency

4. History of the organisation

New South Wales Health Service

5. The Last Report - Report of the New South Wales Task Force on Aboriginal Health 1990
6. NSW Aboriginal Mental Health Report - Dedicated to our Children

Public Service Commission of WA

7. Aboriginal Employment and Career Development Strategy

Aboriginal Medical Service Western Australia

8. Annual Report 1989/1990

Ministry of Education WA

9. **Aboriginal Education Operational Plan - Report to DEET, 1991**

Aboriginal and Torres Strait Islander Commission

10. **Principles for interaction between Aboriginal and Torres Strait Island People and Government - June 1991**

Aboriginal Legal Service

11. **Review of the Report into the Management and Administration of The Western Australian Aboriginal Legal Service by Gallant Pty Ltd - May 1991**

Western Australian Government

12. **Law Enforcement Or Liaison
A Review of the Aboriginal Police Aides Schemes**

WA Aboriginal Legal Service

13. **Report by Interim Administrator for June 1990**
14. **The Management and Administration of the Service - August 1989**

Woorabinda Aboriginal Council

15. **Proposed Roadworks and Drainage - January 1990**
16. **McGowan International Pty Ltd
Economic Development Plan Phase 2 Report
Development Plan - October 1987**

Minister for Aboriginal Affairs - Hon Robert Tickner

17. **The Royal Commission into Aboriginal Deaths in Custody
Final Report
Chapter 38 - The Process of Reconciliation**

National Housing Strategy

18. **Aboriginal and Torres Strait Islander Housing Discussion Package**

Aboriginal Employment Development Branch

19. **Aboriginals respond to the RCADC - Aboriginal preferences for employment, training and education (Exec. extract)**

Tangentyere Council

20. **Annual Report 1989-90**

Central Land Council

21. **A Return to the Land of Promises**

Julalikari Council Aboriginal Corporation

22. **CDEP Report, March 92**

Ngurrdalingi & Kalas

23. **Needs of Urban Dwelling Aboriginal People**

Katherine Alcohol and Drug Authority

24. **Homeless (press clipping)**

Kalano Community Association

25. **Aboriginal Accommodation and Related Problems**

Women's Resource Centre - NT University

26. **AEP Document of Consultation 1993-95 Triennium**

Department of the Chief Minister - Northern Territory

27. **Aboriginal Housing**

NT Dept of Education

28. **Results of the Primary Assessment Program for 1990 in Urban and Aboriginal Schools, 1991**

Victorian Government

29. **Partnership in Education - Koorie Education Policy**

Aboriginal and Torres Strait Islander Commission

30. **Procedural Matters**
31. **Some Facts About the Aboriginal Community of South West Sydney**
32. **Regional Planning**
33. **Social Justice for Indigenous Australians 1991-92**

Department of Employment, Education and Training

34. **Aboriginal Enrolments (statistics)**

Office of Local Government

35. **Let's Work Together (Conference Report)**
36. **Good Practices - Initiatives Between Local Government and Aboriginal and Torres Strait Islander Communities**

APPENDIX 4

List of Informal Discussions and Field Visits

New South Wales

Redfern

Murawina Multi-Purpose Child-Care Centre	19.10.90
Redfern Aboriginal Housing Company	19.10.90
Aboriginal Medical Service	19.10.90
Redfern Aboriginal Land Council	19.10.90
Aboriginal Legal Service	19.10.90

Bourke 11.12.91

Brewarrina 11.12.90

Collarenebri 12.12.90

Dareton 12.12.90

Moree

Pius Community Hall	10.12.91
Catholic Health Centre	10.12.91
Dental Clinic	10.12.91

Tingha 10.12.90

Walgett

Namoi Reserve	11.12.90
Gingie Reserve	11.12.90
Barwon Aboriginal Community	11.12.90

Wilcannia

St Therese's Community School	8.4.91
Muurjrpa-Pungka Kindergarten and Pre-School	8.4.91

South Australia

Adelaide -

Aboriginal Legal Rights Movement	19.11.90
Aboriginal Medical Centre	19.11.90
Konanda Aboriginal and Welfare Centre	19.11.90
Aboriginal Child Care Agency and Aboriginal Housing Board	19.11.90
Aboriginal and Northern Area Community Neighbourhood Centre	19.11.90

Port Lincoln -

Port Lincoln Aboriginal Organisation. Inc	24.10.91
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Tasmania

Hobart -

Tasmanian Aboriginal Land Council Aboriginal Corporation	29.4.91
Tasmanian Aboriginal Centre	29.4.91
Karadi Aboriginal Corporation	29.4.91

Victoria

Melbourne -

Fitzroy Aboriginal Legal Service	30.4.91
Victorian Aboriginal Housing Board	30.4.91
Victorian Aboriginal Child Care Agency Co Ltd	30.4.91
Victorian Aboriginal Community Services Assoc. Inc	30.4.91
Victorian Aboriginal Health Services Cooperative Ltd	30.4.91

Western Australia

Port Hedland

Bloodwood Tree Association Inc	24.6.91
Aboriginal Housing Board	24.6.91
Port Hedland Aboriginal Legal Service	24.6.91

