



Indigenous communities dealing with family violence and abuse: recognising 'promising practice' and learning from achievements

Family violence and abuse occurs at unacceptable rates in Aboriginal and Torres Strait Islander (Indigenous) communities. We have heard many tragic stories of women, children and young people who have experienced devastating sexual abuse and family violence. It is a scourge that is causing damage and trauma among Indigenous communities, to our women and children, and to the fabric of Indigenous cultures.

The past eighteen months, in particular, has seen significant and sustained media coverage of these issues. Stories of violence and abuse are important and demand to be heard and acted upon. Despite this, however, mainstream media have not reported much about how Indigenous peoples and communities nationally are positively responding to family violence, abuse and neglect.

Across Australia, there are many examples of Indigenous community led initiatives to deal with the devastating impacts of family violence and abuse, and to prevent its occurrence in the first place. Sometimes this is occurring due to the efforts of a single individual, with limited or no government support. Sometimes it is emerging in the face of government inaction or in the face of government bureaucracy that responds slowly, over-cautiously, inflexibly or unimaginatively to these difficult and intransigent problems. In other circumstances, it is occurring through partnerships with individual government agencies, the NGO sector or the courts that are striving to do things differently.

This report highlights existing initiatives aimed at dealing with family violence and abuse in Indigenous communities, and ultimately preventing harm to our women and children.

These initiatives are described as 'promising practice' as opposed to 'best practice'. *Part 1* explains this focus on promising practice, as well as definitions and some of the key concepts of family violence and abuse in Indigenous communities.

The case studies provided in this report also complement research undertaken by the Human Rights and Equal Opportunity Commission over the past five years into family violence and abuse in Indigenous communities. A summary of that research was released in 2006 in the publication: *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*.



Part 1 of this report also recaps on the key challenges for addressing family violence in Indigenous communities identified through this earlier research, and the key elements of a human rights based approach to family violence.

Part 2 of the report then presents case studies of promising practice in dealing with family violence and abuse in Indigenous communities. The case studies are presented under the following themes:

- Community education and community development;
- Healing;
- Alcohol management;
- Men's groups;
- Family support and child protection;
- Safe houses; and
- Offender programs.

Part 3 of the report then draws together the common themes from the case studies and lessons for holistic intervention to prevent violence and abuse in Indigenous communities.

What this chapter shows is that, quite simply, there are many Indigenous individuals, organisations and communities that are working tirelessly to combat family violence and abuse, even if the mainstream media does not report this. As I have argued previously:

we need to confront family violence, but also do so by reinforcing the inherent worth and dignity of Indigenous peoples, not by vilifying and demonising all Indigenous peoples.¹

This collection of case studies goes some way to recognising the positives and celebrating the victories of dedicated Indigenous peoples across Australia, as well as acknowledging the often severe hardships and challenges that they continue to face.

¹ Aboriginal and Torres Strait Islander Social Justice Commissioner, Ending family violence and abuse in Aboriginal and Torres Strait Islander communities, HREOC, Sydney, 2006, p5.



Part 1: Challenges for addressing family violence and abuse in Indigenous communities

Definitions of family violence and child abuse

Over the years there have been enough reports and inquiries into family violence and abuse in Indigenous communities to fill all the bookshelves of politicians and bureaucrats around the country.

In the past eighteen months, for example, the following significant reports have been released:

- *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred'*² – Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse;
- *Breaking the Silence: Creating the Future. Addressing Child Sexual Assault in Aboriginal Communities in New South Wales*³ – The report of the NSW Aboriginal Child Sexual Assault Taskforce; and
- *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*⁴ – an overview of research and findings of the Human Rights and Equal Opportunity Commission related to family violence and abuse in Indigenous communities.

An overview of the major inquiries and reports across all Australian jurisdictions is provided in Appendix 2 of this report. The appendix also provides an overview of the responses of all governments to these reports, including through joint agreement at the Council of Australian Governments (COAG).

The term 'family violence' is the preferred terminology that identifies the experiences of Indigenous people. It is much broader than the regular definition of 'domestic violence' and recognises the complex interaction of different factors that contribute to violence and abuse in Indigenous communities. Previously, I have defined family violence as:

any use of force, be it physical or non-physical, which is aimed at controlling another family member or community member and which undermines that person's well-being. It can be directed towards and individual, family, community or a particular group. Family violence is not limited to physical forms of abuse, and also includes cultural and spiritual abuse. There are interconnecting and trans-generational experiences of violence within Indigenous communities.⁵

Similarly, my Office has noted that:

Indigenous women's experience of discrimination and violence is bound up in the colour of their skin as well as their gender. The identity of many Indigenous women

2 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred'* Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007.

3 *Aboriginal Child Sexual Assault Taskforce, Breaking the Silence: Creating the Future, Addressing child sexual assault in Aboriginal communities in NSW*, Attorney General's Department, Sydney, 2006.

4 *Aboriginal and Torres Strait Islander Social Justice Commissioner, Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*, HREOC, Sydney, 2006.

5 *Aboriginal and Torres Strait Islander Social Justice Commissioner, Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*, HREOC, Sydney, 2006, p6.



is bound to their experience as Indigenous people. Rather than sharing a common experience of sexism binding them with non-Indigenous women, this may bind them more to their community, including the men of the community.

Strategies for addressing family violence in Indigenous communities need to acknowledge that a consequence of this is that an Indigenous woman 'may be unable or unwilling to fragment their identity by leaving the community, kin, family or partners' as a solution to the violence.⁶

Child sexual abuse is one of the most horrific crimes imaginable, but it is not the only form of abuse that occurs. In this report I adopt a broad definition of **child abuse**. As set out in Text Box 1 below, child abuse includes sexual abuse, physical abuse, emotional abuse and neglect.

Text Box 1: Definition of child abuse

Sexual abuse: any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards.

Physical abuse: any non-accidental physical injury inflicted upon a child by a person having the care of a child.

Emotional abuse: any act by a person having the care of a child which results in the child suffering any kind of emotional deprivation or trauma. This includes witnessing family or domestic violence.

Neglect: any serious omissions or commissions by a person having the care of a child which, within the bounds of cultural tradition, constitute a failure to provide conditions that are essential for the healthy physical and emotional development of a child.⁷

Measuring Violence and Abuse in Indigenous Communities

Family Violence

Measuring family violence in Indigenous communities is notoriously difficult and all data should be treated with caution.

The best attempts to establish a statistical picture of family violence are hampered by the low levels of reporting to police. Similarly, when we try and establish how many Indigenous people are involved as offenders in the criminal justice system as a result of family violence we have even greater problems due to the way data is collected. Data is collected on the Indigenous status of the offender and the most serious offence, but not on the relationship of the victim to the offender so we have no way of knowing whether the offence fits the family violence category.⁸ Where

6 Aboriginal and Torres Strait Islander Social Justice Commissioner, Ending family violence and abuse in Aboriginal and Torres Strait Islander communities, HREOC, Sydney, 2006, p6.

7 Poole, L. and Tominson, A., *Preventing child abuse in Australia: Some preliminary findings from an Australian Audit of Prevention Programs, National Child Protection Clearinghouse*, Australian Institute of Family Studies, Melbourne, 2000, p10.

8 Al-Yaman, F., Van Doeland, M., and Wallis, M., *Family Violence Among Aboriginal and Torres Strait Islander Peoples*, AIHW cat. no. FHW 17, Australian Institute of Health and Welfare, Canberra, 2006, p99.



the Indigenous status of the victim is recorded, the relationship with the offender is not reported.

Despite the limitations of the data we do know that nationally 28.5% of all Indigenous offenders in custody were sentenced for 'acts intended to cause injury'.⁹ This is 2.7 times higher than the non-Indigenous rate¹⁰ and makes up the majority of offences committed by Indigenous people as at 30 June 2006. Sexual assault makes up around 10% of all sentenced Indigenous prisoners.¹¹ Once again, we do not know the relationship of the offender to the victim but we can safely assume from this data that violence is a significant problem for Indigenous offenders.

Text Box 2 sets out some of the key statistics that are available in regard to family violence.

Text Box 2: Key statistics in family violence and family violence offenders

Victims

The ABS 2002 National Aboriginal and Torres Strait Islander Social Survey (NATSISS) found that:

- 21.2% of Indigenous people reported family violence as a problem in their community;
- 8.1% reported sexual assault as a problem in their community;¹² and
- 18.3% of Indigenous women experienced physical or threatened abuse in the past 12 months, compared with 7% of non-Indigenous women.¹³

Offenders¹⁴

- 28.5% of all Indigenous offenders in custody were sentenced for 'acts intended to cause injury'.¹⁵
- 10% of all Indigenous offenders in custody were sentenced for sexual assault offences.¹⁶

9 SCRGSP (Steering Committee for the Review of Government Service Provision) 2005, *Overcoming Indigenous Disadvantage: Key Indicators 2005*, Productivity Commission, Canberra, p129.

10 SCRGSP (Steering Committee for the Review of Government Service Provision) 2005, *Overcoming Indigenous Disadvantage: Key Indicators 2005*, Productivity Commission, Canberra, p130.

11 SCRGSP (Steering Committee for the Review of Government Service Provision) 2005, *Overcoming Indigenous Disadvantage: Key Indicators 2005*, Productivity Commission, Canberra, p129.

12 ABS (Australian Bureau of Statistics) 2004, *National Aboriginal and Torres Strait Islander Social Survey, 2002*, Cat. no. 4714.0, Canberra.

13 SCRGSP (Steering Committee for the Review of Government Service Provision) 2005, *Overcoming Indigenous Disadvantage: Key Indicators 2005*, Productivity Commission, Canberra, p152.

14 There is no way of knowing if the victim was also Indigenous and therefore a case of family violence. However, this still indicates that violence is a problem for Indigenous men and communities

15 SCRGSP (Steering Committee for the Review of Government Service Provision) 2007, *Overcoming Indigenous Disadvantage: Key Indicators 2007*, Productivity Commission, Canberra, p251.

16 SCRGSP (Steering Committee for the Review of Government Service Provision) 2007, *Overcoming Indigenous Disadvantage: Key Indicators 2007*, Productivity Commission, Canberra, p251.



