

INQUIRY INTO OVERCOMING INDIGENOUS DISADVANTAGE

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Date received: 6/12/2007

SISTERS OF



ST JOSEPH

The Director
Standing Committee on Social Issues
Legislative Council
Parliament House
Macquarie St
Sydney NSW 2000

SOCIAL ISSUES COMMITTEE

6 DEC 2007

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Friday 30 November, 2007

Dear Mr West,

Re: Overcoming Indigenous Disadvantage – Closing the Gap

This submission is presented on behalf of the NSW Josephite Justice Committee, a group established by the Sisters of St Joseph. The five congregations of the Sisters of St Joseph (numbering approximately thirteen hundred religious women) were founded in the mid-nineteenth century by Mary MacKillop and Julian Tenison Woods, to work with those suffering from poverty and social disadvantage in our society. The congregations have a long history of involvement with those most marginalised in the community (particularly families and children) in the areas of education, health and welfare.

We appreciate the opportunity to present this submission to the Standing Committee on Social Issues. It is hoped, that in addressing the issues named, the Committee may be in a favourable position from which it can provide all Governments, the community, and the media with a more informed basis from which just and long-lasting decisions may be taken.

Yours sincerely,

Jan Barnett rsj

For the Josephite Justice Committee NSW

SUBMISSION TO

The Standing Committee on Social Issues

OVERCOMING INDIGENOUS DISADVANTAGE –

CLOSING THE GAP

Submitted by

**Josephite Justice Committee
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28 November, 2007**

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SUBMISSION TO
Standing Committee on Social Issues
OVERCOMING INDIGENOUS DISADVANTAGE –
CLOSING THE GAP

INTRODUCTION

This submission is presented on behalf of the NSW Josephite Justice Committee, a group established by the Sisters of St Joseph. The five congregations of the Sisters of St Joseph (numbering approximately thirteen hundred religious women) were founded in the mid- nineteenth century by Mary MacKillop and Julian Tenison Woods, to work with those suffering from poverty and social disadvantage in our society. The congregations have a long history of involvement with those most marginalised in the community (particularly families and children) in the areas of education, health and welfare.

Our reflections in this submission are derived from our own involvement with Aboriginal Communities and families:

- **In schools in both the city and country** e.g. *Bourke, Walgett, Warmun, Port Augusta, Eden, Mount Isa*
- **in communities in remote and rural areas** e.g. *Mirrilingki, Kununurra, Coober Pedy, Yaruman, Bidyadanga*
- **in tertiary education** e.g. *Notre Dame (Broome Campus)*
- **in pastoral work in parishes and local communities** e.g. *Halls Creek, Lightning Ridge, Mount Druitt, Kuri Ngai Partners, Wadeye*
- **in health centres, crisis centres and institutions in prisons across Australia**, e.g. *Sydney, Brisbane, Port Augusta*
- **in Aboriginal Catholic Ministries**, e.g. *Melbourne Aboriginal Catholic Ministry, Brisbane Archdiocesan Murri Ministry*

FOCUS OF THIS SUBMISSION

This submission will focus on

1. the impact of health, housing, education, employment, imprisonment, and other infrastructures that cause Indigenous disadvantage;
2. concerns about the intervention in the Northern Territory;
3. the limitations of short-term commitments to current and recent policies and programs (including the Murdi Paaki COAG Trial);
4. recommendations for possible ways forward.

There has been significant research on Indigenous disadvantage within Australia. The well-documented facts indicate unequivocally the urgency of the issues being faced, the emphasis in reports on the need for long-term, substantive solutions, and the ongoing failure of governments at all levels to implement report recommendations.

In response to the crises in Indigenous communities, governments have either initiated a number of short term trials (such as the Murdi Paaki), which while positive in themselves, give no promise of the long-term implementation demanded by the depth and seriousness of the acknowledged disadvantage; or they have ignored recommendations altogether, arguing that 'practical' Reconciliation, seen almost exclusively in terms of economics, is the way forward. The worsening disadvantage (reinforced by a lack of will and limited financial commitment) demonstrates the failure of both these approaches.