Albany

Albany Aboriginal Corporation	25.6.91
Southern Aboriginal Corporation	25.6.91

Gnowangerup

Gnowangerup Aboriginal Corporation	25.6.91
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Bunbury

Bunbury Aboriginal Corporation	25.6.91
Wardandi Aboriginal Education Group	26.6.91

Moora

Wheatbelt Aboriginal Corporation	26.6.91
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Northam

Northam Aboriginal Community Progress Association	26.6.91
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Perth

Aboriginal Legal Service	27.6.91
Aboriginal Medical Service	27.6.91
Dumbartung Aboriginal Corporation	27.6.91
Abmusic Aboriginal Corporation	27.6.91
Aboriginal and Torres Strait Islander Commission, Regional Councillors	27.6.91

Queensland

Rockhampton

Woorabinda	30.9.91
Mount Morgan Aboriginal Corporation	30.9.91
Aboriginal Child Care Agency	1.10.91
Rockhampton & District Aboriginal & Islander Housing Cooperative Society	1.10.91
QEC Aboriginal and Torres Strait Islander Corporation for Legal Service	1.10.91
Dreamtime Cultural Centre	1.10.91

Brisbane

Cherbourg Community	2.10.91
Aboriginal and Islander Child Care Agency	2.10.91
Aboriginal and Islander Community Health Service	2.10.91
Black Community Housing Service	3.10.91
Aboriginal and Torres Strait Islander Corporation for Legal Service	3.10.91
Foundation for Aboriginal and Islander Research Action	3.10.91
Aboriginal and Torres Strait Islander Commission, Regional Councillors	3.10.91

Northern Territory

Alice Springs

Arnernte Council	22.10.91
Tangentyere Council	12.4.92
Central Land Council	12.4.92

Tennant Creek

Nyinkkanyunyu School Council	13.4.92
Julalikari Council Aboriginal Corporation	13.4.92
Tennant Creek Town Council	13.4.92
Yapakurlangu ATSIC Regional Council	13.4.92

Katherine

Kalano Community Association	14.4.92
Katherine Alcohol and Drug Authority	14.4.92
Binjari Community Aboriginal Corporation	14.4.92
Katherine Town Council	14.4.92
Katherine Regional Aboriginal Legal Aid Service/ Ngurrdalangi Aboriginal Corporation	14.4.92
Jawoyn Association	14.4.92

Darwin

North Australian Aboriginal Legal Aid Service	15.4.92
Danila Dilba Aboriginal Medical Service	15.4.92
Darwin Aboriginal Women's Resource Centre/ Northern Land Council	15.4.92
Bagot Community	15.4.92

Jabiru

17.4.92

.....

Office of the Minister for Aboriginal and Torres Strait Islander Affairs

Rebutting the Myths

***Some facts about Aboriginal and
Torres Strait Islander Affairs***

Australian Government Publishing Service
Canberra

Foreword

Rebutting the Myths, produced by my office using the most up-to-date statistical data available, seeks to banish some of the shocking and absurd prejudices which exist about Aboriginal and Torres Strait Islander people.

Passing judgement about a person because of the colour of their skin makes a mockery of the Australian idiom of "a fair go for all".

However, in the 1990s many Aboriginal and Torres Strait Islander people continue to experience discrimination and prejudice on a daily basis. This discrimination impacts dramatically on all aspects of their lives, including education, employment, self esteem and personal happiness.

I reject absolutely the view that Australians are inherently prejudiced. However, many are products of an education system which perpetuated discrimination through policy and textbooks. This will be addressed in schools as Governments give effect to the National Reconciliation and Schooling Strategy.

Tackling prejudice and discrimination in the wider community is a key aspect of the work of the Council for Aboriginal Reconciliation, which was established in 1991 with the unanimous support of the Federal Parliament.

I urge all who read this booklet to copy it and distribute it freely, to do all that they can to combat prejudice against Aboriginal and Torres Strait Islander people, and to make their own personal commitment to the process of reconciliation.



Robert Tickner

Minister for Aboriginal and Torres Strait Islander Affairs
Minister Assisting the Prime Minister for Aboriginal Reconciliation

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MYTH:
**Aboriginal
people
and
alcohol ...**

By comparison with non-Aboriginal people, a large proportion of Aboriginal people do not drink alcohol at all and, in some Aboriginal communities, alcohol consumption has been banned by the residents.

