

## INDIGENOUS HEALTH

**AIM:** To discuss the relationship between indigenous experience and the dominant cultural development in Australia. To explain the importance of indigenous community and individual self-management in order to effectively achieve coordinated regional development.

### CULTURAL DOMINATION, MINORITY EXPRESSION, AND DEMOCRACY

At a recent conference on crime prevention through social support, Linda Burney, then Chairperson of the NSW State Reconciliation Committee and Member of the NSW Crime Prevention Council began by acknowledging that she stood on the traditional land of the Eora people. She said that although her titles might sound very grand, they also involved a lot of work, with most of it voluntary. She said she had come to the view that there is no pan-Aboriginal perspective, and that each Aboriginal person can really only speak for him or her self, the same as anybody else. She also pointed out that, for the first ten years of her life, before the 1967 national referendum on voting for Aboriginal people, her existence was regulated under the Flora and Fauna Act of NSW. Burney asked her audience to think carefully about the meaning of this, and pointed out that indigenous people have spent their lives looking into the mirror of Australian society and seeing either nothing, or an incredibly distorted image.

I also wondered about the Flora and Fauna Act. Was it really an attempt to protect native species (including humans) and their environment, or did it culturally legitimate other, more destructive, interests? How did it relate to early government policy prescriptions such as the forced removal of Aboriginal children from their communities, to be brought up elsewhere? I think Burney's statements about the inevitability of individual difference, and about the effects of economic and cultural domination, express global truths regarding the common situation of people everywhere. The situation of any people whose interests have been idly trampled or forced to fit the dominant cultures is usually reflected in their comparative lack of health. The account of the health of Australian indigenous people, which follows later in this lecture, also presents the outcomes of a historical process of cultural domination. It does this from the Western equal opportunity for development perspective that most of us, including many Aboriginal people, have now come to expect. However, these dominant Western career and living structures also need to be seen in a broader context, which recognizes and promotes a much wider array of cultural perspectives in order for everybody to flourish more freely, independently and cooperatively in the future.

Larissa Behrendt commented elsewhere that indigenous people raise a very important question for anyone concerned with the workings of Australia's legal and political institutions. If the policies, institutions and procedures do not work for a small, socioeconomically disadvantaged minority, she asks, how good are they? Behrendt claims that in Australia, indigenous people are the measure of our legal norms and institutions, whether domestic or international. She argues that the practical outcome of using indigenous experiences as a measurement of the effectiveness of rights protections is that this will require an investigation and understanding of those unique experiences, histories, narratives and identities, bringing them to the centre of discussions over rights and democracy. This is true not only for Aborigines but for all without their rightful voice.

In the absence of the level of development recommended by Behrendt, Australian democracy is reduced primarily to the level of a popularity contest. However, the central moral tenet of the modern democracy is not simply that all adult individuals should have an equal opportunity or responsibility to vote for those who will lead them. An equally important principle is the right of people to be informed and speak freely, rather than be censored. A third and related democratic

principle is that the dreams of cultural minority groups and of every individual deserve to be sustainably supported, rather than crushed, by the voting majority and their dominant elites.

This democratic vision is widely considered to be the recipe for diverse and flourishing societies. However, it is primarily expressed in the Universal Declaration of Human Rights and related United Nations instruments rather than presenting itself through many contemporary cultural realities. The courts are fatally flawed supporters of any democratic vision and direction, as only the comparatively rich can normally use and benefit from them. The expression of democracy and cultural tolerance, therefore, should always be equated with the absolute necessity to raise and debate issues of concern as broadly and honestly as possible in any media, rather than to treat them narrowly, in adversarial courts, or else support a general absence of awareness by seeking automatically to shut up any view that seems unpleasant. Provision of the means to assist expression of the creative dreams of individuals, especially those in disadvantaged communities, is vital for continuous and sustainable social growth. Widely informed debate is central to the enabling process and all Australian education, research and communication related institutions need to promote this democratic vision in the national and international interest. The alternative path of personal silence and submission, which we have been directed down so often, usually leads back merely to the controlling ideology of the controlling group.

### **COMPARATIVE WELFARE OF AUSTRALIA'S INDIGENOUS PEOPLE**

In the 1996 census, indigenous people made up about 2.1% of the Australian population and this has now increased to 2.4%. There was a large increase in the indigenous population between the 1991 and the 1996 census. Some of this probably occurred because more people were willing to identify themselves as being indigenous in the later census. The indigenous population is younger than the total Australian population, with about half being less than 20 years old. About half of the total Australian population are less than 34 years old. About one in four indigenous people live outside of urban areas, compared with one in seven other Australians. Over half of all indigenous people live in NSW and Queensland. However, while one in every four people in the Northern Territory is indigenous, this is true of about one in every 50 people in NSW. At the 1996 Census about 41% of indigenous adults were employed, compared with about 57% of non-indigenous adults. The average weekly income for indigenous adults was \$189 for males and \$190 per week for females. For non-indigenous males the average income was \$415 per week, and for non-indigenous females it was \$224. Indigenous people were less likely to own their homes and less likely to have completed any studies after school compared with non-indigenous people. Indigenous people were also 50 times more likely than non-indigenous people to be living in a home with ten or more people.