Child Abuse

The Australian Institute of Health and Welfare collates child protection data.¹⁷ The most recent child protection data shows that nationally, Indigenous children are:

- 7 times more likely to be in *out of home care* than non-Indigenous children;¹⁸
- 5 times more likely to be the subject of a *substantiated* case of abuse;¹⁹ and
- 6 times more likely to be on a *care and protection order*.²⁰

There is considerable variation between jurisdictions. Table 1 below shows the number and rate of Indigenous children on care and protection orders, compared to non-Indigenous children. For instance, in Victoria the rate of care and protection orders for Indigenous children is 52.8 per 1,000, while in the Northern Territory it is only 11.4 per 1,000. Given what has come to light in the Northern Territory recently, this may say more about systemic failures of the child protection system (such as under-reporting) than the actual level of abuse. Issues around under reporting will be discussed further below.

Table 1: Children on care and protection orders: number and rate per 1,000 children aged 0-17 years, by Indigenous status and state and territory, at 30 June 2005²¹

State/territory	Number of Children			Rate per 1,000 children		
	Indigenous	Other	Total	Indigenous	Other	Total
New South Wales	2,113	6,507	8,620	33.0	4.3	5.4
Victoria	682	4,976	5,658	52.8	4.3	4.9
Queensland	1,342	4,515	5,857	21.9	5.0	6.0
Western Australia	660	1,123	1,783	21.6	2.5	3.7
South Australia	322	1,231	1,553	27.3	3.7	4.5

17 It should also be taken into account that there is no National Minimum Data Set (NMDS) for Child Protection, although there are efforts underway to establish one. Each state and territory has its own legislation, policies and practices in relation to child protection, and this can account for some of the differences between jurisdictions in the data provided.

18 Australian Institute of Health and Welfare, *Child Protection 2005-2006*, Child welfare series no. 40. Cat. no. CWS 28. Canberra: AIHW, 2007, p11.

19 Australian Institute of Health and Welfare, *Child Protection 2005-2006*, Child welfare series no. 40. Cat. no. CWS 28. Canberra: AIHW, 2007, p26.

20 Australian Institute of Health and Welfare, *Child Protection 2005-2006*, Child welfare series no. 40. Cat. no. CWS 28. Canberra: AIHW, 2007, p44.

21 Australian Institute of Health and Welfare, *Child Protection 2005-2006*, Child welfare series no. 40. Cat. no. CWS 28. Canberra: AIHW, 2007, p39.



Tasmania	94	622	716	11.5	5.7	6.1
Australian Capital Territory	70	394	464	37.4	5.3	6.1
Northern Territory	281	133	414	11.4	3.8	7.0

It is notable that Indigenous children are far more likely than non-Indigenous children to be the subject of a substantiation of neglect. For instance, in Western Australia around 40% of Indigenous children were in contact with child protection services for neglect, compared to only 30% of non-Indigenous children.²²

The high level of neglect is inconsistent with the popular media images of child abuse associated with sexual assault. It is, however, consistent with what we know about the socio-economic conditions of many Indigenous communities. Overcrowding, unemployment and lack of services are all hallmarks of the disadvantage that breeds neglect. The discussion on abuse needs to consider the role of government failure to provide adequate services and opportunities in fostering these conditions, as well as focusing on the responsibilities of families and communities.

However, all of these statistics need to be treated with caution. The Anderson and Wild report, *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred'* is the latest in a long line of reports that argues that child abuse is chronically under reported in all communities, but especially Indigenous communities. This is partly due to fear built on past experiences that:

- the child victim of abuse will be ostracised by the community;
- a past history of interaction with powerful authorities presently represented by FACS and Police (history of Stolen Generations);
- possible removal of the child from the community (history of children never returning); and
- the perpetrator going to jail and implications of this in terms of community repercussions (memory of deaths in custody).²³

Anderson and Wild also found that feelings of shame prevented some people from reporting, especially in the light of negative media portrayals that stereotype all Indigenous men as abusers. Feelings of ambivalence also reduced reporting, given that many of the experiences of reporting abuse have been negative and had little benefit for the child or community.²⁴ In the context of remote Northern Territory communities there was also a lack of understanding about what actually constitutes

22 Australian Institute of Health and Welfare, *Child Protection 2005-2006*, Child welfare series no. 40. Cat. no. CWS 28. Canberra: AIHW, 2007, p43.

23 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p77.

24 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p77.



sexual abuse, an inaccessible reliance on English in the reporting process and no police to report to.²⁵

It is not just community members that are failing to report abuse. Anderson and Wild also found that some service providers who are mandatory reporters under legislation are also reluctant to report abuse for similar reasons around the inadequacy of the child protection response.²⁶

Causes of violence and abuse

Violence

It is impossible to provide the definitive explanation of why family violence is such a significant problem in Indigenous communities, given the complexity and range of different circumstances. However, Paul Memmott, Rachael Stacy, Catherine Chambers and Catherine Keys, in their comprehensive report, *Violence in Indigenous Communities*, provide a useful framework. They argue that causes should be categorised as *underlying factors*; *situational factors*; and *precipitating causes*.²⁷

Underlying factors relate to the historical experience of Indigenous peoples. Contemporary violence cannot be separated from past experiences of colonisation, including the forcible removal of children from their families. Many communities have not recovered from colonisation. For instance, the Memmott report notes that Indigenous communities in Queensland with the worst incidence of violent crimes are all former missions.²⁸

Situational factors contribute, rather than cause violence. There is an almost endless list of situational factors but some of the most common are:

- family problems;
- financial problems;
- loss of close family members;
- unemployment;
- mental health problems;
- anger;
- alcohol and other drugs;²⁹
- pornography;³⁰

25 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p77.

26 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p78.

27 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p11.

28 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p14.

29 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p18.

30 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p19.



- boredom,³¹
- lack of available resources and programs to prevent violence,³²
- a subculture that tolerates violence,³³ and
- poverty.³⁴

Text Box 3: Examples of situational factors affecting Aboriginal and Torres Strait Islander peoples

Life stressors

The National Aboriginal and Torres Strait Islander Social Survey (NATSISS) of 2002 demonstrates that Indigenous peoples are much more likely than non-Indigenous people to experience situational factors that contribute to violence.

The NATSISS reported 82% of the Indigenous population had experienced at least one life stressor in the previous 12-months.³⁵ The ABS defines a life stressor as: a serious illness; accident or disability; the death of a family member or close friend; mental illness; divorce or separation; inability to obtain work; involuntary loss of a job; alcohol or drug-related problems; witnessing violence; being the victim of abuse or violent crime; trouble with the police; gambling problems; incarceration of self or a family member; overcrowding; pressure to fulfil cultural responsibilities; and discrimination or an experience of racism.³⁶

The role of alcohol

The role of alcohol as a situational factor that contributes to family violence requires special mention. The Little Children are Sacred Report pleads for what it calls the 'scourge of alcoholism' to be addressed. This is the case, particularly given the increase of alcohol consumption in the Northern Territory which has gone from 2.3 to 3.0 billion litres in the six years from 2000-2006.³⁷ The Report emphasised the place of alcohol as an underlying problem in Indigenous communities, specifically noting the causal links between alcohol consumption and family violence. The Report outlines that although there is a lack of accurate estimates on the extent of alcohol related violence, that in a substantial proportion of cases, family violence has been committed under the

31 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p19.

32 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p20.

33 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p20.

34 As noted in the *Social Justice Report 2005*, chronic stress (in particular, psychosocial stress that is associated with an individual's perception of lacking control over what happens in their environment) is associated with men's violence against women. Studies from the United States associate poverty with higher levels of domestic violence. As we know, (often extreme) poverty is a significant factor affecting Indigenous individuals and communities in Australia. This is compounded by other stressors that Indigenous people are more likely to experience: such as, racism and an individual's perception of the lack of collective control that their community exercises in relation to its culture and its affairs. See further: Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2005*, Human Rights and Equal Opportunity Commission, Sydney, 2005, pp 23-26.

35 Australian Bureau of Statistics (ABS), *National Aboriginal and Torres Strait Islander Social Survey 2002*, ABS cat. No. 4714.0, ABS, Canberra p5.

36 Australian Bureau of Statistics (ABS), *National Aboriginal and Torres Strait Islander Social Survey 2002*, ABS cat. No. 4714.0, ABS, Canberra p79.

37 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p16.



influence of alcohol.³⁸ It goes on to maintain that the association between alcohol abuse and violence is one that acts as a dis-inhibitor which exacerbates emotional instabilities and therefore creates tendencies towards violence.³⁹

The 2004 ABS National Drug Strategy Household Survey (NDSHS 2004) also illustrates this linkage. The Survey asked participants whether, in the last 12 months, they had been verbally abused, physically abused or put in fear by any person affected by alcohol, and illicit drugs. Details of the relationship of the offender to the victim among other information were obtained.

The number of people who identified as Aboriginal and/or Torres Strait Islander in the 2004 NDSHS was 463. As this is a relatively small sample, the results should be interpreted with caution. However, 42% of these respondents reported that they had experienced verbal and/or physical abuse and/or were put in fear by someone under the influence of alcohol; and 21% by someone under the influence of illicit drugs, in the 12 months prior to the survey. Almost one-third (30%) of the alcohol and/or illicit drug-related verbal abuse was inflicted by a current or ex-spouse or partner; with just over one-quarter (26%) of the physical abuse inflicted by a current or ex-spouse or partner.⁴⁰

The Drug Use Monitoring in Australia (DUMA) project also provides information on the impact of alcohol and other drugs. The project began in 1999 and seeks to measure drug use among detainees who have been arrested in the previous 48 hours and are being held in custody. The data is used to examine issues such as the relationship between drugs and property and violent crime, monitor patterns of drug use across time, and help assess the need for drug treatment amongst the offender population.⁴¹

The most recent data for Darwin from 2006, reveals that 68% of males and 75% of females detained in police watch houses reported heavy alcohol use in the 48 hours before their apprehension. This figure rises to 82 and 83 per cent respectively for heavy alcohol use in the 30 days prior to apprehension. Three quarters of all detainees participating in the Survey self identified as Indigenous.⁴²

38 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p226.

39 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p225.

40 See the presentation of this data and the links to family violence explained in Al-Yaman, F., Van Doeland, M., Wallis, M., *Family Violence in Indigenous Communities*, Australian Institute of Health and Welfare (AIHW). AIHW cat. no. IHW 17, Canberra, 2006, pp33-36, available online at: <http://www.aihw.gov.au/publications/index.cfm/title/10372>, accessed 21 November 2007.

41 See: <http://www.aic.gov.au/research/duma/about.html>, last accessed 22/01/2008.

42 Mouzos, J., Hind, N., and Adams, K., *Drug Use Monitoring in Australia: 2006 annual report on drug use among police detainees*, Research and public policy series, no. 75, Australian Institute of Criminology, Canberra, 2007, p114.