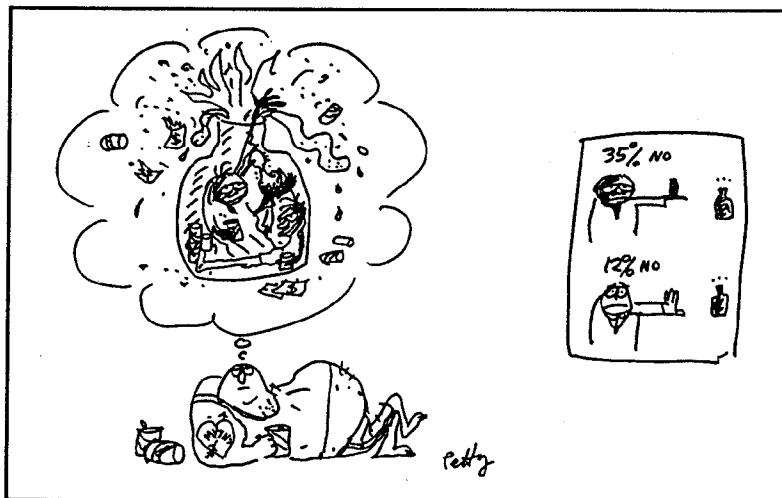
- Up to 35% of Aboriginal men do not drink alcohol compared with 12% of non-Aboriginal men.
- 40% to 80% of Aboriginal women do not drink alcohol compared with 19% to 25% of non-Aboriginal women.
- In the Northern Territory, it has been estimated that 75% of Aboriginal people do not drink alcohol at all.

Research published in 1991 by Associate Professor Wayne Hall and Dr Randolph Spargo found no evidence of truth in the "fire water theory" which maintains that Aboriginal people are biologically less able to handle alcohol.

This is not to deny the obvious problems caused by the abuse of alcohol by the comparatively higher proportion of Aboriginal problem drinkers.

Source:

Aboriginal Alcohol Use and Related Problems, Expert Working Group Report to the Royal Commission into Aboriginal Deaths in Custody (1991).

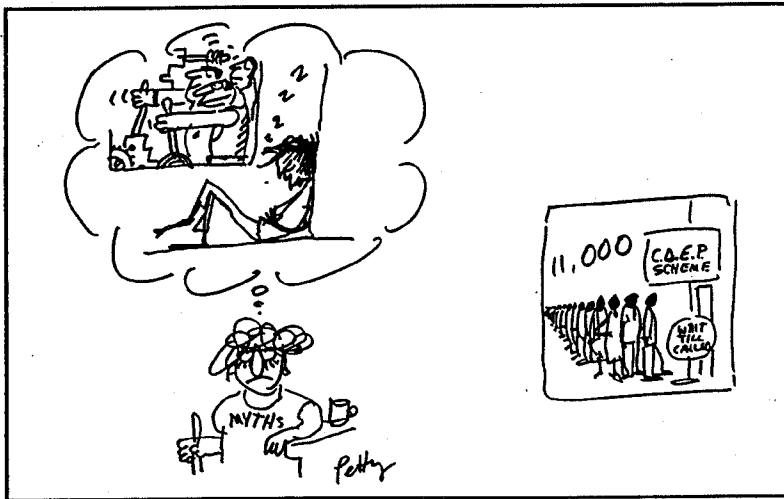


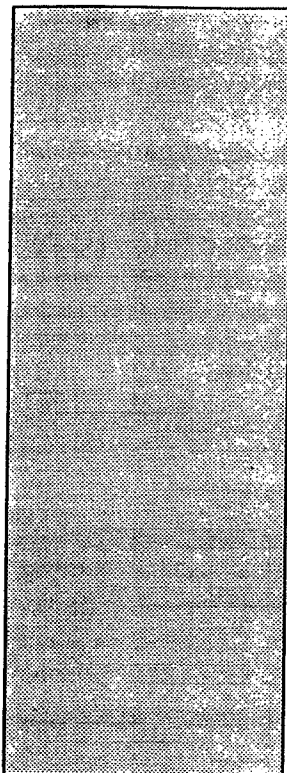
MYTH:
"Aboriginal people don't want to work"

Aboriginal unemployment rates vary from community to community. Overall, unemployment among Aboriginal and Torres Strait Islander people is approximately four times the national average. The more remote an Aboriginal community, the higher its unemployment rate is likely to be. This reflects low labour market opportunities. Other factors contributing to this high level of unemployment are past limited educational opportunities and lingering prejudice among non-Aboriginal employers.

Unemployed Aboriginal people, like other unemployed Australians, are entitled to Job Search or New Start Allowances, at the same rates as other Australians.

Yet, a huge number of them prefer to work for that entitlement. In more than 185 Aboriginal and Torres Strait Islander communities across the country, Aboriginal and Torres Strait Islander people have chosen to forego those entitlements in order to work part-time on Community Development Employment Projects (CDEP) programs for which they receive the equivalent of Job Search/New Start. Approximately 20,000 Aboriginal and Torres





Strait Islander people are presently involved in CDEP projects. Almost 40 per cent are women.

CDEP communities undertake a range of community development projects including building maintenance, construction and repair of community infrastructure and management of projects which generate community income.

An estimated 11,000 Aboriginal and Torres Strait Islander people are on waiting lists to join the CDEP Scheme.

Over the next three years, it is planned that 60 new communities will join the CDEP scheme, thereby creating places for approximately 4,000 of those presently on waiting lists.

Sources:

ATSIC Annual Report 1990-91, pp 20-25.

1992-93 Budget Related Paper No 7: Social Justice for Indigenous Australians 1992-93. AGPS, Canberra 1992, pp 35, 36, 37.