Informed opinion across the community, which has been reiterated over and over again, points to the need for

- Long-term mandated objectives and strategies for improving living conditions, education and opportunities for Aboriginal people, supported by meaningful financial input, strong monitoring powers and real accountability;
- recognition of the need for substantive equality among stakeholders;
- effective leadership, especially at national level;
- bipartisan support within Parliaments, and between the States, the Territories and the Commonwealth; underpinned by

- real respect for, and partnership with, Indigenous leadership and communities in the development of ongoing policies and programs.

All elements are essential if any significant moves towards closing the gap are to occur. For families and children, strong support from an effective leadership (Aboriginal and Government) will demonstrate a clear valuing of Indigenous culture and its contribution to the entire Australian community. Long-term mandated objectives and strategies, supported by monitoring powers and real input of funds and accountability, will facilitate improvements in health, employment, housing, education and rates of imprisonment. Substantive, rather than 'formal', equality will lead to increased opportunities for families, and especially for young people, who embody our hopes for a united and vibrantly diverse Australia. Until these needs are met, our nation will not realise its potential. At the present time, we would consider that there are serious limitations in Government responses in all of the areas outlined above.

There is little doubt that much of the current debate is motivated by prejudice, lack of political will and fear – engendered by Governmental misrepresentation, hearsay evidence and the media. Significant and complex issues have been sensationalised, with simplistic solutions offered as serious options. Media publicity, and the resultant apprehension and adverse public opinion (reinforced by political point-scoring), have resulted in a political, economic and social situation which stands condemned by its own exploitation of events, its own political agenda, and indeed, by its own inhumanity.

We commend the Standing Committee on Social Issues for the establishment of this Inquiry. It is hoped, that in addressing the issues named, the Committee may be in a favourable position from which it can provide all Governments, the community and the media with a more informed basis from which just and long-lasting decisions may be taken.

AREAS OF CONCERN

Current Statistics

The 1967 referendum gave the Commonwealth power to legislate for indigenous people and required the census to count indigenous people as members of the Australian population.

Forty years on from the 1967 Referendum, Chris Graham, editor of the National Indigenous times, gives figures which clearly illustrate the gap between Indigenous and non-Indigenous Australians.

As he points out, the 'average Aborigine' correlates almost exactly with what those familiar with Indigenous affairs would expect to see:

- Indigenous Australians make up a little under 2.5% of the national population.
- The 'average Aboriginal' is 20 years old, which was the median age for the entire Indigenous population in 2001, versus 36 for the non-Indigenous population.
- He more than likely lives in a family of 3.5 people, compared to a white family which averages about 2.6 people.
- An Aboriginal male born today has a life expectancy of about 59 years. But the 'average Aboriginal' is already 20 years of age, so his life expectancy at birth was much less, probably around 54 years. So in seven years time - at age 27 - he will have already lived half his life.
- Nationally, the average indigenous Australian is about 15 times more likely to go to prison than a non-indigenous Australian.
- On the day an Aboriginal turns 25, about 6% of his countrymen will be in prison.
- In some areas of the country, as many as one in three Aboriginal males will go to prison at some stage in their life. So while the average Aboriginal may not, on average someone from his family is likely.
- He more than likely lives in a metropolitan or urban area - only about 25% of the indigenous population live in remote or very remote regions of Australia. Many regard this as an advantage, since if he'd been born in a remote region, his life expectancy would have been under 50 years of age.