Precipitating causes are the triggers to violence and can be almost anything, for instance:

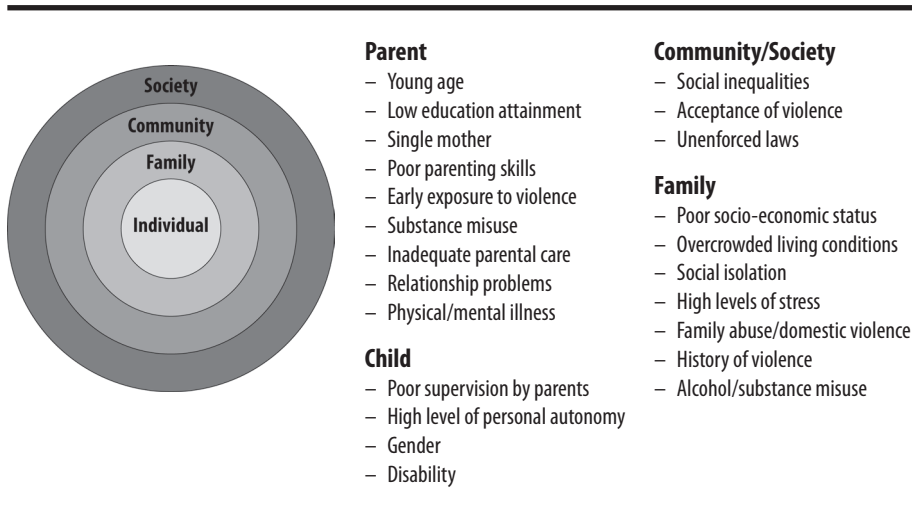
making a pass at a defacto; quarrelling between husband and wife; children fighting at school; accidentally knocking someone over at sport; arguing over a game of cards; 'driving past' a persons house; not inviting someone to a wedding or birthday; borrowing something and forgetting to give it back; disagreeing over the ownership of a sports uniform; the arrival of a 'stranger' in town; spreading false rumours; carrying yarns; and making a put down remark.⁴³

The point of this framework is that it shows that interventions need to target all of the causes and factors holistically, from dealing with the trivial triggers through to history and entrenched social issues.

Child Abuse

The causes of child abuse and neglect are also complex and inter related. As Diagram 1 below shows, risk factors for child abuse or neglect can be found at parent, child, family and community levels. The risk factors listed below apply to all communities, not just Indigenous communities. However, the social disadvantage that many Indigenous people face means that more of these risk factors apply.

Diagram 1: Multi-level risk factors associated with child abuse⁴⁴



The presence of a risk factor in a child or family situation does not mean that child abuse or neglect will follow. The majority of Indigenous families care for their children well, despite the odds often being stacked against them. Another common misconception is that all children who have been abused will go on to perpetrate abuse on others. Once again, the majority will not. Our best estimates are that

43 Memmott, P., Stv bacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p21.

44 Alice Springs Town Camps Taskforce, *Alice Springs Town Camps Review Taskforce Report 2006*, Department of Local Government, Housing and Sport, 2006, p64.



around 30% will go on to become abusive parents.⁴⁵ Notwithstanding, we need to put proper services in place to try and break this cycle of violence. We also need to recognise the resilience of so many individuals in Indigenous communities.

There is no 'magic bullet' to solve the problems of family violence and abuse in Indigenous communities. However, we know that there are a range of program areas that must be addressed holistically to promote change. These program areas include:

- Support programs;
- Identity programs;
- Behavioural change;
- Night patrols;
- Refuges and shelters;
- Justice programs;
- Dispute resolution;
- Education and awareness raising; and
- Holistic composite programs.⁴⁶

Adopting a human rights based approach to family violence and abuse

The Human Rights and Equal Opportunity Commission has advocated that a human rights based approach be adopted to address issues of family violence and abuse in Indigenous communities.⁴⁷

A human rights based approach takes into account the multitude of factors impacting on the capacity for Indigenous women and children to enjoy freedom from violence and abuse. It recognises that:

- Indigenous women, children and men are entitled to live their lives in safety and with dignity, free from fear of violence or abuse. This is a cultural and human right.
- Indigenous women's experience of discrimination and violence is a complex intersection of inequality based on race and gender.
- Indigenous people have the right to full and effective participation in decisions which directly or indirectly affect their lives, including participation and partnership in program planning, development, implementation and evaluation.
- There are broader social and economic factors which impact on the enjoyment of rights by Indigenous people, with a consequent need for a holistic approach that addresses the causes and consequences of violence and abuse.⁴⁸

45 Pocock, J., Stanley, J., and Tominson, A., 'Child abuse and neglect in Indigenous Australian communities', in *Child Abuse Prevention Issues*, No 19, Spring 2003, Australian Institute of Family Studies, Melbourne, 2003, p6.

46 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001.

47 See for example, Human Rights and Equal Opportunity Commission, *A human rights based approach is vital to address the challenges in Indigenous communities*, Press Release, 26 June 2007, available online at: www.humanrights.gov.au/about/media/media_releases/2007/45_07.html.

48 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities: Key issues*, HREOC, Sydney, 2006.



A human rights based approach also emphasises transparency and accountability. The development of rigorous benchmarking, monitoring and reporting systems allows the measurement of the exercise and enjoyment of people's rights over time. A human rights based approach offers an integrated framework which connects and considers all human rights, thereby providing a holistic response to, and addressing the causes and consequences of, violence and abuse in Indigenous communities.

The United Nations *Common Understanding of Human Rights Based Approach to Development Cooperation* sets out necessary elements of policy development and service delivery under a human rights based approach as follows:

1. People are recognised as key actors in their own development, rather than passive recipients of commodities and services.
2. Participation is both a means and a goal.
3. Strategies are empowering, not disempowering.
4. Both outcomes and processes are monitored and evaluated.
5. Analysis includes all stakeholders.
6. Programs focus on marginalized, disadvantaged, and excluded groups.
7. The development process is locally owned.
8. Programs aim to reduce disparity.
9. Both top-down and bottom-up approaches are used in synergy.
10. Situation analysis is used to identify immediate, underlying, and basic causes of development problems.
11. Measurable goals and targets are important in programming.
12. Strategic partnerships are developed and sustained.
13. Programs support accountability to all stakeholders.⁴⁹

The *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities* report identified ten key challenges for addressing family violence and child abuse issues from a human rights perspective. These are contained in Text Box 4 below.

Text Box 4: A human rights based approach to addressing family violence and child abuse in Indigenous communities – key challenges⁵⁰

- 1. Turn government commitments into action:** Governments have been making commitments to address family violence for some time already. What we need is concerted, long term action which meets these commitments.
- 2. Indigenous participation:** This action must be based on genuine partnership with Indigenous peoples and with our full participation.

49 United Nations, *Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation*, United Nations, 2006, available online at: http://ohchr.org/english/about/publications/docs/FAQ_en.pdf, accessed 5 October 2007. For discussion of a human rights based approach in the Australian context see: Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2005*, HREOC Sydney 2005, pp138-146.

50 Reproduced from Aboriginal and Torres Strait Islander Social Justice Commissioner, *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*, HREOC, Sydney, 2006, pp5-6.



- 3. Support Indigenous community initiatives and networks:** There are significant processes and networks already in place in Indigenous communities to progress these issues. We need to support them to lead efforts to stamp out violence, including by developing the educational tools to assist them to identify and respond to family violence.
- 4. Human rights education in Indigenous communities:** There is a need for broad based education and awareness-raising among Indigenous communities. Working with communities to send strong messages that violence won't be tolerated, that there are legal obligations and protections, and that individuals have rights, are critical if we are to stamp out family violence.
- 5. Don't forget our men and don't stereotype them as abusers:** Family violence is fundamentally an issue of gender equality. We need strong leadership from women, but we also need the support of Indigenous men if we are to make progress in stamping out violence. Indigenous men need to model appropriate behaviour, challenge violence and stand up against it, and support our women and nurture our children.
- 6. Look for the positives and celebrate the victories:** There are good things happening in Indigenous communities, even if the national media is not interested in reporting them. We need to confront family violence, but also do so by reinforcing the inherent worth and dignity of Indigenous peoples, not by vilifying and demonising all Indigenous peoples.
- 7. Re-assert our cultural norms and regain respect in our communities:** Family violence and abuse is about lack of respect for Indigenous culture. We need to fight it as Indigenous peoples, and rebuild our proud traditions and community structures so that there is no place for fear and intimidation.
- 8. Ensure robust accountability and monitoring mechanisms:** There must be accountability measurements put into place to hold governments to their commitments. This requires the development of robust monitoring and evaluation mechanisms. These will also allow us to identify and celebrate successes.
- 9. Changing the mindset:** We require a change in mindset of government from an approach which manages dysfunction to one that supports functional communities. Current approaches pay for the consequences of disadvantage and discrimination. It is a passive reactive system of feeding dysfunction, rather than taking positive steps to overcome it. We need a pro-active system of service delivery to Indigenous communities focused on building functional, healthy communities.
- 10. Targeting of need:** Let us be bold in ensuring that program interventions are targeted to address need and overcome disadvantage. As it stands, government programs and services are not targeted to a level that will overcome Indigenous disadvantage. Hence, they are not targeted in a way that will meet the solemn commitments that have been made. They are targeted to maintain the status quo.



Part 2: Case studies of Indigenous communities tackling family violence and abuse

This part of the report contains 19 case studies organised around the themes of:

- a) Community education and community development;
- b) Healing;
- c) Alcohol management;
- d) Men's groups;
- e) Family support and child protection;
- f) Safe houses; and
- g) Offender programs.

The case studies were selected following consultation with experts and Indigenous peak groups, as well as inviting contributions from government agencies.⁵¹

The case studies address all of these different areas in innovative ways. Taken together they show the breadth of intervention required to address family violence and abuse.

Looking at 'promising practices' provides us with the opportunity to learn. It reminds us that there is already a great deal of knowledge and expertise about how to confront violence and abuse. Like so many areas of Indigenous policy, we need to look at what is already achieving results and find ways to extend and if possible, replicate these successes.

I have deliberately chosen the term 'promising practice' over 'best practice'. Best practice is a term from the business world and states that best practice approaches need to be 'replicable, transferable and adaptable'.⁵² The Aboriginal Healing Foundation in Canada has noted:

The problem with 'best practices' as I've been experiencing it, is that it comes out of the research that is decidedly not Aboriginal. We have to convince academics and particularly funders that there are alternative forms of practice.⁵³

Indigenous communities are diverse. This means that we need to be very careful about proclaiming best practice, transplanting it to another community and then just expecting it to work. 'Promising practice' is a slightly more tentative term, but still allows us to recognise and develop strengths.