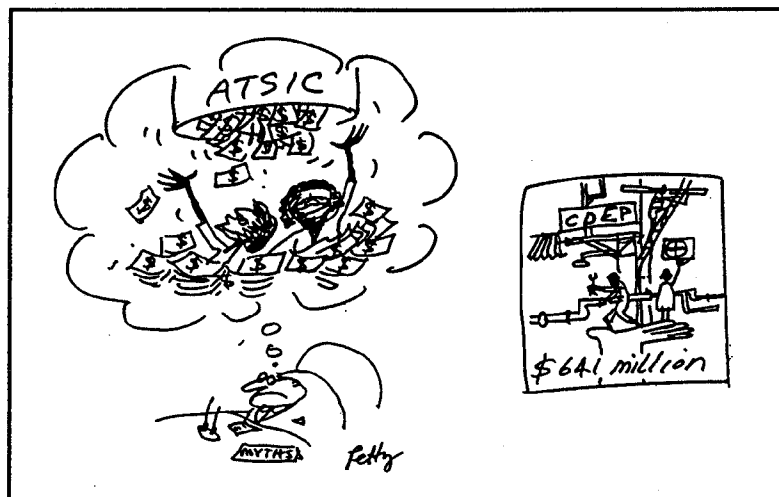
MYTH:
"Aboriginal Affairs is awash with money"

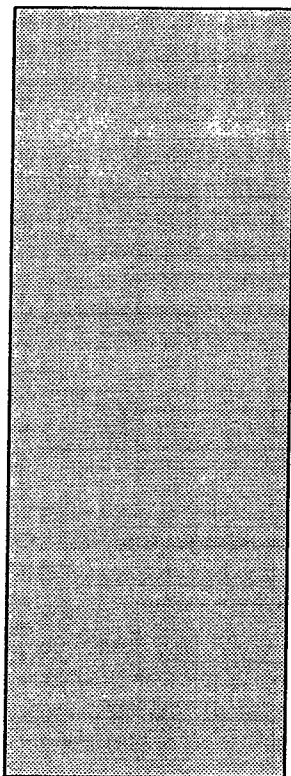
The annual Commonwealth budget for the Aboriginal and Torres Strait Islander Commission (ATSIC) in 1992-93 was approximately \$788 million.

Expenditure on the Community Development Employment Projects (CDEP) scheme and on Aboriginal housing and essential infrastructure programs accounts for approximately 60% of this budget. It should be noted that CDEP is largely offset against Job Search and New Start allowances which would otherwise be payable by the Department of Social Security.

From its budget, ATSIC provides an enormous range of services including:

- support for medical services;
- water supply, electricity supply, sewerage, road funding, airstrip construction and maintenance, and other major capital works in Aboriginal communities;
- provision of housing;
- support for Aboriginal economic development initiatives;





- *support for broadcasting;*
- *management training for Aboriginal organisations;*
- *support for recreation initiatives;*
- *substance abuse programs and other health initiatives; and*
- *initiatives for young people.*

ATSIC's involvement in many policy areas arises out of concerns which have not been addressed in the past by the responsible Commonwealth, State and local government authorities. In addition, Aboriginal people are entitled to receive assistance from Government equity programs as are all other disadvantaged Australians.

Source:
ATSIC Annual Report 1990-91.

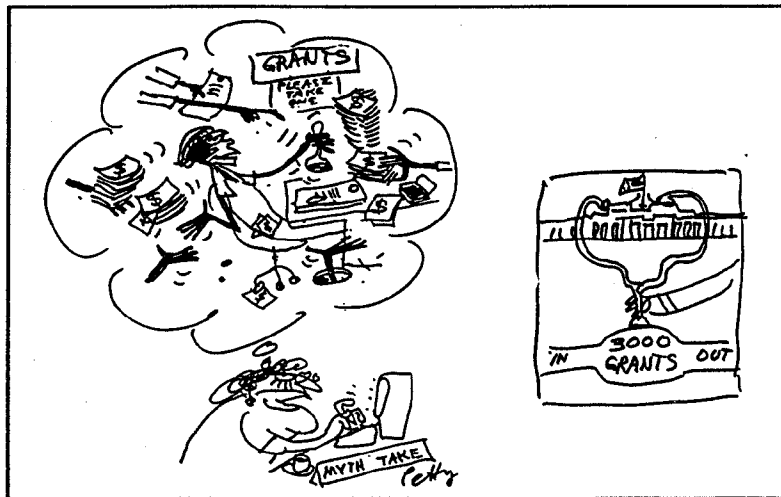
MYTH:
"There is no accountability in Aboriginal Affairs"

There are few, if any, areas of public administration which are subject to more stringent accountability requirements than Aboriginal affairs.