- Superannuation is obviously of little relevance to him - he will likely die long before he can claim it.
- And he's unlikely to have any superannuation anyway. While the official unemployment statistics claim only about 20% of indigenous Australians are unemployed, the real figure is much higher (probably around 50%). More than 30,000 indigenous people are on the black work-for-the dole program (CDEP), yet still classified as employed.
- His average weekly household income (according to 2001 figures) was \$364, compared to \$585 for white households. Were he to live in a very remote area, his average weekly household income would have been \$267.
- His father, on average, is probably already dead, with 45% of Aboriginal men dying before the age of 45.
- The average Aboriginal's sister - if she marries - is 25 times more likely to suffer domestic violence than a non-Indigenous woman.
- On the education front, the average Aborigine is highly unlikely to have finished a Year 12 education - only about 38% of Indigenous students do, compared to 76% of non-indigenous students. On the balance of probabilities, he probably dropped out during Year 11 or Year 10 or earlier.
- Ironically, the longer he stayed at school, the worse his achievements (set against white students). In Year 3, he was more than likely to meet the national literacy benchmark. But by Year 7, he was already on average failing to meet the national numeracy benchmark.
- University is a pipe dream for him. In 2001, for example, less than 2% of the Indigenous population attended university, which was less than half of the proportion of the total Australian population that attended university.
- He's unlikely to ever own a home - only about one third of Indigenous Australians achieve home ownership, compared to three-quarters of the white population.
- As for his health, the average Aboriginal's outlook is horrendous. Life expectancy gap aside, he is almost certainly a smoker (49% of indigenous Australians are, compared to 22% of non-indigenous Australians).
- He's almost three times more likely to develop heart disease. And if he does present at a hospital, he's 40% less likely to receive diagnostic procedures

than his non-indigenous counterparts. And if he is admitted to hospital for his coronary problems, he's 2.3 times more likely to die than if he stays at home (where he's 1.4 times more likely to die).

- With the four worst rate of type diabetes on the planet, the average Aboriginal is 10 times more likely to have type 2 diabetes than a white Australian, and seven times more likely to be hospitalised because of it.
- If he marries, and his wife attempts to have children, she's 5 times more likely to die at childbirth.
- Because he's over 15 years of age, he's more likely to be obese or overweight – 61% more likely, compared to non-indigenous Australians (4%).
- Finally, the average Aboriginal being about five times more likely to commit suicide than a white Australian, with 108 indigenous male suicides per 100,000 population, compared to 21 for white Australians

Statistics such as these, of course, are clearly situated in a matrix of poor education, low levels of employment skills, high unemployment, distance from employment, poor housing, overcrowding, poor health, isolation from mainstream community services, low morale, a sense of powerlessness, anger, frustration, and apathy, and perhaps a developed sense of aggressive victimhood. Just how these interact with each other is a matter of some debate. That each of the factors impacts on the other is, however, beyond doubt.

Health in Aboriginal communities

Clearly, the health of Indigenous Australians is a matter of critical concern. According to a 2007 report by the World Health Organisation, Aboriginal health lags almost 100 years behind other Australians, and Aborigines are the unhealthiest Indigenous people of all the wealthy nations. In addition, the rate of illegal substance abuse has escalated in Aboriginal communities throughout Australia

In its pre-election publicity the ALP stressed that it is unacceptable that in a country as prosperous as Australia, the health of one group of citizens should be so much worse than the rest of the population. It is unacceptable that Indigenous people in Australia are still suffering from diseases more commonly associated with the third world – such as trachoma, rheumatic fever, and leprosy – in the 21st century. It is

also unacceptable that Indigenous people suffer as well from first world health problems, such as diabetes and heart disease, at disproportionately high rates.

Turning around Indigenous health needs to be based on a long-term investment in preventative medicine and comprehensive primary health care – that is, on directing the resources to where it is known that they will make the greatest difference.

Housing in Aboriginal communities

Housing is of critical importance in any process that aims to close the gap. The well documented inadequacies in Aboriginal housing place severe limits on satisfactory standards of living, including the right to shelter, food, clothing and adequate living conditions, liberty and security of persons, privacy, enjoyment of culture and participation in cultural life.