A common feature across many areas of Indigenous affairs is that a lack of funding and capacity has prevented formal evaluation. That is also the situation with some of the programs featured in the case studies in this report – another reason why the term 'best practice' is not the most appropriate term to use.

51 A series of letters were sent by the Social Justice Commissioner inviting people or government agencies to nominate particular programs or services for their effectiveness for consideration. We also considered recent research and evaluation work undertaken by Australians for Native Title and Reconciliation (see: *Success Stories in Indigenous Health*); the Secretariat for National Aboriginal and Islander Child Care and Australian Institute of Family Studies (*Promising practices in out-of-home care for Aboriginal and Torres Strait Islander carers, children and young people: profiling promising programs*); and Reconciliation Australia (Indigenous governance awards and governance research program).

52 Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 3, Promising Healing Practices in Aboriginal Communities*, Ontario, 2006, p5.

53 Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 3, Promising Healing Practices in Aboriginal Communities*, Ontario, 2006, p6.



All of the case studies have demonstrated significant improvements in the lives of individuals, families and communities, yet we cannot always conclusively demonstrate this through the statistical evaluation data that governments' privilege. One of the challenges that this demonstrates is to listen to communities and ensure that evaluation is conducted in a situational and culturally appropriate way.

The case studies presented here all provide an insight into what is working and for whom, why and how. This should stimulate and inspire others to learn from these experiences.



a) Indigenous Community Education and Community Development Initiatives

Community education and community development approaches may hold the key to preventing family violence and abuse in Indigenous communities into the longer term. Community education and in particular human rights education, sends the message that family violence is not acceptable and will not be tolerated. Community development activities go one step further to identify and build community capacity to develop and sustain positive change.

Community education, in the context of family violence and abuse prevention, aims to:

- raise awareness about the incidence of violence and abuse in the community;
- promote anti-violence messages;
- reinforce that violence is not part of Indigenous culture and won't be tolerated;
- promote the legal obligations and rights of individuals; and
- offer appropriate referrals information to services for further support.

Research into family violence and abuse has consistently highlighted the need for community education and awareness-raising. Memmott and others argue that community education programs are vital 'early proactive'⁵⁴ strategies that can 'counter any likelihood of violence as soon as possible'.⁵⁵

Recently, the *Little Children are Sacred* report identified the critical importance of education in both the formal school system and at the community level. The report states:

All information gathered leads us to conclude that education is the key to solving (or at least ameliorating) the incidence of child sexual assault in Aboriginal communities. By education, we not only mean that which occurs in schools, but that which occurs in its wider context, i.e. with communication and media. Education must clearly explain:

- the importance of education as a means in itself;
- that sexual contact between adults and children is NOT normal;
- what sexual abuse is;
- that attending school is compulsory;
- that in dealing with children, parents' responsibilities are paramount i.e. that the parents must TAKE RESPONSIBILITY for their children:
 - attending school
 - being fed
 - wearing clean clothes
 - not wandering the streets unsupervised

54 Memmott, P., Stacy, R., Chamber, S., and Keys. C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p3.

55 Memmott, P., Stacy, R., Chamber, S., and Keys. C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p3.



- learning traditional law and culture
- obeying both Aboriginal and European law.⁵⁶

Specifically in relation to the need for community education about sexual abuse, the report stated:

Little information is actually communicated to the general Aboriginal population in any real, effective way. Governments have a tendency to speak, in English, to a few Aboriginal people who often do not have the resources to widely disseminate that information. Thus, important information gets “bottle necked”, yet governments feel they have communicated this information to Aboriginal people. As a result, many Aboriginal people remain powerless because they do not have access to information. It is the Inquiry’s view that, regardless of whether it is a public health message, changes to legislation or providing information about child sexual abuse, information must be communicated to Aboriginal people in their local language if we are serious about properly engaging with Aboriginal people.⁵⁷

The report identified an urgent need for education on:

the nature and types of child sexual abuse, other forms of child abuse and neglect, their significant detrimental effects to the child, family and community, and other concepts, such as the age of consent and what non-Aboriginal laws say about these matters.⁵⁸

It recommended that a range of community education projects be undertaken to raise awareness of and prevent child sexual abuse, with a particular emphasis on:

- developing appropriate resource information on sexual abuse and conducting regular media campaigns that explains what sexual abuse is;
- expanding delivery of mandatory reporting training to professionals including school staff;
- utilising high profile Aboriginal men and women to provide positive, proactive leadership on the prevention of sexual abuse and the setting of appropriate community norms for sexual behaviour;
- ensuring messages are in language and delivered through a number of mediums; and
- ensuring sexual health and personal safety programs are in all schools as part of the curriculum.⁵⁹

56 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle ‘Little Children are Sacred’ Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p15.

57 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle ‘Little Children are Sacred’ Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p157.

58 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle ‘Little Children are Sacred’ Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p157.

59 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle ‘Little Children are Sacred’ Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p160.



Research has also consistently shown that effective education must be community driven. Community members are best equipped to respond to issues as they have first hand knowledge of the family violence and abuse dynamics and the social capacity of the community itself.⁶⁰

The *Little Children are Sacred* report also recognises this by calling for governments to engage 'in a dialogue with communities to discuss the particular education that might be needed in a specific community and how that education can best occur'.⁶¹ This partnership approach also reflects an essential component of a human rights based approach to addressing family violence and abuse. Namely that:

Partnerships require: the full and effective participation of indigenous peoples; the opportunity for indigenous peoples to identify concerns, prioritize them and propose solutions that are community driven; and respect, and support indigenous peoples' chosen form(s) of representation, including traditional or customary authority structures.⁶²

Successful community education programs build on the knowledge, as well as the specific needs of the community. An anti-violence campaign for an urban area like Redfern will most likely have different content and delivery than a campaign for a remote Aboriginal community (where there is likely to be a lower level of awareness of concepts of sexual abuse and its unlawfulness, as well as less access to enforcement mechanisms such as police and child protection workers).

Community education goes hand in hand with community development. Community development refers to a way of working *with* rather than *for* communities to increase their capacity and ability to find their own solutions. Community development and capacity building often needs to take place before communities are able to take ownership of community education activities.

Community development helps community generate their own solutions and build on strengths. Often this leads to a recognition and revitalisation of traditional laws and cultural knowledge to establish positive norms that challenge violence and abuse.

This section highlights the following promising practices in relation to community education and community development:

- i. *Blackout Violence Project* – a community education project based in Redfern using sport as the medium to communicate anti-violence messages;
- ii. *Mildura Family Violence and Sexual Assault Campaign* – a public awareness campaign against family violence and sexual assault developed in partnership with the local community and Victoria Police;

60 Memmott, P. 'Community-Based Strategies for Combating Indigenous Violence', in *UNSW Law Journal*, 25(1), 2002, p221.

61 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p160.

62 Human Rights and Equal Opportunity Commission and United Nations Permanent Forum on Indigenous Issues, *Engaging the marginalized: Report of the Workshop on Engaging with Indigenous Communities*, United Nations Workshop – International Conference on Engaging Communities, Brisbane, 15 August 2005, available online at: http://www.humanrights.gov.au/social_justice/conference/engaging_communities/index.html#link1, accessed 18 November 2007.



- iii. *Koora the Kangaroo Violence Prevention* – a school based anti-violence campaign;
- iv. *Mawul Rom Project* – a training program blending traditional and contemporary dispute resolution methods; and
- v. *Balgo Women's Law Camp* – a community cultural development project reinforcing culture and developing strategies against family violence and abuse.

These programs share some common features. They:

- are driven by the community;
- recognise the diversity of Indigenous people and respond to the needs of individual communities;
- build on community knowledge and strengths; and
- are based on partnerships with government and non-government organisations.

i) *Blackout Violence Project*



Blackout Violence Project:
Tackling family violence head on
at the annual Aboriginal Rugby
League Knockout.

The *Blackout Violence Project* is a community generated anti-violence campaign that began in Redfern, NSW. It uses rugby league as a vehicle for getting anti-violence messages out to the community and provide information about available services and support for victims of violence.

Redfern is an inner city suburb in Sydney and one of the best known Indigenous communities in Australia. The Redfern Aboriginal community centres around 'the Block' in Eveleigh St. While Redfern has a permanent Indigenous population of only 251 people (or 3.4% of the suburb's population),⁶³ it has historically been a meeting place that attracts Indigenous people from around New South Wales and Australia. There are also large Indigenous populations in surrounding suburbs.

Redfern is identified with the struggle for Indigenous rights. It is home to some of the founding Indigenous community controlled organisations such as the Redfern Aboriginal Medical Service. Whilst there are a number of serious social problems in Redfern, compounded by the transient nature of the population passing through, there are also a number of well respected and effective services and a tradition of strong advocacy for the community.

63 Australian Bureau of Statistics, *2006 Community Profile Series-Redfern (RC) – Pt A (Statistical Local Area)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdataabs.gov.au>, accessed 9 November 2007.



The *Blackout Violence Project* grew from the outcry of local Aboriginal women following the violent sexual assault of a woman at 'the Block'. The perpetrators were confronted by the women who then held a peaceful protest in the streets of Redfern. More than 100 people attended the protest, along with speakers emphasising that something needed to be done about the problem and that community responsibility needed to be taken. Eventually the two men responsible for the rape were shamed into leaving the area.

These actions demonstrated the powerful nature of non-violent action. The community then began considering how to get the message that family violence and abuse is unacceptable across to a bigger audience, leading to the *Blackout Violence Project*. The Project itself is the product of the collective effort of organisations such as Mudgin-gal Women's Centre, Redfern Legal Centre, the Metropolitan Land Council as well as the Inner City Domestic Violence Action Group.

The *Blackout Violence Project* initially used popular National Rugby League games to launch its anti-violence campaign. The message behind the campaign as described by Mudgin-gal Aboriginal Women's Corporation representative, Dixie Link-Gordon is simple:

Enough is enough. Family violence has no part in our culture. It is not the Koori way and it needs to stop.⁶⁴

The objectives of the *Blackout Violence Project* are to:

- increase awareness in the community of the impact of violence and what action can be taken against it;
- send a strong message to the wider Aboriginal community of the unacceptable nature of family violence and abuse;
- provide community ownership and responsibility over community issues; and
- demonstrate the leadership of the NSW Aboriginal Rugby League community.

Blackout Violence used the 2004 NSW Aboriginal Rugby League Knockout to officially launch the campaign. Being the largest gathering of Aboriginal people in NSW, the knockout was the perfect opportunity to get the information out to as many people as possible.