In 1991-96, the life expectancy at birth was estimated to be 57 years for indigenous males and 62 years for indigenous females, compared with a life expectancy of over 75 for all Australian males and 81 for all Australian females. For almost every type of disease or condition, indigenous Australians die at younger ages than non-indigenous people. In most States and Territories, babies born to indigenous mothers are about twice as likely to have a low birth weight and more than twice as likely to die at birth compared with babies born to non-indigenous mothers. Indigenous people are more likely to smoke and to be overweight than other Australian adults. They are less likely to drink alcohol when compared with other Australians, but those who do drink are about three times more likely to do so at harmful levels. In the 1995 national health survey, indigenous people were more likely than non-indigenous people to report a number of long-term health conditions, such as asthma and diabetes. The evidence is that they also have higher rates of death from cancer and are more likely to have infectious diseases compared with non-indigenous people. They are more likely to be admitted to hospital than other Australians.

Dialysis, used to treat kidney disease, is the most common reason for hospital admission. Respiratory disease and injury are also major reasons for their hospital admission.

Indigenous people are also more likely than non-indigenous people to go to hospital or die because of self-harm, substance misuse and suicidal behaviour, all of which may commonly be related to mental illness, when found in the wider Australian population. The particular dimensions of the Aboriginal mental health problem are not known. However, it seems that indigenous people are particularly likely to suffer mentally or emotionally because of their exposure to violence, removal from family, poverty, racism and generally poorer physical health. In 1996-97 almost half of all women who were admitted to hospital for injuries reportedly caused by domestic violence were indigenous. In 1996/97 twenty percent of victims and 22% of offenders in intimate partner murders were indigenous. Aboriginal children are also more likely than non-indigenous children to be reported as victims of child abuse and neglect. Indigenous children are about 4 times more likely to be under care and protection orders and 6 times more likely to be in out of home placements. About 40% of children in corrective institutions for children were identified as indigenous in the 1996 Census.

These statistics raise the question of whether indigenous Australians are more or less likely to be diagnosed with mental disorders than others are. Do indigenous people miss out, comparatively speaking, on being given taxpayer funded drug treatments for their depression, anxiety, anger, or for more obscure and possibly dubious diagnoses, such as attention deficit hyperactivity disorder? Has the comparatively obvious link between indigenous cultural identity and the related health symptoms of oppression protected Aborigines, at least, from being primarily labelled mentally ill by professionals who may know very little about the patient, their current connexions, or their family and cultural background, but who nevertheless may give them drugs, supposedly as cures. Is an increasingly drug filled treatment route being taken by mental health professionals because they usually have neither the time nor inclination to listen to anything other than the answers to the professionally generated questions which supposedly relate to the making of diagnoses? Do indigenous people more commonly find their way alone to another drug of choice?

In general, there is not much known about the extent of disability among indigenous people, although they appear to use disability support services at least as much as non-indigenous people. Because indigenous people have poorer health and a lower life expectancy they may need access to aged care at younger ages than non-indigenous people. The former made up 12% of adults using the Supported Accommodation Assistance program, which helps people who are homeless, or at risk of being homeless. Indigenous adults are also more likely to be in corrective institutions. Almost 19% of adult prisoners in 1997 were identified as indigenous, and indigenous adults were over 14 times more likely to be in prison than non-indigenous adults. The most serious offence or charge was assault for about 25% of indigenous male prisoners but for only 14% of all male prisoners. The most serious offence or charge was also assault for 23% of indigenous female prisoners, compared with 11% for all female prisoners. Only about 1% of indigenous male and female prisoners had drug offences as their most serious offence or charge, compared with 10% of all male prisoners and 13% of all female prisoners.

### **STOLEN GENERATIONS – THE CENTRAL ISSUE OF INDIGENOUS HISTORY?**

Modern Australia began as a British penal colony to which free settlers were soon accepted. Throughout the 19<sup>th</sup> century the tribal subsistence and related cultural health of indigenous Australians suffered through their interaction with an increasing tide of immigrants and settlers who took control of all affairs in a way which also reflected the normal morality of the dominant, Anglo-Saxon culture. In another lecture I pointed out that up until the 1970s in Australia, any

young woman who conceived a child out of wedlock was invariably forced to have the baby adopted at birth, or to marry the father. This happened a lot, as abortion was dangerous and illegal, and virginity and monogamy have often been more honoured in the breach than the observance. Pregnancy followed by marriage occurred, for example, to quite a number of my friends from Brisbane, although this was hardly ever spoken about when I was growing up. Normally, a baby followed immediately after a speedy marriage, or less conspicuously, was secretly given up for adoption if the sexual match was not approved. My mother, a British immigrant from Southend on Sea, was relieved when the family moved to Brisbane from the Queensland country town where we grew pineapples on my uncle's farm during the 1950s. To her, a 'shotgun wedding' seemed the country girl's typical fate. She wanted more and better opportunities for her daughters.