Reports from the past ten years have been a serious indictment of decades of government mismanagement and neglect in delivering the basic human right of housing to Indigenous Australians. Despite Minister Brough's comments blaming the previous ATSIC organisation for failures to improve Indigenous housing, the 2007 review by Price Waterhouse Coopers (PWC) found that governments are just as much, if not more, responsible for the program's failure as are Indigenous organisations. The NSW government's restrictions on housing plans in the Redfern area epitomises the continuation of this abuse.

The Redfern-Waterloo Built Environment Plan

The Government's current strategy aims to limit the Pemulwuy Project and its plan to redevelop the Block with residential housing, an Aboriginal business college, a retail centre and markets. This area has always been at the forefront of reconciliation, and the majority of Redfern's non-Indigenous families strongly support an ongoing Aboriginal presence here. It is clear from comments from the Executive Director of the NSW Property Council that the focus of the Redfern Waterloo development is not on the needs of the Aboriginal community, but on reducing Aboriginal presence in the area in order to meet the demands of big business.

The treatment of the Aboriginal community by the Housing minister, and the severe reduction in the number of dwellings proposed under the Pemulway Plan (despite its being awarded a number of architectural accolades and being seen as a model for other housing projects), indicate the intrusion of both commercial and political interests that shame the NSW Government and its professed lack of bias.

If there is to be any progress, it is critical that Governments accept responsibility for past failures, and consult more authentically with Indigenous peoples and organisations about Indigenous housing, including the design, delivery and maintenance of Indigenous housing and infrastructure. If Governments are serious about boosting Indigenous economic independence, they will also ensure that Indigenous peoples are trained to work in the housing sector so they can build and maintain their own housing stock and infrastructure.

Education and Employment

The correlation between education and employment has been reiterated over and over again in reports of the past decade. Education is key to both living standards and to employment. Substantial improvements in Indigenous labour force status will only occur with a significant improvements in relative educational status. Indigenous education policy in Australia has long been underpinned by an awareness that improvement of Indigenous educational outcomes is a necessary measure for ameliorating the future prospects of the Indigenous population.

Poor housing, overcrowded, limited resources, distance and health impact on access to educational opportunities. Students without space, books, equipment, lighting, and other requirements suffer severe disadvantage in education. In the areas of early child development and growth (pre-natal to age 3), early school engagement and performance (pre-school to Yr 3), positive childhood educational experiences and transition to adulthood, substance use and misuse, economic participation and development, the statistics remain clear and largely unchanged, despite trials that have been initiated. The 2007 National seminar, held in Darwin, revealed that only 20% - 30% of Aboriginal students in remote communities reach the minimum benchmark standards for literacy and for numeracy.

There are programs that have given promise. Specifically targeted courses, such as those offered at Australian Catholic University and Notre Dame Broome have provided Indigenous people with long term tools to move forward. The fledgling

efforts of the Mardi Paaki Trial to improve educational attainment and school retention are also indicators of future potential. They have ensured that conversations around the educational needs of children (and specifically pre-school children) are now part of the conversation, in a way that was not previously possible. They have heightened awareness as well of the need for substantive and ongoing adult education. Until trials become more than short term ventures, however, there is little hope of significant change.

Employment

Associated with low levels of educational attainment are low levels of Indigenous employment, which remains one of the most intractable of contemporary social issues for Indigenous communities. It is of concern that current reforms in industrial relations and labour market programs will, if anything, exacerbate this problem. Policies aimed at reducing or eliminating targeted educational support programs for Indigenous people in favour of mainstream programs risk undermining past gains in educational participation, and ultimately in employment.

Adult education is key. There is little doubt that those who will remain in communities will be, by and large, the current parents and adults. There is a clear need for formal industry-based qualifications for these people. Unless the Government recognises the huge capacity of these community members, and is prepared to expend the necessary resources to provide adult education, as well as the skills and training necessary for the communities to move forward, Indigenous disadvantage can only worsen.