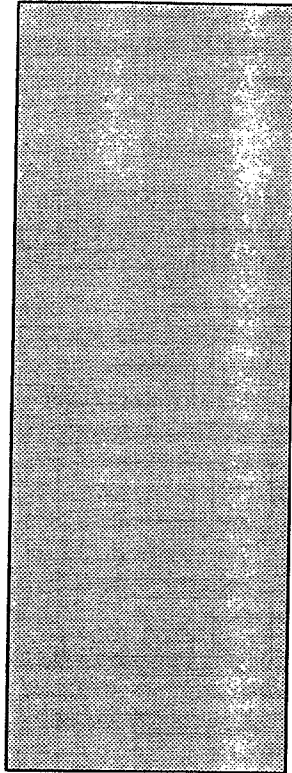
In addition to the usual processes of public accountability which apply to all public sector spending — Senate Estimates, scrutiny by the Auditor-General and relevant Parliamentary Committees, and public scrutiny through the media — spending by ATSIC is also subject to scrutiny by an Office of Evaluation and Audit (OEA). The OEA reports to the Minister for Aboriginal and Torres Strait Islander Affairs and the Chairperson of ATSIC on all accountability issues relevant to the Commission's operations.

The Senate Estimates Committee, conducting a detailed examination of expenditure by ATSIC in 1992, commended the Commission on its performance.

One of the first decisions of ATSIC's Commissioners was that Aboriginal organisations which failed to acquit grants satisfactorily would not receive further funding except in exceptional circumstances.



SOME FACTS ABOUT ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS



Some 3000 grants are acquitted each year. ATSIC now produces a budget related paper each August which is circulated by the Minister for Aboriginal and Torres Strait Islander Affairs. It provides detail of every dollar of Commonwealth expenditure in Aboriginal Affairs.

Sources:

Aboriginal and Torres Strait Islander Commission Act 1989, Division 8 and especially Sections 75-78.

ATSIC Annual Report 1990-91.

1992-93 Budget Related Paper No 7: Social Justice for Indigenous Australians 1992-93. AGPS, Canberra 1992.

MYTH:
"Aboriginal people get special treatment"

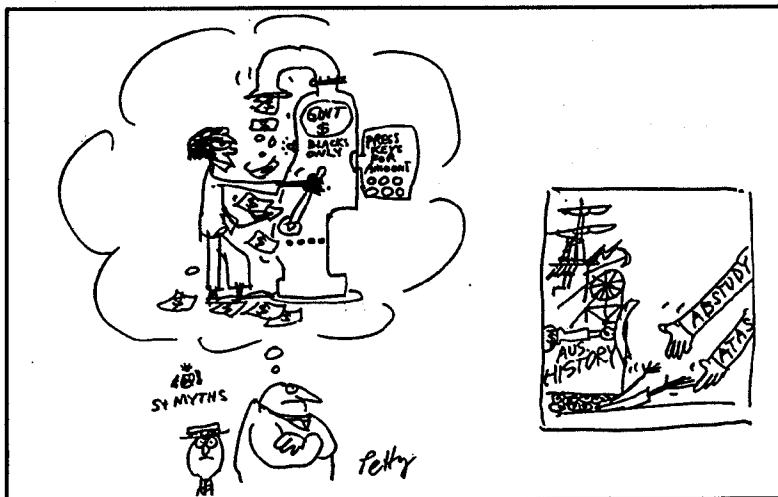
A boriginal people are the most marginalised, economically and socially disadvantaged group in Australian society.

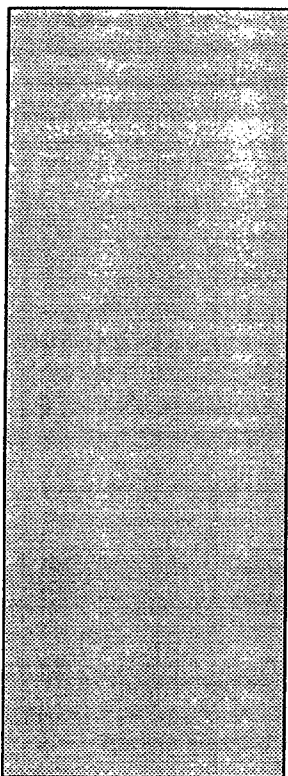
They do *not* receive higher social security benefits than other Australians.

In relation to special entitlements as individuals, there are only *two* areas in which Aboriginal and Torres Strait Islander people have access to special benefits.

In the area of *education*, only 30% of Aboriginal and Torres Strait Islander children aged 16 to 17 years and only 7% of young people aged 18 to 20 years, are participating in education or formal training. This compares with national rates of 75%, and 40% respectively. Aboriginal and Torres Strait Islander people have access to ABSTUDY allowances from DEET. This has made a major contribution to improving the extent and quality of education for Aboriginal youth.

Other figures show only 50% of Aboriginal children have access to pre-school education compared with more than 90% of children in the wider community.





ABSTUDY is means-tested. Students on the full rate of ABSTUDY receive the *same* as students on full AUSTUDY (some 52,000 students were assisted in 1991-92). Special tutorial assistance is available to Aboriginal tertiary and secondary students under the Aboriginal Tutorial Assistance Scheme (ATAS) (some 30,000 students were assisted in 1991-92).

The availability of ABSTUDY and ATAS recognises the continuing effects on Aboriginal and Torres Strait Islander people of the denial of educational opportunities throughout much of Australia's history. These programs also reflect government concern about continuing disadvantage experienced by Aboriginal and Torres Strait Islander people in their access to education. These special initiatives are supported by both the Federal Government and Opposition.

In the area of *housing*, only 26% of Aboriginal and Torres Strait Islander families own their own home compared with 70% of all Australian families.