Over 80 teams wore purple armbands to show their support of the anti-violence message. The players each had messages on the back of their jerseys in support of the program and over 2,000 information kits were distributed to players and spectators throughout the four day knockout carnival. These contained information on how to access support and services for those enduring abuse as well as outlining information to assist in the prevention of violence.

Approaching its fourth year of operation, the *Blackout Violence Project* is now looking at taking the next step in addressing family violence. The Project has focused heavily on raising community awareness of the effects of family violence on Aboriginal families across NSW.

⁶⁴ Link-Gordon, D., in ANTaR, *Success stories in Indigenous health: A showcase of successful Aboriginal and Torres Strait Islander health projects*, ANTaR, 2007, p22, available online at: http://www.antar.org.au/images/stories/PDFs/SuccessStories/success_stories_final.pdf, accessed 16 October 2007.



Phase two of the Project looks at building on the success of the original project, by linking up with interstate community organisations in the hope of expanding the Blackout message. The project is currently co-ordinating with other groups, including Queensland's Murri Sisters group and networks within the north-western NSW community of Brewarrina.

The *Blackout Violence Project* has received numerous government and community accolades since its inception in 2004. It was recognised at the 2004 NSW Violence Against Women Prevention Awards and has recently been documented as a successful program in the ANTaR publication, *Success stories in Indigenous health: A showcase of successful Aboriginal and Torres Strait Islander health projects*.⁶⁵

Blackout Violence has not been formally evaluated but the success and community support for the project has been overwhelming. Dixie Link-Gordon notes that:

from the minute we rolled out the project, we were swamped with non-stop phone-calls on information about the project and how it could be used to model similar strategies back in other communities.⁶⁶

The impact of *Blackout Violence* has led to other community education projects, such as *'Enough is Enough'*, a project aimed at the broader community of Redfern.

The success of the program has led to the employment of a part time education officer who, in conjunction with community organisations such as the Redfern Legal Centre and Wirringa Baiya Aboriginal Women's Legal Centre, is working on an education package. The package shows women and other interested parties how to go about setting up their own family violence support groups and includes other important information on family violence prevention and training.

Blackout Violence has been running for three years with a high level of success and for most part, with very little government funding. Following the *NSW Violence Against Women Prevention Award* funding was received from the federal Department of Families, Community Services and Indigenous Affairs (FaCSIA) for a one year period.

The project is inevitably limited in the absence of any secured long term funding. The project will continue to run alongside community initiatives such as the Inner City Domestic Violence Action Group, but its future outside of that remains unclear.

The project is already overstretched, with current funds only being sufficient to support the employment of an education officer for 18 hours a week. This is a particularly small amount of time to effectively facilitate the workings of an already overworked, under resourced, but much needed community program.

65 ANTaR, 'Success stories in Indigenous health: A showcase of successful Aboriginal and Torres Strait Islander health projects', 2007, p22, available online at: http://www.antar.org.au/images/stories/PDFs/SuccessStories/success_stories_final.pdf, accessed 16 October 2007.

66 Link-Gordon, D., *Communication with the Social Justice Commissioner's Office*, 18 October 2007.



Lessons from the *Blackout Violence Project*

Community engagement

The *Blackout Violence Project* picked the perfect timing and setting to launch the project. The Rugby Knockout is one of the biggest days on the Koori calendar. Dixie Link-Gordon maintained that it was the best time to acknowledge the normalisation of violence as well as the importance of family support for those affected:

Our tolerance of violence and abuse is desensitised and that is not good for children, Elders or ourselves. Community support over an issue such as this is essential, because alienation and lack of family backing are some of the major reasons why people refuse to come forward and report family violence and abuse.⁶⁷

Connecting the issue to rugby also made use of good Indigenous male role models, reaching out to younger men who can be difficult to influence in community education campaigns.

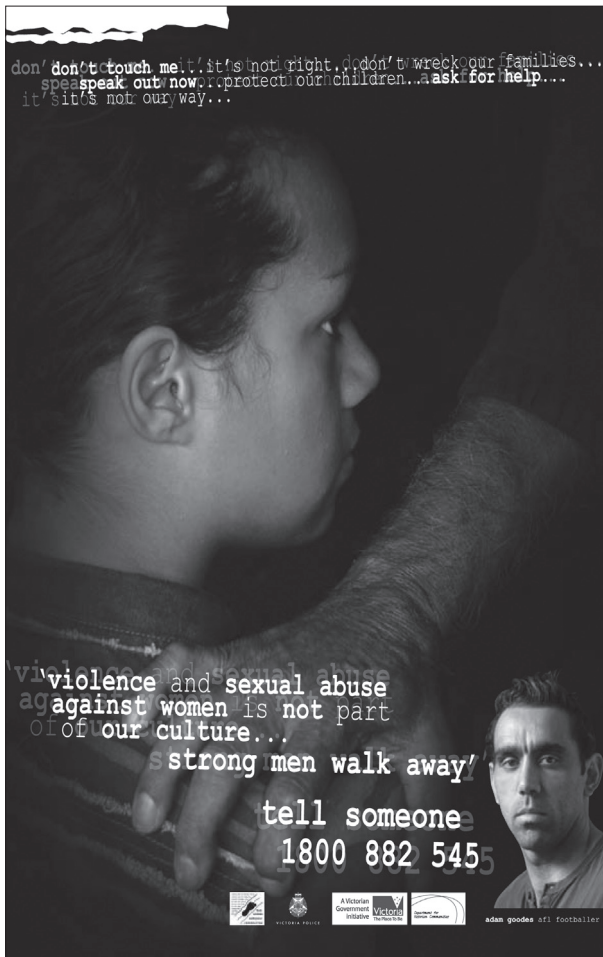
Community generated

Blackout Violence developed organically in response to a terrible incident of abuse but tapped into broader community demands to take a stand against family violence. It is significant that the community felt they had a win by staging the protest. According to Rob Welsh, Chairman of the Metropolitan Aboriginal Land Council, those who attended the rally were 'convinced that they [now] had the power to change the behaviour of the local community'.⁶⁸ This sense of empowerment created a strong foundation for the *Blackout Violence Project* to develop.

67 Link-Gordon, D., *Communication with Social Justice Commissioner's Office*, 18 October 2007.

68 Welsh, R., Address to ANTaR Forum, Redfern Town Hall, 25 June, 2005, available online at: http://www.ncca.org.au/__data/page/1836/WS_3_-_Goal_5.pdf, accessed 9 October 2007.

ii) Mildura Family Violence and Sexual Assault Awareness Campaign



Mildura Family Violence and Sexual Assault Campaign

Victoria Police, in consultation the local Mildura Indigenous community, have developed a series of television commercials and posters to communicate anti-violence messages. What makes this campaign unique was the very strong partnership with the community, which has led to improved community/police relations.

Mildura is a major regional and agricultural centre in Victoria. It is on the Victorian and NSW border and has a population of almost 50,000. Like many rural towns across Australia, Mildura has been hard hit by the drought, impacting on a range of social indicators.



The Indigenous population for the region is 1,433 people, or 2.9% of the population,⁶⁹ which is slightly higher than the Australia average of 2.3% of the population.⁷⁰ The traditional owners of Mildura are the Latje Latje people.

Although Mildura is a regional centre and reasonably well resourced in terms of social services, including Indigenous organisations like the Mildura Aboriginal Corporation and the Murray Valley Aboriginal Cooperative, Indigenous people still lag behind on a number of social indicators. There is a 23.5% Indigenous unemployment rate,⁷¹ compared to 5.6% for non-Indigenous people in Mildura and only 11.3% of Indigenous people in Mildura have completed Year 12.⁷² Anecdotally, family violence, abuse and anti-social behaviour amongst young people, are all reported as important issues that the local Indigenous community would like to tackle.

Description of the *Mildura Family Violence and Sexual Assault Awareness Campaign*

The campaign came out of Victoria Police consultations with local Indigenous community representatives for the pilot of the Sexual Assault Investigation Model. During consultations, the Mildura Aboriginal Corporation and the Murray Valley Aboriginal Cooperative identified the lack of accessible and culturally appropriate information regarding sexual assault, as well as the normalisation of sexual assault and family violence.

Acting on this information Victoria Police provided funding to initiate a community awareness campaign, to be developed in partnership with the community. This process commenced in July 2005. The partnership involved all relevant Indigenous groups working in the area, including:

- Mildura Aboriginal Corporation;
- Murray Valley Aboriginal Cooperative;
- local and regional Family Violence Action groups (part of the Indigenous Family Violence Partnership Forum);
- local and regional Aboriginal Justice Advisory Committees (part of the Victorian Aboriginal Justice Advisory Committee);
- Aboriginal Family Violence Legal and Prevention Service ; and
- Koori Court representatives.

69 Australian Bureau of Statistics, *2006 Community Profile Series– Mildura (RC) –Pt A (Statistical Local Area)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed on 1 November 2007.

70 Australian Bureau of Statistics, *2006 Community Profile Series– Mildura (RC) –Pt A (Statistical Local Area)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 1 November 2007.

71 Australian Bureau of Statistics, *2006 Community Profile Series– Mildura (RC) –Pt A (Statistical Local Area)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 1 November 2007.

72 Australian Bureau of Statistics, *2006 Community Profile Series– Mildura (RC) –Pt A (Statistical Local Area)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 1 November 2007.



One of the project managers from Victoria Police, who was involved in the process, noted that community groups were initially 'very suspicious' about Victoria Police's commitment to the concept.⁷³ However, a great deal of trust was built as the relationships emerged and it became clear that the campaign really was community centred (for example, with Victoria Police having minimal input into the content of the advertisements).

The funding primarily came from Victoria Police. In total it cost around \$110,000 to produce television advertisements to be run in the Mildura/Robinvale area for 12 months, as well as complementary posters.⁷⁴

Three television advertisements were developed and have been running on Mildura television since October 2006 and will end in December 2007. The three advertisements have all focused on different target groups:

- Women – featuring local women encouraging others to report violence;
- Women and children – focusing on the impact of violence on children; and
- Men – featuring AFL star Adam Goodes with the message that violence is not acceptable.

The three advertisements deliver simple but powerful messages of anti-violence. The advertisement targeting men uses black and white still pictures of the faces of local Indigenous men with spoken anti-violence messages. It culminates with a shot of Adam Goodes stating that 'sexual abuse and violence is shame. Strong men walk away'.