How different has the situation of Aboriginal women been from that of their white sisters? Very. Through State Protection Acts passed at the end of the 19<sup>th</sup> century, governments could declare Aboriginal children wards of the state and control every aspect of their lives. Manne writes that in 1899 the Chief Protector of Aborigines in Western Australia, Henry Prinsip, wrote the following typical report:

The intercourse between the races is leading to a considerable increase of half-castes. Many of them find their way into the missions, but a far greater number are probably reared in native camps, without any sort of education, except a vicious one. Each half-caste, so brought up is a menace to the moral safety of the community.

Prinsip's aim was to transfer such children from Aboriginal camps to Christian missions. Standing in his way was 'the natural affection of the black mothers' and the fact that the law in Western Australia gave him no power to remove Aboriginal children without parental consent. In 1904, the Chief Protector of Aborigines in North Queensland was invited by the government of Western Australia to conduct a royal commission into the condition of the natives. Roth was the father of the policy of 'half-caste' child removal in Australia. Manne states that everywhere he went in WA he asked officials what they did about those he customarily called the 'half-caste waifs and strays'. Everywhere he was told the same story. The situation of these children was a menace to society and a moral disgrace. In his report Roth recommended making the Chief Protector in WA the guardian of all Aboriginal and 'half-caste' children up to the age of sixteen. In the 1905 legislation this was done. The forced removal of the 'half-caste' children, mainly to church run missions, could now begin in earnest (but obviously not at birth).

According to Manne, the most enthusiastic child removalist in those early days was James Isdell, the former pastoralist and parliamentarian who was appointed travelling protector for the north in 1907. Isdell apparently did not believe that the Aboriginal mother felt the forcible removal of her child more deeply than did a bitch the loss of a pup. 'I would not hesitate', he wrote, 'to separate any half-caste from its Aboriginal mother, no matter how frantic momentary grief might be at the time. They soon forget their offspring'. In an unpublished letter to a colleague, Isdell argued that the mother's conspicuous display of grief reflected exclusively the anticipated loss of the clothes or drink they had hoped to acquire by turning their daughters into whores. 'All Aboriginal women' he explained in official correspondence, 'are prostitutes at heart' and all Aborigines, 'dirty, filthy, immoral'. The preferred minimum age of removal was six. Because of the question of sex and reproduction, the removal of girls was considered more urgent than removal of boys.

In 1915 A.O. Neville, became Chief Protector of Aborigines in WA. Manne states that in general it appears the police cooperated uncomplainingly with the practice of 'half-caste' child removal. However, in 1919 Inspector Drewry, of Broome, sent a passionate protest to his commissioner.

‘This seizing and removal of children,’ he wrote, ‘is obnoxious to the police’. ‘Aboriginal mothers show great care for their ‘half-caste’ children. The children have the natural love for the mother’. The separation policy was utterly ‘inhumane’. If the Aborigines Department wanted to remove these children without just cause, ‘they should appoint officers of their own to do the dirty work’. Manne writes that although stung, Neville refused to be drawn into controversy. He satisfied himself with the observation that:

‘If the duty of bringing in half-caste children is obnoxious to the police, it is strange that this department has not been previously advised of this, in view of the hundreds of cases that have had attention’.

Neville apparently favoured the state-run Moore River Native Settlement over the Christian missions for the reception of separated ‘half-caste’ children. The missionaries allowed ‘half-castes’ to marry ‘full-bloods’, thereby, as he put it in 1933, continuing merely to ‘procreate their species, without any chance in life’. Manne writes that the Moore River Settlement in part served as an Aboriginal dumping ground, where indigents or those white society wished to drive away could be sent under warrant. In part this served as a place where ‘half-caste’ children were to be prepared for work in European society, as manual labourers if they were boys, and as cheap domestic servants, for which there was an insatiable demand, if they were girls. Manne reports that conditions at Moore River shocked even the ultra-cautious royal commissioner, Moseley. At the time of his visit, in 1934, the sum spent on each prisoner in Fremantle jail was seven times that spent on each inmate at Moore River. Mary Bennett, who worked at the Margaret River Mission, came to the Moseley Royal commission chiefly to expose to the world what she called the official state policy of ‘smashing up’ Aboriginal families. ‘Many of these poor children,’ she told Moseley,

‘are parted from their mothers, who are the only ones who do really love them, and their hearts are starved for want of love, but first for years they suffer the misery of hunted animals, always running away from the police.....They are captured at all ages....they are not safe until they are dead.’