Aboriginal and Torres Strait Islander people on low incomes have access to strictly means-tested concessional home loans from ATSIC. Interest on these loans starts at between 5% and 10% p.a. and

increases by 0.5% p.a. until it reaches 1% below the Commonwealth Savings Bank housing loan interest rate. These rates are comparable with interest rates currently offered by public lending institutions.

However, the number of such loans is very limited and only about 359 Aboriginal families Australia-wide, assessed against strict eligibility criteria, took out such loans in 1991-92. All loan recipients pay between 20% and 30% of their gross income in loan repayments. Some 97 per cent of borrowers meet their monthly repayments.

There are also two cases where Aboriginal people had access to specialist services, ie Aboriginal legal and medical services. A separate section of this booklet deals with these services (pp. 10-11).

Sources:

ATSIC Annual Report 1990-91, pp 29-32.

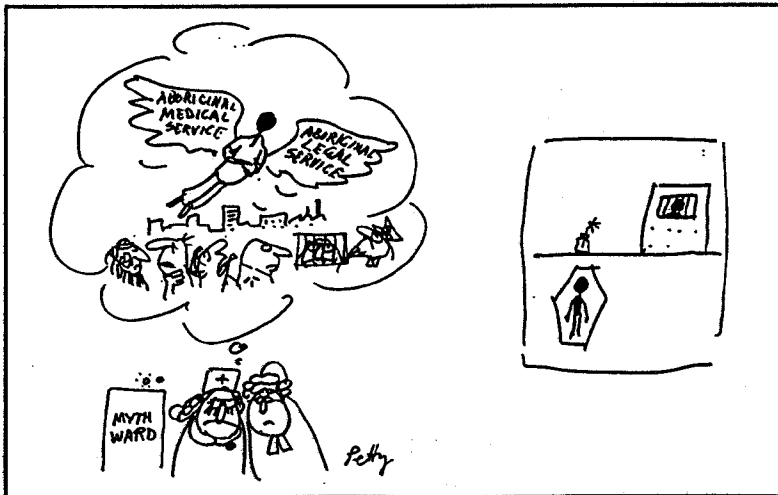
1992-93 Budget Related Paper No 7: Social Justice for Indigenous Australians 1992-93. AGPS, Canberra 1992, pp 44, 45.

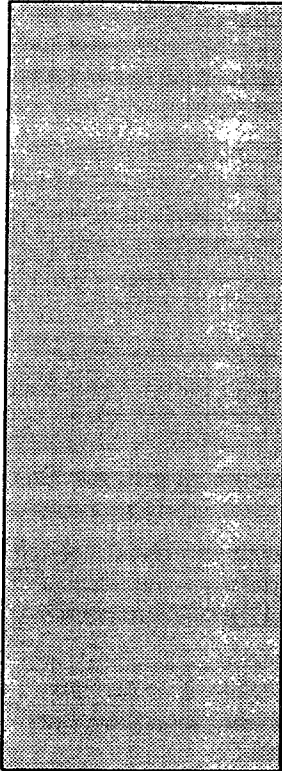
MYTH:
**"Separate
 Aboriginal
 services
 provide
 special
 privileges"**

Specialised medical and legal service organisations provide the most accessible and appropriate services to Aboriginal and Torres Strait Islander in two areas of chronic disadvantage. These organisations provide services which are, in the main, taken for granted by non-Aboriginal Australians.

Aboriginal Medical Services

- Life expectancy among Aboriginal women is up to 15 years less than for Australian women generally; life expectancy for Aboriginal men is up to 22 years less than for Australian men generally.
- More than one in ten Aboriginal people suffer from diabetes.
- Aboriginal infant mortality is still more than 2 times higher than that for other Australian children.
- The incidence of trachoma among Aboriginal children, although decreasing, is still around 20 times higher than for other Australians.





While the situation in some of these areas continues to worsen, improvements in other areas are often attributable to the work of Aboriginal medical services.

- *Between 1968 and 1986, the Aboriginal infant mortality rate in the Northern Territory fell from 88 per 1000 live births to 34 per 1000.*
- *Between 1971 and 1984, the Aboriginal infant mortality rate in Western Australia fell by 66%.*
- *Hospital attendance rates fell by 50% in Western Australia between 1974 and 1984.*

Aboriginal Legal Services

The Royal Commission into Aboriginal Deaths in Custody found massive over-representation of Aboriginal people at every stage of the criminal justice process, an over-representation which cannot be explained by any innate "criminality" among Aboriginal people.

- *During the month of August 1988, 28.6 % of all detentions in police cells across Australia were Aboriginal people.*
- *The rate at which Aboriginal people are imprisoned is presently 29 times higher than that of other Australians.*
- *In Western Australia, the imprisonment rate for young Aboriginal men is more than 60 times the rate for non-Aboriginal men.*

Aboriginal Legal Services enable Aboriginal people to obtain access to appropriate legal advice and representation — a right expected by other Australians.

Sources:

A National Aboriginal Health Strategy, Report of the National Aboriginal Health Strategy Working Party (March 1989).