The other advertisements are in a similar format with still photos of the faces of women and children interspersed with the messages that family violence and sexual abuse is not okay and encouraging people to seek help.

Some of the catch-phrases for the campaign are:

'Violence and sexual abuse against women is not part of our culture... help break the cycle'

'not our culture...not our way'

'protect our children... ask for help'

'tell somebody'

'don't wreck our families... speak out now'

'strong men walk away'

The advertisements also offer a point of referral for victims of violence. This referral is to the Aboriginal Family Violence Legal Service, rather than the Police. This is another attempt to ensure that the message and content is culturally accessible. It balances the reluctance some community members might have about reporting violence to Police with the need to provide an appropriate point of referral that can provide legal and other support to victims and family members.

73 Project Manager, Victoria Police, *Communication with Social Justice Commissioner's Office*, 4 December 2007.

74 Unpublished briefing. Information provided by Victoria Police to the Aboriginal and Torres Strait Islander Social Justice Commissioner.



Impact of Mildura Family Violence and Sexual Assault Awareness Campaign

There was no funding allocated for an evaluation of the campaign but anecdotally the feedback has been very positive. According to Victoria Police, the 'the actual process of developing the ads was as important as the end product.'⁷⁵ The process has built trust between Victoria Police and the Mildura Indigenous community. As a result Victoria Police have developed ongoing relationships with all of the partnership members. This has long term benefits and:

will provide Victoria Police with a basis for ongoing consultation in relation to other issues associated with sexual assault and family violence as well as the potential to consult on a range of other issues affecting policing and the Indigenous communities in the area.⁷⁶

For instance, Victoria Police are now using these networks to negotiate protocols about how to respond to incidents of family violence and sexual assault in the Indigenous community. Given the initial sense of suspicion about engaging with police in this sort of project, it is very significant that Indigenous groups are now so actively involved in shaping Police practices.

Victoria Police believes that 'the impact of the campaign will be seen in the long term given that violence and sexual assault and non-reporting to police are such entrenched problems.'⁷⁷ The improved relationship between community and police has laid the ground work for better recognition of the problem and more reporting. For example, one of the Indigenous women involved in the process and who appeared in the advertisement, is now employed as the Aboriginal Community Liaison Officer with the Police in Mildura. It is hoped that combined with the advertising campaign, this will help improve reporting of violence and sexual assault.

Lessons from the Mildura Family Violence and Sexual Assault Awareness Campaign

Partnership approach

The campaign gained traction as it was able to involve a range of key Indigenous organisations in the process. This was a deliberate strategy by Victoria Police to recognise the diversity of interests amongst the Indigenous community and have 'not just one voice, but many voices.'⁷⁸ This ultimately made the campaign more representative and created more resonance within the community.

75 Project Manager, Victoria Police., *Communication with Social Justice Commissioner's Office*, 4 December 2007.

76 Unpublished briefing. Information provided by Victoria Police to the Aboriginal and Torres Strait Islander Social Justice Commissioner.

77 Project Manager, Victoria Police., *Communication with Social Justice Commissioner's Office*, 4 December 2007.

78 Project Manager, Victoria Police., *Communication with Social Justice Commissioner's Office*, 4 December 2007.



Building on existing community strengths

Victoria has developed some very effective, well established Indigenous groups to advise government and progress projects, like the local and regional family violence action groups and local and regional Aboriginal Justice Advisory Committees. The campaign built on the strengths of these existing networks instead of starting from scratch.

Empowering women and communities

The real success of this campaign is how Victoria Police were able to empower communities and facilitate the process. Victoria Police did not have input into the content of the advertisements beyond setting the broad objectives. This enabled the communities to 'take over the project and run it',⁷⁹ creating a real sense of ownership. This ownership led to enthusiasm and commitment with member of the advisory group even starring in the advertisements.

Effective consultation

The project emerged from consultations with the local community about their needs. Its success in part stems from the tailoring of the response to those exact needs, rather than rolling out a more standardised message. The development of the advertisements by the local community, and their participation in the ads, provided additional relevance and contributed to the effectiveness of the process.

79 Project Manager, Victoria Police, *Communication with Social Justice Commissioner's Office*, 4 December 2007.



iii) *Koorat the Kangaroo Violence Prevention Program*



Early intervention: *Koorat the Kangaroo* draws on cultural traditions to promote anti-violence messages at Woorabinda State School.

© Queensland Centre for Domestic and Family Violence Research (2005).

Koorat the Kangaroo Violence Prevention Program is a school based violence prevention program that has been piloted in Woorabinda State School in Queensland. It is an Indigenous developed program that builds on community partnerships to promote non-violence messages and greater pride and connection to culture.

Woorabinda is an Indigenous community in central Queensland, about 200 kilometres from Rockhampton. Woorabinda was established as a Queensland Government Reserve in 1927, and at least 17 different language groups were forcibly moved there.

In the 1980s the land was handed over to the local community to manage as a Deed of Grant in Trust. Woorabinda now has a population of 851 people, 805 of whom are Indigenous.⁸⁰ Woorabinda is reasonably well serviced. Within the township there is a hospital, State school, preschool, Council run high school (Wadja), CDEP office, day care centre, retail store, café, Police station, churches, Council office, post

80 Australian Bureau of Statistics, *2006 Community Profile Series: Woorabinda (Indigenous Location)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 29 November 2007.



office, pool, stadium, family centre, old peoples home (HAAC), women's shelter and garage.

Woorabinda has a young population with the median age of only 19 years.⁸¹ This equates to a lot of school age children in the community. The community is serviced by Woorabinda State School which has an Indigenous only enrolment of approximately 178 children.⁸² Woorabinda State School describes the school population as 'highly transient'⁸³ and notes that truancy is a problem.⁸⁴

Description of the *Koora the Kangaroo Violence Prevention Program*

The idea for *Koora the Kangaroo* came from Ailsa Weazel, a local community member and community worker, who had noted an increase in violence in Woorabinda and decrease in respect among children for Elders and culture. Ailsa Weazel states:

This behaviour came about because violence was being accepted as the 'norm' within my community and I really felt there was a desperate need to bring peace and hope to the children.⁸⁵

This approach acknowledges the detrimental effects of family violence on children and builds on research which shows that the:

Impacts of witnessing family violence for children indicate that these children often show more aggressive and antisocial behaviours, as well as post traumatic stress symptoms, fearful and inhibited behaviours and show poorer social skills than other children. Such children are also more likely to develop attitudes that justify and normalise the use of violence in relationships.⁸⁶

The program recognises the impact schooling can have on the social, behavioural and moral development of children in challenging perceptions of violence.

Ailsa Weazel entered into a partnership with the Queensland Centre for Domestic and Family Violence Research, as well as the Woorabinda State School to develop a program to respond to these concerns. *Koora the Kangaroo* was implemented in 2004.

Koora the Kangaroo uses traditional modes such as storytelling to promote community values and highlight ongoing community issues such as family violence and respect for themselves and others. There are four layers of intervention in the program:

81 Australian Bureau of Statistics, *2006 Community Profile Series: Woorabinda (Indigenous Location)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 29 November 2007.

82 Woorabinda State School website, available online at: <http://www.woorabins.qld.edu.au/>, accessed 29 November 2007.

83 Woorabinda State School website, available online at: <http://www.woorabins.qld.edu.au/>, accessed 29 November 2007.

84 Woorabinda State School website, available online at: <http://www.woorabins.qld.edu.au/>, accessed 29 November 2007.

85 Weazel, A. quoted in 'Koora hops on board to make a difference' in *Community Spirit*, Queensland Government Department of Communities, December 2005.

86 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Central Queensland, Mackay, 2005, p4.



1. *Koora the Kangaroo* mascot – a life sized mascot used to capture the children’s attention and engage them in educational component of the program and broader community awareness.
2. Stories written by Ailsa Weazel which draw on traditional culture to communicate anti-violence messages.
3. School based visits by community members to tell the stories and conduct other cultural activities like traditional dancing and art.
4. Teacher’s resource package to support learning beyond the community led sessions, as well as providing additional skills in culturally appropriate work for teachers.

Some of the key messages from the *Koora the Kangaroo* stories are as follows:

‘We must not let violence destroy our family. We must look after each other and talk and work things out’

‘Koora asked the Elders to talk about old times and the respect that each member of the family should show in order to one day be a wise leader in their own families and to live in peace and harmony.’

‘Violence does not help us at all. Hitting, punching, pushing, bullying, or any other sort of abuse is violence. Violence is not our way!’

‘I know what’s wrong with you – you lack self esteem! ... Self esteem is when you can be proud of yourself for just being you ‘cause no one else is like you.’

‘Our way is to look after each other and take care of ourselves. When you are older, other will look up to you and ask for your wisdom and guidance. That’s why it is important to listen and learn from Elders, parents and teachers – they will help you learn how to make good decisions and be a wise leader.’⁸⁷

Koora the Kangaroo is aimed at children in the junior grades at primary school (Preschool to Year 4) as well as the intermediate level of those children in primary school to early high school years (Year 5 – Year 7). The program was delivered to Woorabinda State School over a 6 month term with 6 school based sessions over irregular intervals due to school and program facilitator constraints.

Impact of the *Koora the Kangaroo Violence Prevention Program*

The program has been evaluated by the Queensland Centre for Domestic and Family Violence Research. In evaluating the program they:

- looked at the student’s responses and recollections of the key messages;
- developed quantitative baseline and post program surveys completed by teachers about student aggression;
- convened staff group discussions exploring teacher perception of usefulness and efficacy of the program; and
- conducted individual case studies with four teachers examining in-depth their perceptions of the children’s experiences of the program and perceptions of the teachers’ resource package.

87 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Central Queensland, Mackay, 2005, pp6-7.



Teachers at Woorabinda State School highlighted the important role the *Koora the Kangaroo* program in affecting the day to day behaviours of children. Feedback showed that children were very responsive to the messages and values imparted by the Koora project when it came to classroom behaviour and interactions with others.

The teachers also reported an overall reduction in violence levels in the classroom, resulting in a reduction of the occurrence of violence from daily and many times daily, to regularly to occasionally.⁸⁸

Importantly, the program also had positive outcomes for the cultural awareness of both the students and teaching staff. The teacher's resource package provide the teachers with information regarding culturally sensitive practice, but also improved their knowledge on Aboriginal family structures, law, kinship and values. One teacher stated that the package 'helps me understand what I'm seeing in the children'⁸⁹ to help build culturally secure teaching practices.