Such criticism left Neville unmoved. In preparing for his evidence to the Moseley commission he wrote:

‘The half-castes will rapidly become an increasing incubus on the community...They have, like other cross-breeds, an inherent dislike of institutionalism or authority....They have to be protected against themselves...The sore spot requires the application of the surgeon’s knife for the good of the patient, and probably against the patient’s will’.

Manne notes that of all the racial anxieties concerning Aborigines of mixed descent none went deeper than the alarm Europeans felt when they encountered what they described as a ‘near white’ child, of a ‘half-caste’ mother and a European father, living among the blacks. Neville recommended the establishment of a home for ‘quadroons’ in 1932. At the time, Manne reports, the sterilisation of ‘half-castes’ was suggested. Far more commonly, however, a program to encourage intermarriage between ‘half-caste’ or ‘quadroon’ females and European males was suggested as the only practical solution to the ‘problem’ of the ‘half-castes’. This was seen as ‘breeding out the colour’, in a context where it was expected that tribal or ‘full blood’ Aborigines would not survive. In 1937, at the first conference of Aboriginal administrators, Neville posed the following question:

Are we going to have a population of 1,000,000 blacks in the Commonwealth, or are we going to merge them into our white community and eventually forget that there were any Aborigines in Australia.

The application of assimilationist welfare policies by States and Territories during the 1940s to the 1960s saw even greater numbers of indigenous children removed from their families for alleged neglect, poor school attendance or for medical treatment. In 1997 the Human Rights and Equal Opportunity Commission found that between one in ten and one in three indigenous people had been forcibly removed from their families and communities during the period 1910 to 1970. In this historical context of removing Aboriginal children from their parents and herding people onto reserves, one can clearly see why contemporary indigenous people feel so strongly about their right to manage their own affairs. One can also see why the right to individual self-determination is so vitally important for all children and their parents.

### **LAND, SELF DETERMINATION AND DEVELOPMENT**

The capitalist concepts of land ownership and related rights are obviously different from those which exist in tribal cultures which have been dominated, especially if the latter are nomadic. A contemporary problem for developing fair and appropriate policy is that the identification of Aboriginality must primarily be by self-identification and group acceptance, rather than lineage. Up until 1992 there was no legal recognition in Australia that Aboriginal people had any right to the land they had lived on for centuries, and whites generally moved onto the land they wanted. Through the process of declaring people wards of the state, Aborigines were often forcibly interned on reserves, and government or church authorities might then control all their employment, wages and savings. Particularly from the 1960s onwards, Aboriginal people and other Australians mounted successful pressure for recognition and greater justice for the community. In 1967 a referendum endorsed changes in the Constitution which gave Aboriginal people citizenship and the right to vote. Governments have been statutorily granting and purchasing land for indigenous Australians since the 1970s. However, the process of reconciliation, which includes addressing longstanding inequities and disadvantages experienced by indigenous people, promoting respect for indigenous cultures, and giving greater recognition to indigenous aspirations, formally began only in 1991. The Federal Parliament then unanimously supported reconciliation between indigenous and non-indigenous Australians and established an independent body to consult the community and develop reconciliation strategies.

In 1992 the doctrine of 'terra nullius' was overturned in the High Court of Australia. 'Terra nullius' was the legal fiction that Australia at the time of colonisation belonged to nobody and could therefore be taken over by the British. The High Court decision is known as the 'Mabo' decision after Eddie Mabo, who was one of five Torres Strait Islanders who went to court in 1982, arguing that colonial annexation had not extinguished existing land rights. In 1993 the Native Title Act established a process through which native title could be established. In 1996 the High Court's Wik decision found that native title can co-exist with a pastoral lease. The National Native Title Tribunal assists people to resolve title issues through mediation and making related agreements for many kinds of co-existence and development. Today, about 15% of Australian land is owned or controlled by indigenous people. However, about one in four indigenous people live outside rural or remote areas. Aborigines therefore live under varying legislation and conditions, with over half of them living in NSW or Queensland. In Queensland, for example, the Community Services (Aborigines) Act establishes the management structures for land governed by Aboriginal people, that is, for 'Aboriginal land'. This is defined by the Aboriginal Land Act of 1991, and primarily consists of former reserves. Related processes of native title determination may also be negotiated across Australia. For example, in Western Australia in

2002, an agreement was reached regarding the application of native title between the Karajarri people and fishing, pastoral, mining and pearling interests and the Commonwealth and Western Australian governments. The Karajarri People are the holders of native title over an area of more than 24,000 square kilometres south of Broome.