Report of the Royal Commission into Aboriginal Deaths in Custody, April 1991).

MYTH:
"Aboriginal people are involved in a land grab"

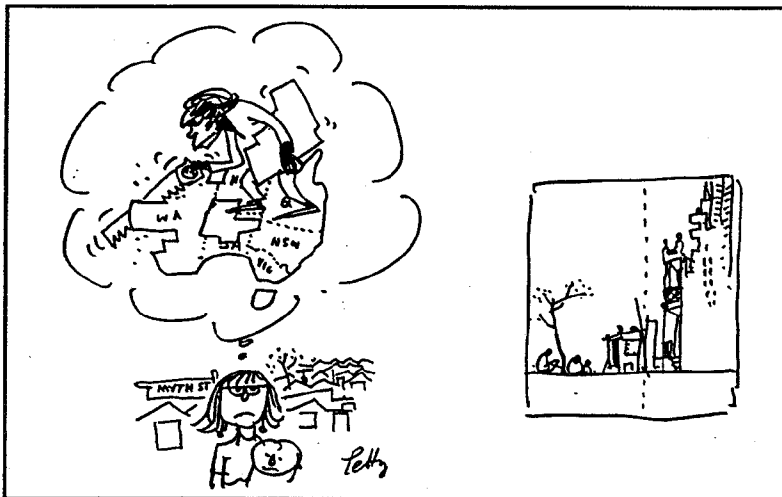
In the *Northern Territory*, the majority of the land owned by Aboriginal people is economically marginal and consists of former Aboriginal reserves or desert and semi-desert country.

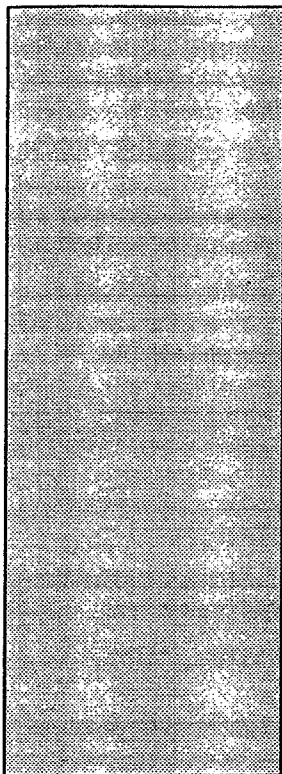
Former reserves account for most of the land held by Aboriginal people under *New South Wales* land rights legislation. The only land available for claim in New South Wales is unalienated Crown land which is not required for an "essential public purpose".

Under *Queensland* legislation, Aboriginal and Torres Strait Islander people obtain freehold title to existing reserves held previously under deeds of grant in trust. Claimable land will be set out in schedules to the legislation from time to time and claims to this land will be strictly limited and restricted.

In *South Australia*, the two major areas of land returned to Aboriginal ownership—the Pitjantjatjara lands and the Maralinga lands—are in remote arid/desert regions.

In *Western Australia*, Aboriginal people hold land, predominantly in more remote areas of the State, under 99 or 50 year leases.





Efforts by the previous Labor Government of *Tasmania* and by the Labor Government of *Victoria* to introduce land rights legislation were frustrated by those States' Upper Houses.

As is the case with any private land, Aboriginal landowners are generally entitled to refuse entry or to specify the conditions upon which entry will be permitted.

The Royal Commission into Aboriginal Deaths in Custody recognised that the dispossession of Aboriginal people has continued to very recent times and made strong recommendations for addressing the land needs of Aboriginal people. These recommendations have been accepted by all mainland State and Territory Governments, both Labor and non-Labor.

Sources:

Relevant Commonwealth and State legislation.

Response by Governments to the Report of the Royal Commission into Aboriginal Deaths in Custody, Volume 3, March 1992.

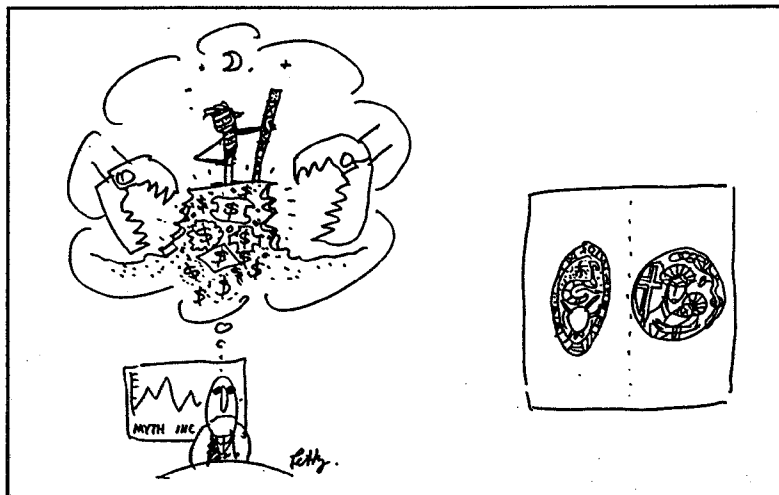
MYTH:
**Aboriginal
sacred
sites and
development**