The program also helped strengthen pride in the student's cultural identity and:

provided a setting for children to experience pride and success in activities that connected them with Aboriginal culture.⁹⁰

For instance, one teacher remarked that she had observed children taking more pride in themselves:

They want to respect each other and adults, indicating that the children are now listening, settling and participating, sharing and communicating respectfully. They are demonstrating pride in their learning. One child said to me, 'Hey, we're getting clever aren't we!'⁹¹

The *Koora the Kangaroo* program had to compete for time and space in the busy school curriculum. Feedback from teaching staff at school indicated that it may have been delivered more effectively if better integrated with the school's own Values Education program. However, the teachers were still supportive of the program, even in this context, stating that:

The stories are especially useful as they are Indigenous friendly; this is something the Values Education program lacks.⁹²

88 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Central Queensland, Mackay, 2005, p12.

89 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Centre for Domestic and Family Violence Research, Mackay, 2005, p16.

90 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Centre for Domestic and Family Violence Research, Mackay, 2005, p16.

91 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Centre for Domestic and Family Violence Research, Mackay, 2005, p16.

92 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Centre for Domestic and Family Violence Research, Mackay, 2005, p23.



Another major challenge was the irregularity of the program. As maintained by one member of teaching staff:

I feel that more regular visits would have been a benefit. These students have to depend on consistency for behaviour reasons and a lesson here or there can be disruptive to them.⁹³

This irregularity stemmed from the very heavy demands on Ailsa Weazel and other community member's time. All of the community members already have other community commitments like participation in the Community Justice Group and cultural commitments such as 'sorry business'.⁹⁴

Despite these challenges, the program evaluation demonstrated a largely positive impact on the students and the school Principal expressed enthusiasm for increasing the presence of the Koora program in the school. However, no-one took on the role of driving the school's take-up of the program, and consequently the Koora program dropped off the school's agenda. This unfortunate outcome highlights the importance of building and maintaining solid and reciprocal relationships between schools and communities.

However, in the meantime, Ailsa Weazel has taken *Koora the Kangaroo* and the stories to other communities such as Mount Isa. Good outcomes have been reported from this also. There have also been negotiations with the Queensland Education Department to use the story books in the broader curriculum.⁹⁵

There is a great deal that can be learnt from the *Koora the Kangaroo* program even though it is no longer running in Woorabinda. In fact, the challenges as much as the successes provide important lessons for developing school based education programs for Indigenous children.

Lessons from the *Koora the Kangaroo Violence Prevention Program*

Culturally appropriate

The *Koora the Kangaroo* program is culturally appropriate because it is built on traditional knowledge of the community and delivered in a mode that is accessible to children. The entire program is informed by local culture; from using a central cultural animal, the kangaroo, as the mascot to delivering the program by using the oral history of storytelling.

Story telling is at the heart of the program. It provides a fun and practical way to challenge values and address issues such as respect and family violence through a traditional medium. The storytelling itself centres on traditional characters and stories which are local to Woorabinda. This means that the children are not only able to relate to these, but they are simultaneously being equipped with knowledge relating to their own cultural heritage.

93 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Central Queensland, Mackay, 2005, p15.

94 Bradford, M., and Nancarrow, H., *Koora the Kangaroo: Violence Prevention at Woorabinda State School*, Evaluation Report, Centre for Domestic and Family Violence Research, Mackay, 2005, p10.

95 Bradford, M., *Communication with Social Justice Commissioner's Office*, 4 December 2007.



Partnership approach

This program demonstrates how local community ideas can be formalised into the school curriculum. Schools are essential platforms to address violence issues, particularly given the known effects of violence on children who have either experienced violence directly or witnessed violence at home. The inclusion of community members also strengthens the engagement between schools and communities. Ultimately, this partnership was not sustained and suggests that better strategies need to be developed to build relationships.⁹⁶

Different components for different audiences

The program provides education to both students and teachers. The teacher's resource reinforces the key messages but also improves competencies in culturally sensitive teaching practices. The quality and cultural appropriateness of teaching is directly related to how comfortable Indigenous children feel at school and their subsequent attachment to school and educational outcomes.

96 Bradford, M., *Communication with Social Justice Commissioner's Office*, 4 December 2007.



iv) *Mawul Rom Project*⁹⁷



Cross cultural mediation: Yolngu elders and police officers at *Mawul Rom* training in Arnhem Land.
© Mawul Rom, 2007.

Mawul Rom is a traditional dispute resolution ceremony that belongs to the Yolngu people of Eastern Arnhem Land in the Northern Territory. The program combines community development principles with traditional culture to provide training to Indigenous and non-Indigenous participants from all over Australia in dispute resolution, mediation and leadership skills. These skills are then applied to a variety of individual and community problems, including family violence.

Description of the *Mawul Rom Project*

The Mawul Ceremony has been used for centuries as a means of healing relationships between family and clan members as well as between other individuals and groups. However, it was not until conversations occurred between Rev Dr Djiniyini Gondarra and Patrick McIntyre in 1998, that the potential of cross-cultural bridge-building between the Ceremony and contemporary mediation was recognised.

The planning process involving collaborations between Yolngu people and non-Indigenous alternative dispute resolution experts took 6 years, with the pilot being delivered in 2004.

Mawul Rom fits within the alternative dispute resolution (ADR) paradigm. ADR is an umbrella term to describe ways of dealing with conflicts without going to court.

ADR proponents argue that ADR leads to more just outcomes, is more cost effective and therefore more accessible. ADR is used by Indigenous people in criminal justice,

⁹⁷ The following information concerning the *Mawul Rom Project*, except where otherwise indicated is drawn from materials copyright to the Mawul Rom Association and is used with permission. No unauthorised use of this material is permitted.



family law, native title, land rights, commercial decision-making, employment and community disputes and has the potential to adapt to the cultural needs of Indigenous communities.

The interest in ADR with Indigenous communities is reflected in recent research projects such as the Indigenous Facilitation and Mediation project undertaken by the Australian Institute of Aboriginal and Torres Strait Islander Studies, as well as, initiatives undertaken by the National Native Title Tribunal and the Federal Court of Australia.

The pilot project began in 2004 with 43 Indigenous and non-Indigenous participants from all over Australia.

The *Mawul Rom Project* involves traditional ceremony and educational components. The objectives of the project are:

- to promote cross cultural education regarding matters such as dispute resolution and leadership;
- provide research development in both Indigenous and non-Indigenous modes of learning to facilitate effective cross-cultural decision making;
- assist Indigenous and non-Indigenous Australians to develop through experiential learning and understanding of national and international developments in dispute resolutions;
- establish an on-going dispute resolution education program that runs annually and focuses on decision making, mediation and leadership;
- enable cross cultural exchange in both new and established educational environments, including professional and educational institutions; and
- to continue to foster reconciliation between Indigenous and non-Indigenous peoples.⁹⁸

Mawul Rom is delivered over a four year period, starting with the one week induction workshop at Galiwin'ku. The first week intensive workshop is not limited to those completing the program. Those who begin with the pre-requisite induction and continue with the program for the 4 years will qualify as unique cross-culturally appropriate mediators and leaders.

The Mawul Ceremony is described by Rev Dr Djiniyini Gondarra as:

a healing ceremony – it heals peoples' relationships. It is an opportunity to heal the hurt, the pain, the scar of the past. It is through the Mawul Ceremony that we bring people together in the spirit of reconciliation. Individuals and families benefit... When people carry a scar or a hurt, Mawul is a vehicle, a channel, for healing. There is an opportunity for people to come together.⁹⁹

Involvement in the Ceremony is an important part of learning about traditional dispute resolution. All participants are painted each day so that they can participate in Ceremony.

98 Mawul Rom Project, *Mawul Rom Project: Traditional and Contemporary Mediation and Leadership Training*, June 2004, available online at: http://ntru.aiatsis.gov.au/ifamp/research/pdfs/MawulRom_2004.pdf, accessed 12 October 2007.

99 Mawul Rom Project, *Mawul Rom Project: Traditional and Contemporary Mediation and Leadership Training*, June 2004, p8, available online at: http://ntru.aiatsis.gov.au/ifamp/research/pdfs/MawulRom_2004.pdf, accessed 12 October 2007.



The *Mawul* program consists of four daily learning processes:

- work under the Banyan Tree: time for structured discussions among participants;
- unstructured reflective/relationship building space;
- ceremonial education and performance; and
- *Mawul* Ceremony meal and mediation.

The *Mawul Rom* course is now recognised as both a Graduate Diploma and Master level qualification with Charles Darwin University.

Impact of the *Mawul Rom* Project

A full four year 'learning cycle' of *Mawul Rom* has not yet been completed. *Mawul Rom* has attracted considerable interest with 90 participants in 2007, with over 100 Yolngu community members attending throughout the week and over 1,000 community members joining the closing ceremony.¹⁰⁰

Over 40 Indigenous participants have gone through the initial training.¹⁰¹ They have gone back to their communities with dispute resolution skills that they have been able to apply to a number of community problems, including family violence and family disputes. Many of these people have gone on to find full time or contract work in dispute resolution.

Mawul Rom staff also indicate that the program has helped build pride and reinvigorate the local Yolngu people who are very proud that their ceremonies and culture are being recognised. Recently this has been seen in the increased number of young people getting involved.

Mawul Rom has recently developed partnerships with the Australian Federal Police, Department of Families, Community Services and Indigenous Affairs and the Northern Territory Department of Justice. This is recognition of the success of the project so far, but also represents the opportunity to provide cross-cultural skills to non-Indigenous people working in these important interfaces with Indigenous communities. It will, however, be several years before the longer term impact of the Program will be known.

Lessons from *Mawul Rom*

Building a bridge between Indigenous and non-Indigenous culture and knowledge

Mawul Rom brings together elements of Yolngu traditional culture and law with Western models of alternative dispute resolution. According to Rev Dr Djiniyini Gondarra:

100 Gondarra, D., and Blake, S., 'Cultural Healing in Criminal Justice Service Delivery: An Identification of best practice and innovation to inform future service design', *Third National Indigenous Justice CEO Forum*, 21-22 November 2007, p8.

101 Blake, S., *Communication with Social Justice Commissioner's Office*, 5 December 2007.



In Yolngu communities it's very hard to use Balanda [white] law system to bring about conflict resolution between families and clans. Balanda systems of law break and damages relationship between people, family and clan groups. This is because Balanda system of law is very hard for us to understand and does not come out of Yolngu dispute and conflict resolution practice and process.¹⁰²

Mawul Rom makes the process more explicable for both Indigenous and non-Indigenous participants. The relationships and cross-cultural understanding that develops through the training process are very valuable. The strong, strategic partnership with the Australian Federal Police and the Northern Territory Department of Justice aims to ensure that the knowledge filters down to vital service delivery level.