Until 2004, when it was abolished by the Commonwealth government in favour of a more decentralized approach to regional indigenous community development, the Aboriginal and Torres Strait Islander Commission (ATSIC) was the primary Commonwealth authority responsible for assisting self-management and development by regional Aboriginal communities. In 2002, the elected chairman of ATSIC, pointed out that of an overall figure of \$2.3 billion of Commonwealth funding for services to Aboriginal people and Torres Strait Islanders, the ATSIC budget was \$1.1 billion. Two large programs which accounted for more than half of the Commission's expenditure dominated ATSIC's budget. These were the Community Development Employment Projects (CDEP) program and the Community Housing and Infrastructure Program (CHIP). The former program had outlays of \$450 million in 2001-02 and the latter program outlaid \$240 million. In the second rank, in terms of ATSIC expenditure were:

- Native title and land rights
- Legal aid and prevention and diversion
- Commercial development
- A self-funding home loans scheme

Funding for the above programs ranged between \$30 million and \$60 million annually, depending on the program. Other smaller ATSIC programs supported indigenous broadcasting and other media; language maintenance; arts and crafts and other cultural activities; heritage and environmental protection; sport and recreation; and family reunion services for the 'Stolen Generations' (Link up). Expenditure of ATSIC's budget was not entirely at the discretion of the elected representatives. The Federal Government asked the Commission to guarantee minimum levels of expenditure on its three largest programs, CDEP, CHIP and Native Title. About two thirds of ATSIC's budget was subject to these requirements.

Other Commonwealth agencies continue to have major responsibilities in Indigenous affairs. The Department of Education, Training and Youth Affairs provides ABSTUDY and other indigenous education programs. The Department of Health and Aged Care provides services for primary health care, substance abuse, family violence, mental health and aged care services. The Department of Employment, Workplace Relations and Small Business is responsible for an Indigenous Employment Policy and the Department of Family and Community Services provides some public housing assistance. State and Territory governments have the same obligations to their indigenous citizens as to their non-indigenous ones. They are expected to provide basic services such as public education, hospitals, community services, public housing and municipal infrastructure, and equitable access to law and justice, including programs to combat domestic violence and substance abuse.

In his Charles Perkins Memorial Oration, presented at Sydney University in 2001, the Aboriginal leader Noel Pearson argued that Aboriginal society is being destroyed by what Pearson calls 'passive welfare' and a related 'substance abuse epidemic'. He pointed out that before 1967 many Aborigines had a low-paid but vital place in the northern Australian cattle industry. After the equal pay decision of the early seventies this was replaced by a demoralising dependence on welfare handouts. Pearson was careful to say he is not advocating a return to injustices of the pre

1967 period, but called for Aborigines to participate and be allowed to participate in the 'real economy' and not just the 'gammon' welfare economy. Pearson accordingly argues that:

'There must be no more unconditional support for substance abusers who do not change. ....Absolute intolerance of illicit drugs, absolute enforcement of social order and mandatory treatment is the core of the strategy.'

At this stage Pearson merely recommends that Aboriginal communities 'think about a period of prohibition' made by a 'democratic decision'. His is a vital new voice of regional leadership and development, supported by many others who seek to find better structures for indigenous self management within the broader regional communities. Related issues are address in the management examples and discussion below.

### **INDIGENOUS REGIONAL MANAGEMENT - A QUEENSLAND EXAMPLE**

Whether elected or appointed bodies rule over any organization, the danger is that they may seek to use their office primarily to garner favour with their most powerful supporters or constituents rather than governing in the interests of the entire community whose interests they are supposed to represent. Openness and good mechanisms for accountability are the best antidotes to this problem. Continuing community education and diverse communication are also vital for good government, as well as for economic and cultural development. Queensland has recently modified a local government model to support indigenous self-determination. Under the Queensland Community Services (Aborigines) Act, an Aboriginal Council is constituted as a body corporate and is elected every three years under the Local Government Act. Councils are also established as statutory bodies under the Statutory Bodies Financial Arrangements Act. A statutory body is required primarily to pursue the aims outlined in the legislation that governs it, using good commercial management. The structure of a statutory body contrasts with that of an Australian government department, which is not a commercial entity, and also with a private sector organization, which has the maximisation of economic returns to shareholders as its major aim. Understanding the differences in these organisational structures is important for achieving community goals and designing related commercial incentives.

Under the Queensland legislation an Aboriginal Council discharges the functions of local government of the area for which it is established, and is charged with its good rule and government, in accordance with the customs and practices of the Aborigines. It may make by-laws and enforce the observance of all by-laws lawfully made by it. An Aboriginal Council may make by-laws for promoting, maintaining, regulating and controlling:

- The peace, order, discipline, comfort, health, moral safety, convenience, food supply, housing and welfare of the area for which it is established
- The planning, development and embellishment of the area for which it is established
- The business and working of the local government of the area for which it is established

The chief executive of the Aboriginal Council is the officer charged with the responsibility for the administration of the Act, subject to the Minister. The Aboriginal Council may charge Aboriginal police with responsibility for ambulance services, fire fighting services, emergency services and other such services associated with the local government of the area, as it thinks fit. A stipendiary magistrate may be appointed to be responsible for one or more trust areas. That appointment does not limit the magistrate in exercising his or her functions under any other act. The magistrate appointed to a trust area is to visit it once every three months, or as necessary, to inspect the records of the Aboriginal Court. The magistrate and a clerk of the court of the



Magistrates court may communicate with any members of the Aboriginal Court and advise them of his or her opinions as to the harshness or leniency of sentencing, but members of the Aboriginal Court are not bound to follow such opinion. A clerk of the court of an Aboriginal Court who is requested under the act to provide a copy of Court records must take all reasonable steps to comply with that request.