The Criminal Justice System

The criminal justice system's disproportionate focus on Aboriginal people is evidenced by the fact that they are 27 times more likely to be in police custody, and nearly 16 times more likely to be in prison than non-Aboriginal Australians. Sixteen years after the report by the Royal Commission into Aboriginal Deaths in Custody, the rate at which Aboriginal people are being incarcerated has increased by 55 per cent. And this is exacerbated by current government attitudes. When politicians think that the way to look tough on crime is to increase imprisonment rates - as NSW has done, virtually doubling its rate over a decade - Aboriginal imprisonment rates will increase at a far faster rate than in the general population. This helps to explain

why one in every seven Aboriginal men and women and children in NSW has undergone at least one jail sentence, and why the rate of Aboriginal women being jailed is increasing at extraordinary rates.

Indigenous women have been described as the most legally disadvantaged group in Australia, and are the fastest growing prison population. Nationally, Aboriginal women are imprisoned at nearly 30 times the rate of non-Indigenous women. NSW has more Aboriginal women in prison than any other state. 31% of women in prison in NSW are Aboriginal, despite the fact that Aboriginal women make up only 2% of NSW's female population. Consistent with patterns of female offending, Indigenous women are more likely to be in prison for non-violent property offences than for violent offences.

The continuing increasing numbers of deaths in custody, highlighted by the public concern about the perceived injustices in the Palm Island case, indicate the magnitude of progress yet to be made in this area.

INTERVENTION IN THE NORTHERN TERRITORY.

Australians in general welcomed the Government's determination to address the longstanding situations of abuse and neglect in Aboriginal communities. Throughout the past decade, there has been rising concern about the crisis of disadvantage being suffered by many Indigenous communities across Australia. The reports of the past ten years, our own experience in Indigenous communities, and the clear statements of Indigenous leaders, have acknowledged unequivocally the need for urgent action. There has been concern, however, that the intervention has been high-handed and ideologically motivated, and that even the positive goals of improved health, education and protection in communities are problematic in their current form.

As the Mutitjulu community leaders have pointed out, when the Federal Government declared an emergency in their community in 2005, an administrator was appointed to the health clinic, and since then the situation has declined significantly. They have been without a doctor, they have fewer health workers, the council has been sacked and all the youth and health programs have been cut.

The situation is urgent. Yet it seems that the introduction of police and military through yet another arbitrary approach will do little more than deal with the

symptoms. Refusing to engage with all leaders (Indigenous and non-Indigenous) in coming to grips with the underlying, long-term issues will once more exacerbate, rather than solve, the enormous problems facing Indigenous people in this country.

Responses to the problems outlined in the 'Little Children are Sacred Report' must first and foremost be about providing the communities with services such as these and not contain other contentious or politically-driven agendas. Clearly, seizing Aboriginal land, removing the permit system, quarantining welfare payments or removing Aboriginal people from CDEP will not stop child abuse.

All Governments need to work in partnership with each other and with Aboriginal communities, if they are to even begin the complex and difficult process of overcoming Indigenous disadvantage in Australia.

Setting long term objectives and clear targets for improvement (like those proposed by Aboriginal and Torres Strait Islander Social Justice Commissioner, Tom Calma), need to be established within specific time-frames, with adequate investment, political accountability and a sense of national leadership. Bipartisan support at all levels of government is essential if this goal is to be achieved. As the UN Report points out, progress will not be made until all parliaments publicly acknowledge and deal with the causes rather than the symptoms of disadvantage. Only when the underlying causes – a combination of material deprivation and psycho-social stressors related to stress, alienation, discrimination and lack of control – are addressed, can this situation improve.

THE MURDI PAAKI COAG TRIAL

The goals of the Murdi Paaki Trial have aimed to come to grips with precisely the situation of Indigenous disadvantage outlined above. Set up after the scrapping of ATSIC, it has endeavoured to set in place strategies to improve the health, education and well-being of Indigenous people and to involve the communities in its development. There has been a professed commitment to the trial, and concrete initiatives have been set in place to achieve its goals. Its value has been positive:

- it has given a voice to Aboriginal people;
- it has ensured that issues such as early childhood needs are now being discussed in communities;

- it has raised awareness of the need for significant and ongoing adult education and skills training in communities
- it has given a focus for continuing discussion and planning; and
- it has strengthened awareness of areas of need.