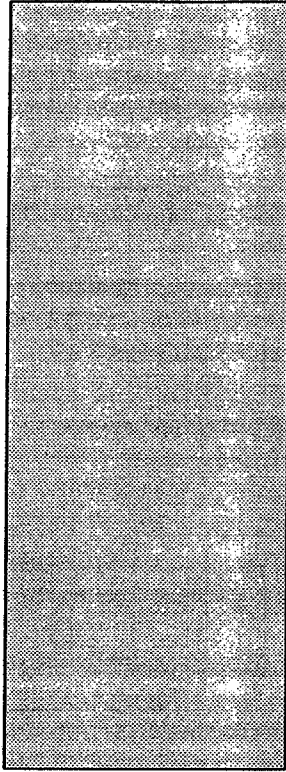
Any major development proposal must satisfy certain criteria under State and/or Commonwealth legislation. Depending on the individual proposal, these criteria may include assessment on Aboriginal heritage, environmental and/or national heritage grounds.

Since 1984 when legislation was passed by the Federal Parliament to protect Aboriginal heritage:

- 94 applications have been lodged under the Commonwealth's *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*;
- there have been *two* declarations under the Act relating to the protection of objects of significance to Aboriginal people;
- there have been *three* temporary declarations relating to Aboriginal sites;
- there has been *one* declaration for the protection of a site for a period of 20 years; and
- the legislation has *never* been used to stop a mining project.

Aboriginal law restricts detailed knowledge of sacred sites to particular people who are responsible for





particular sites. Knowledge of sacred sites is, by definition, not public knowledge.

Aboriginal people's spiritual and religious beliefs should be accorded the same respect as the beliefs of any other Australians.

The spiritual beliefs of Aboriginal people are often subject to public ridicule in a manner which would never be tolerated if it were directed at the spiritual beliefs of non-Aboriginal Australians.

Sources:

Central Land Council Annual Report 1990-91.

Our Land, Our Life: Aboriginal land rights in the Northern Territory, Central and Northern Land Councils, 1991.

Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cwth).

MYTH:

**The
free
car!**

One of the silliest yet most persistent myths about the entitlements of Aboriginal people is that they can purchase a motor vehicle and the government will meet the costs. There are many variations on this theme.

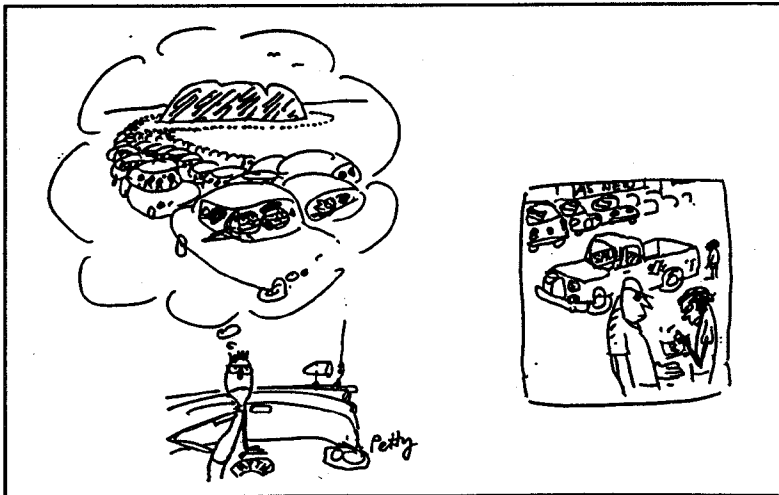
In some cases, it is said that Aboriginal families receive a car without the need for any contribution at all toward its cost. *False.*

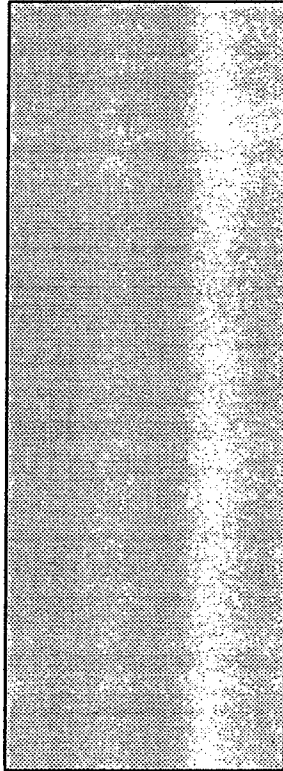
In other cases, it is said that Aboriginal people need only pay the first one or two payments under a hire purchase agreement and that "the government" will meet the remaining costs. *False.*

In yet another variation, Aboriginal children are alleged to receive a free bicycle each — usually described as "shiny" or "new" — at government expense. *Wrong again!*

If an Aboriginal person has a car or an Aboriginal child has a bicycle, the chances are it was bought with cash or on credit.

Aboriginal people are subject to the same laws and entitled to no more (and no less) credit than any other Australian. There is *no* government program or policy which involves the distribution of motor





vehicles or bicycles (or any other comparable consumer good) free of charge to Aboriginal people.

The continued currency of this myth owes much to continued ignorance, prejudice and ill-will toward Aboriginal people. It certainly owes nothing to a respect for the truth.