## **ENVIRONMENT MANAGEMENT IN PROTECTED AREAS**

Aboriginal Council representatives in Queensland meet at an Aboriginal Coordinating Council which also liaises with an Aboriginal Industries Board. The role of the Aboriginal Coordinating Council is to consider and advise any person on matters affecting the progress, development and wellbeing of Aborigines, and to recommend to the Minister and the chief executive concerning matters affecting this and the administration of the act. The Coordinating Council also accepts grants or loans of money, to be expended in accordance with the terms and conditions on which it is received, or, if there are no such terms and conditions, in securing the progress, development and wellbeing of Aborigines in a range of areas nominated by the act.

The States are responsible for most management of natural resources, according to principles outlined in Environmental Planning and Assessment acts and related legislation. For example, in regard to fishing the States hold responsibility for the management of inland, estuarine and coastal fisheries out to three nautical miles from shore. Principle legislation is the Catchment Management Act, the Fisheries Management Act and the Marine Parks Act. The Commonwealth is responsible for fisheries management in waters between three nautical miles from shore and the edge of the Australian fishing zone, which extends 200 nautical miles from the shore.

Australian governments have been coordinating a nationally planned approach to aquaculture development and fisheries management. In NSW, the government recently received thousands of submissions in response to its call for nominations for recreational fishing areas. To assist development of the national Aboriginal fishing strategy it also held seventeen regional fisheries workshops with Aboriginal communities to develop an indigenous fishing strategy. These communities wanted:

- The cultural significance of indigenous fishing to be recognised
- More indigenous people involved in managing fish resources
- Greater community consultation with indigenous people

The national Aboriginal fishing strategy is also being strongly pursued in other States, particularly in Western Australia. I assume a consistent approach is appropriate for biological diversity, land management and related environmental issues.

More generally, Queensland environment groups have established a policy relating to Protected Areas as a guiding document for the Queensland Conservation Council. The concept and purpose of Protected Areas is the protection of natural and cultural values. The policy sets out a basis for achieving this without disturbing the Native Title of traditional owners. A major aim is to build agreement between environmental interests and Aboriginal traditional ways of achieving natural and cultural protection. The policy gives direction for working in consultation with rightful indigenous communities in regard to identification, protection and management of the nature and cultural values of traditional land and waters. The document also seeks to secure areas of high conservation value assessed on International Unit for Conservation of Nature Categories and other applicable criteria for the evaluation of natural and cultural values.

The Queensland Conservation Council recognises that the indigenous people of Australia are the original custodians of the country upon which Protected Areas are established. According to Aboriginal traditions and customs, they have ownership of lands and waters. Traditional ownership gives rise to responsibility to ‘care for country’ – analogous to a duty of cultural and environmental care. The High Court of Australia found the Common Law acknowledged this traditional ownership in the form of Native Title. The application of the policy and its related schedule of interests will be monitored and reviewed by the Queensland Conservation Council and its member groups through forums established for the purpose.

## **RECENT DEVELOPMENTS IN INDIGENOUS HOUSING POLICY**

As indicated earlier, about one in four indigenous people live outside urban areas. In 1992 all governments signed the National Commitment to Improved Outcomes in the Delivery of Services to Aboriginal and Torres Strait Islander Peoples. Signatories agreed to develop programs and services within the context of indigenous self-development principles. In 1994 the Commonwealth Government and the Aboriginal and Torres Strait Islander Commission (ATSIC) signed the National Indigenous Housing Strategy which proposed pooling housing and infrastructure funds and establishing stated based agencies controlled by Aboriginal people to administer the pooled funds. In NSW the Minister for Housing established the NSW Aboriginal Housing Development Committee which produced a report on Aboriginal housing policy in 1996, after exhaustive consultations with Aboriginal people and other relevant stakeholders. It recommended the establishment of a single Aboriginal Housing Agency, with an Aboriginal board reporting directly to the NSW Minister for Housing and with responsibility for overall coordination of planning and delivery of Aboriginal housing in NSW.