The short term nature of this project however and uncertainty about future directions (especially following the Federal Government's intervention in the Northern Territory), have undermined much of the optimism and initiative generated by the plan. There have been other limitations as well. Despite its efforts to include in its membership all agencies working in communities, some representatives of agencies rarely attended meetings and consultations. At the same time, unresolved housing issues continue to exacerbate disadvantage. Communities also lack skilled and trained people with formal industry-recognised qualifications. And there is limited capacity at many levels of bureaucracy to work effectively with communities to respond adequately to needs. Finally, those most likely to remain in community – the parents and adults who will be required to lead the community into the future – lack the resources necessary for ongoing development.

Those committed in the Murdi Paaki COAG Trial have reiterated over and over again that the causes of disadvantage are deep-seated, and that the challenges are both complex and convoluted, requiring long-term, holistic and sustained commitment. Making substantial improvements will take decades rather than years, and long-term mandated objectives and strategies for improving living conditions and opportunities for Aboriginal people, supported by monitoring powers and real accountability; need to underpin projects such as this. At present, the absence of long term commitment severely limits the degree of trust in the project, and the capacity of the stakeholders to move forward in meaningful ways.

RECOMMENDATIONS

As is abundantly evident from projects such as this one, despite good will and positive efforts, the short term (and thus inherently deficient), government programs during the past decade have not reduced indigenous disadvantage. There appears to have been a lack of political will to come to terms with the complexity of Indigenous disadvantage. The absence of long-term mandated objectives and strategies has been reinforced by a lack of substantive funding, supportive monitoring powers and real accountability.

As this submission indicates, numerous reports on Indigenous disadvantage have reiterated over many years the reprehensible statistics on health, housing, education, employment, imprisonment and loss of culture. Recommendations have persistently stressed that closing the gap requires significant, persistent, lasting and real commitment of personnel and finance.

With many other groups, we recommend that this Government:

1. commit to the establishment of long-term mandated objectives and strategies for improving living conditions and opportunities;
2. support this commitment through clear monitoring powers and real accountability;
3. recognise that all elements of disadvantage are interrelated, and incorporate this recognition into programs and policies;
4. acknowledge the need for substantive equality among all those with a stake in the process;
5. demonstrate effective leadership at all levels;
6. build bipartisan support within the parliament, and with other states, the territories and the commonwealth
7. demonstrate concrete partnerships with Indigenous leadership and communities in the development of ongoing policies and programs.

It is impossible to overstate the need for long-term commitment, substantive support (financial and of personnel), and partnership with Indigenous leaders in all projects that are introduced. The goals of the Murdi Paaki Trial are commendable. They need however to incorporate the above features if they are to make truly significant

and long-term inroads into Indigenous disadvantage, which are essential to overcoming the unacceptable gap and shame in our Australian history and current reality.

CONCLUSION

Indigenous Australians are entitled to a distinct set of political, economic and cultural rights. History and current statistics demonstrate that the policies of the Governments of Australia have failed in their attempts to bring about the realisation of these basic human rights. For families, and especially for young people (Indigenous and non-Indigenous), who are the Australians of today and tomorrow, such policies undermine their dreams of a different tomorrow for Indigenous Australians. Only with self-reliance and greater personal responsibility, an acknowledgement of the importance of land and spirituality in Indigenous culture, formative educational opportunities (of a level and quality as that enjoyed by other Australians), community infrastructures and health services (which make it possible to be healthy in body and in spirit), and a strong sense of government partnership in the process, will it be possible to move forward in a meaningful way. Even within the complexity of the current realities, change is possible. Good will and commitment can make it so.