Ideally, the Aboriginal Housing Agency would manage housing funding formerly disbursed in a variety of ways under the Commonwealth State Housing Agreement and by the Aboriginal and Torres Strait Islander Commission (ATSIC). Further infrastructure support is envisaged as a result of the NSW Department of Local Government working in partnership with local government and shires associations of NSW to implement the National Commitment to Improved Outcomes in the Delivery of Services to Aboriginal and Torres Strait Islander Peoples. Local agreements between councils and Aboriginal communities about infrastructure needs and maintenance, as well as the provision of other council services are being developed. The Minister for Local Government will report to the Cabinet Committee on Aboriginal Affairs on these programs on an ongoing basis. The structure is designed to provides for more holistic, equitable and efficient planning and management of housing in regional areas, to support the development of a needs based approach to housing for Aboriginal and non-Aboriginal people alike.

## **PLANNING AND PROPOSALS FOR INDIGENOUS HEALTH PRIORITIES**

The NSW Aboriginal Family Health Strategy was designed in 1995 to address the most urgent issues relating to the occurrence of family violence and sexual assault in Aboriginal communities. It seeks to work within the context of Aboriginal Health. This is also a context in which self-determination is paramount, and health is properly defined as ‘not just the physical well-being of the individual, but also as the social, emotional and cultural wellbeing of the whole community’. In achieving this objective, priority is given to:

- Breaking the patterns of denial within communities and acknowledging both the incidence and unacceptability of family violence and sexual assault; and
- Providing protection and support to those seeking refuge and subsequent action from incidence of family violence and sexual assault

The strategy seeks to locate Aboriginal Family Health Service provision within existing services, and to support current work within communities. It also seeks to establish a network of safe houses in Aboriginal communities for the immediate protection of all Aboriginal people seeking care and safety. Among other things, it seeks to establish a coordination mechanism to support the family health infrastructure and to establish baseline data relating to family violence and sexual assault in Aboriginal communities. It is well recognised that domestic violence occurs in all communities. However, Bonnie Robertson's recent in-depth study has shown what a particularly horrific problem it may be for indigenous people. Consequently, the appointment of the sixth Queensland Domestic and Family Violence Council was made with the primary role of recommending on a range of domestic and family violence prevention issues with particular emphasis on indigenous family violence and the implementation of the amended Queensland Domestic Violence (Family Protection) Act. The Council comprises ten community members from across the State, as well as the Chief Stipendiary Magistrate and a representative from the Queensland Police Service.

Research a colleague and I undertook in NSW in the 1980s involved talking to women living in non-indigenous women's refuges throughout the State. This suggested that the presence of dependent children in a relationship increased the vulnerability of the female partner and exacerbated domestic violence. The 1986 Australian census showed that in the 15-19 years age group indigenous fertility was almost five times that of non-aboriginal people and is twice as high for the 20-24 years age group. Although Aboriginal fertility rates have halved in the last decade, in 2001 more than twenty percent of Aboriginal births were to women aged less than twenty years, compared with 4.2% of those to non-Aboriginal women. Effective family planning services appear vital for the prevention of family violence, especially in communities where poverty and alcohol are already major causes of stress. Children need to be protected by their communities, and young people of either sex deserve not to have their future unexpectedly disrupted by the overwhelming responsibility of providing for unplanned children. Australian women throughout the twentieth century fought for the right to the current full range of family planning services. In my view men should have similar rights to appropriate counselling and related services.

In 2000 the Curtin Indigenous Research Centre in Western Australia carried out a National Review of Aboriginal and Torres Strait Islander Health Worker Training. National minimum competency standards for health worker training were also established. I have not seen the final report, but in my view a basic understanding of Australia's holistic health goals and their related quality management requirements are a necessary part of all health education. Educational goals are most likely to be achieved when people can learn flexibly in distance mode, and through practice on the job, as well as in the classroom. In general, educational approaches need to be problem based and multidisciplinary as well as competency based. They also need to be evidence based and critical, in order to achieve continuous improvement in health outcomes.

## **CRIME PREVENTION THROUGH EDUCATION AND SOCIAL SUPPORT**

The NSW Standing Committee on Law and Justice noted that, while it fully supports the use of cautioning as a crime prevention method, particularly when used by the police in cooperation with other agencies, it had concerns such as:

- Cautioning does not appear to provide any incentives to change offending behaviour
- There appeared to be a lack of use of cautioning for Aboriginal offenders
- Young people are required to plead guilty before a caution can be issued

The NSW Department of Corrective Services has an indigenous inmate unit and a state-wide Aboriginal pre and post release program which aims to reduce re-offending behaviour and imprisonment rates among Aboriginal people who face problems associated with a lack of employment, education and training. The program operates in five areas and is currently being extended. However, one problem is that few Aboriginal prisoners are reaching the low-level security classification necessary to be able to reach work release programs. It also appears that Aboriginal prisoners make comparatively little use of current post release services. Planning has been suggested for indigenous transition services to be developed collaboratively with Aboriginal communities and other involved agencies. In his appearance before the Standing Committee on Law and Justice in 2000, the leading Australian crime prevention expert Ross Homel said:

The only evidence I see of real success in the reduction of violence and the improvement of conditions in Aboriginal communities anywhere in this country is where local people have genuinely taken some control over their situation.

The Committee welcomed further advice from indigenous communities and others about programs related to community based crime prevention, early childhood intervention, schools and crime prevention programs, employment programs and post-release programs. The poverty cycle can only be broken through learning employable skills, so targeting children to make sure they go to school, and targeting schools to make sure their programs are relevant and working well, should obviously be a priority. For example, some communities have built a local swimming pool and made access dependant upon adequate school attendance.

### **COMMUNITY DEVELOPMENT EMPLOYMENT PROJECTS (CDEP)**

In the management context outlined above, the apparent success of Community Development Employment Projects (CDEP) suggests that this program deserves expansion. CDEP was ATSIC's largest program and is often referred to as work for the dole. However, it is much more than that. Indigenous participants voluntarily forego their entitlements to income support payments in return for increasing training and work opportunities. CDEPs are ideally used as a stepping-stone into meaningful employment or small business and private enterprises. More than 36,000 people work in urban, rural and remote locations on a diverse range of projects and enterprises such as freight transport, fencing, waste control, horticulture, aquaculture, broadcasting, tourism, education and aged care.

The first CDEP started as a pilot project in 1976 to provide work opportunities for indigenous people in remote areas. In the last 26 years it has developed into 270 separate projects with funding, administered by the ATSIC, which reached \$469 million in 2001. The inaugural national CDEP Achievement Awards provide a glimpse into a range of apparently successful development projects and training initiatives across Australia. Reports of the event claim that CDEP is helping break the cycle of poverty, welfare dependence and low self-esteem but that it is a sad indictment of mainstream Australia that CDEP provides over 25% of Indigenous employment and masks the true extent of Indigenous unemployment across the nation.

### **CONCLUSION**

Isn't it now time for all regional community developers to call on the full range of allied forces to implement their plans? When I was young, perhaps about the same time Kim Beazley was dreaming of being Australian Defence Minister, I owned a tee shirt which said, 'Join the army, See the world, Meet interesting people, and kill them'. (A feminist friend of mine had one on which a sobbing woman said 'Nuclear War! There goes my career'.) I hope that today we can

work to plan development more consensually, consigning all such ugly social divisions to the dustbin of history. As an old media junkie, who admittedly rarely travels beyond a relationship with a computer, it also seems to me that, comparatively speaking, there is now considerable reason to be optimistic about the future, even before we are dead. Does more open communication, education and accountable management also seem the only way to go to you? I think it should also work in support of industry, including tourism, sport and recreation, the arts and crafts, and other forms of popular culture, in order to assist implementation of a holistic model of health and environment development in international, national and regional community contexts. You may follow your international sporting fixtures, but give me pictures of local indigenous games, or the imaginative thrill of cultural mixtures anytime! Have you seen Trobriand Cricket? Those missionaries who brought it did not know what they had started. Does anybody else out there have the tea towel which says, 'It will be a great day when our schools get all the money they need and the air force has to hold a cake stall to buy a bomber'?

### **ADDITIONAL READING:**

The information I have used in this lecture has been guided primarily by my own interests and emails about current publications on Aboriginal affairs, as they are discussed by leading Australian newspapers, which were sent to me from North Queensland on a daily basis for a year.

Aboriginal Health and Medical Research Council of NSW, Primary, Secondary and Tertiary Health Care Services to Aboriginal Communities: Core Functions of Primary Health Care in Aboriginal Community Controlled Health Services (ACCHS), AH&MRC Monograph Series, V.1, No. 1, 1999.

Aboriginal Housing Development Committee, Future Directions for Aboriginal Housing in NSW', Dept. of Urban Affairs and Planning, December, 1996.

Acting Federal Race Discrimination Commissioner, Face the Facts: Some Questions and Answers about Immigration, Refugees and Indigenous Affairs, Human Rights and Equal Opportunity Commission, Canberra, 2001.

Australian Bureau of Statistics and the Australian Institute of Health and Welfare, The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples, Canberra, 1999.

Carr, R. (Premier) and Refshauge, A. (Deputy Premier), The NSW Government Statement of Commitment to Aboriginal People, NSW Government, Sydney, 1997.

Manne, R. "The Colour of Prejudice", Sydney Morning Herald, Spectrum 4-5, February, 23-24, 2002.

(You might also like to see the film Rabbit Proof Fence. This is a story about three young girls from the Stolen Generation who escaped back to their mother by following the rabbit proof fence. The point of Manne's article is to show that the film, which is made by internationally famous Australian director, Phil Noyce, is not simply a Hollywood creation, but also a historically accurate portrayal of events - a true story.)

NSW Health, NSW Aboriginal Family Health Strategy, Word Map Pty. Ltd., Melbourne, (undated).

The Journal of Australian Indigenous Issues <http://www.qut.edu.au/chan/oodgeroo/journal.htm>