102 Gondarra, D. and Blake, S., 'Cultural Healing in Criminal Justice Service Delivery: An Identification of best practice and innovation to inform future service design', *Third National Indigenous Justice CEO Forum*, 21-22 November 2007, p8.



v) *Balgo Women's Law Camp*



Aboriginal women have answers themselves: Women and children at the *Balgo Women's Law Camp*.
© Zohl de Ishtar, 2007.

The *Balgo Women's Law Camp* was a community initiated cultural development activity organised by the Kapululangu Aboriginal Women's Association in August 2007. The *Women's Law Camp* blended traditional law and culture with community development principles to develop local strategies to tackle violence and abuse.

Balgo is a remote Indigenous community located on the boundary between the Great Sandy Desert and the Tanami Desert in Western Australia. It is about 280 kilometres south-east of Halls Creek along the Tanami Track and 830 kilometres northwest of Alice Springs.

Balgo is on Walmatjarri country and is the hometown of people from seven language groups, including the Kukatja, Ngarti, Warlpiri, Pintupi, Wangkatjungka and Djaru peoples. Balgo was established as a Catholic Mission Station in 1939. It is part of the 2.6 million hectare Balwina Aboriginal reserve.

Balgo has a population of 460 people, 410 who are Indigenous.¹⁰³ Balgo retains strong culture, with 74.5% of people speaking Kukatja and other Indigenous languages.¹⁰⁴ However, like most remote Indigenous communities, there are problems with overcrowding and access to services.

103 Australian Bureau of Statistics, *2006 Census QuickStats: Balgo (Indigenous Location)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 22 November 2007.

104 Australian Bureau of Statistics, *2006 Census QuickStats: Balgo (Indigenous Location)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 22 November 2007.



Balgo came to the attention of the nation in 2004 when the Western Australian Coroner investigated the deaths of two young people by suicide following petrol sniffing. The Coroner painted a grim picture of life in Balgo and poor government cooperation to deliver essential services:

If people have inadequate or poor quality food, then they need to be provided with more and better quality food. If they live in a dirty and unhygienic environment, then the environment needs to be cleaned up. These propositions seem to be simple and yet their achievement appears to have been beyond the capability of both Commonwealth and State Governments in spite of the provision of very considerable amounts of money for which is, in the context of Balgo, a relatively small number of persons.¹⁰⁵

According to Dr Zohl dé Ishtar, Coordinator of the Kapululangu Aboriginal Women's Association, petrol sniffing has decreased in Balgo but has been replaced with cannabis use instead.¹⁰⁶

Anecdotally, family violence and abuse are considerable problems in Balgo with Dr dé Ishtar estimating around three to four incidents of family violence a week.¹⁰⁷ There is a permanent police presence in Balgo but no safe house. The Western Australian Special Police Taskforce on Child Sexual Abuse has visited Balgo in response to allegations of abuse.¹⁰⁸

Despite these poor circumstances, Balgo is renowned for its art, with some of its artists being amongst the most sought out in the Indigenous art world.

Description of the *Balgo Women's Law Camp*

The *Balgo Women's Law Camp* was an initiative of the Kapululangu Aboriginal Women's Association. The Kapululangu Aboriginal Women's Association is the only women's organisation in Balgo (and in the south-east Kimberley) and was initiated and established by the women Elders of the community and has a membership of women from all age groups.

Kapululangu Aboriginal Women's Association was established in 1999 by the female Elders in Balgo. It aims to revitalise law and culture and care for women in the community. The Association's current activities include:

- organisation of the *Balgo Women's Law Camp*;
- support for women's law and culture;
- ceremonies on the Balgo Women's Law Ground;
- Tjarrtjurra – Women's healing sessions;
- weekly hunting and bush medicine gathering trips;
- Tjilimi – women's house for Elders living together on the Balgo Women's Law Ground;

105 Coroner Alastair Hope, *Record of Investigation into Death of Owen James Gimme and Mervyn Milner*, Balgo, April 2004, p 30.

106 dé Ishtar, Z., *Communication with Social Justice Commissioner's Office*, 5 December 2007.

107 dé Ishtar, Z., *Communication with Social Justice Commissioner's Office*, 5 December 2007.

108 Kapululangu Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007, 'Aboriginal Women have the Answers themselves'*, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.



- daily assistance to women's elders – shopping and attending the clinic; and
- advocacy for local women and liaising with government departments.¹⁰⁹

Kapululangu's Elders decided to call the *Balgo Women's Law Camp* following concerns about the Australian Government emergency intervention in the Northern Territory and Western Australian Special Police Taskforce on Child Sexual Abuse. In particular, the Western Australian Special Police Taskforce on Child Sexual Abuse visited Balgo in mid July 2007. According to Kapululangu there were concerns that the Task Force had:

failed to inform and consult with the community Elders before visiting the community, and had not involved the Elders and parents in their questioning of young women and men...They complained that, although a few residents were involved in these meetings, the majority of the community had no idea that these meetings were happening until they were over.¹¹⁰

These concerns, coupled with incidences on family violence and worries over the disconnection of the younger generations with their cultural heritage, led the Kapululangu Aboriginal Women's Association to develop the Camp. The Kapululangu wanted to:

deliver a strong message to the governments that the Kapululangu women were capable of making an important contribution to their community's well-being.¹¹¹

Or as one of the Elders, Margaret Anjule Napurrula puts it:

We have to show government we have strong Law here. They can't rubbish it. We have got strong Law ourselves.¹¹²

Over 100 women and girls attended the camp on the 24-27 August 2007, with 75 Indigenous participants from places such as Balgo, Mulan, Halls Creek, Perth and as far away as Lismore and Sydney. There were 15 non-Indigenous representatives from various state departments such as the WA Department for Indigenous Affairs, Child Protection agencies, the Department of Crime Prevention and police.

Organising the Law Camp involved the entire community. The women Elders initiated the Camp and networked with women in other communities, local men assisted with preparing for the camp and were involved in its closing ritual, and all of Balgo's local agencies provided resources. Women from nearby Mulan, Billiluna and Ringers Soak were also involved. The Camp was funded by Kapululangu, Balgo's Palyalatju Maparnga Health Committee, and the Kimberley Aboriginal Law

109 Kapululangu Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007, 'Aboriginal Women have the Answers themselves'*, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.

110 Kapululangu Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007, 'Aboriginal Women have the Answers themselves'*, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.

111 Kapululangu Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007, 'Aboriginal Women have the Answers themselves'*, p8, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.

112 Kapululangu Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007, 'Aboriginal Women have the Answers themselves'*, p5, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.



and Culture Centre in Fitzroy Crossing. The Australian Centre for Peace and Conflict Studies, at the University of Queensland, supported Dr dé Ishtar's organisational contribution.

There were 3 core objectives addressed at the *Balgo Women's Law Camp*:

- To reinvigorate or wake young men and women up to the powerful contribution Women's Law can make in addressing abuse and violence problems in communities;
- To identify other strategies for addressing concerns within communities such as child sexual abuse and family violence; and
- To urge the Government and other bodies to fund the Kapululangu project which is currently the only women's organisation representing Balgo.¹¹³

The camp blended traditional women's law ceremonies with community discussions about how to tackle troubling issues. The ceremonies had a very powerful effect for those involved and also served as an opportunity for younger women to learn about Law.

The final day of the camp involved discussions about community problems and solutions. An overview of discussions and strategies, documented in the 'Aboriginal Women Have Answers Themselves' report can be found below at Table 2.

Discussion	Strategy
<ul style="list-style-type: none"> • Social problems result from alienation of children/youth from their Aboriginality 	<ul style="list-style-type: none"> • Increase learning opportunities for children and youth to learn Law and Culture
<ul style="list-style-type: none"> • Child sexual abuse and violence against women and children 	<ul style="list-style-type: none"> • Safe house for women and children in Balgo • Improve child protection system
<ul style="list-style-type: none"> • Health factors are extremely poor in Balgo and the Katjungka region 	<ul style="list-style-type: none"> • Involve Indigenous healing methods • Provide better funded medical services
<ul style="list-style-type: none"> • Alcohol and drugs are causing tensions in the community 	<ul style="list-style-type: none"> • Increase community cultural activities • Block access to alcohol and drugs

113 Kapululangu Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007, 'Aboriginal Women have the Answers themselves'*, p6, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.

114 Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007, 'Aboriginal Women have the Answers themselves'*, p16, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.



<ul style="list-style-type: none"> • Children and youth are disadvantaged by an extreme level of truancy 	<ul style="list-style-type: none"> • Strengthen parenting skills, Elders' authority and respect for Law • Increase employment prospects, particularly for youth
<ul style="list-style-type: none"> • Limited community identity is undermining Balgo's future 	<ul style="list-style-type: none"> • Build pride in Aboriginality through Community Cultural Development
<ul style="list-style-type: none"> • Violence and crimes remain high, particularly impacting on children 	<ul style="list-style-type: none"> • Strengthen policing • Increase community involvement in crime prevention

Impact of the *Balgo Women's Law Camp*

The *Balgo Women's Law Camp* has not been formally evaluated, but by all accounts it has had a positive impact on the community. The entire process was empowering for the community and according to Dr dé Ishtar reinforced:

how strong and proud people feel in themselves. They were so tall they were floating.¹¹⁵

The opportunity to discuss community problems also built up the women's confidence in their ability to generate their own answers. The strategies identified by the women are a very good starting point for further planning and implementation of services in Balgo.

The *Balgo Women's Law Camp* took a strong stand against family violence and abuse in the community, using the authority of Women's Law to back up to the messages. The women also successfully included the men in the Women's Law Camp. Although men were not allowed at the campsite, they helped prepare the site by grading the road, providing wood, water and meat to the women. As a sign of respect, when the women returned to the Balgo community centre, the men were waiting for them with heads bowed in acknowledgment of the power and strength of Women's Law.

The challenge is to build on the momentum created by the Law Camp to support the community to realise the aspirations and plans that it has identified.

Kapululangu Aboriginal Women's Association is currently unfunded. Kapululangu last received substantial governmental funding in 2001. An \$8,000 grant allocated by the Indigenous Women's Program from the Indigenous Coordination Centre (ICC), for 2005-2006 was not received until September 2007.

Its survival is dependant on the good will, commitment and resilience of the women Elders. Whilst this demonstrates the tenacity of these women and makes the achievements of the *Balgo Women's Law Camp* all the more significant, it prevents the sustained community cultural development that has been identified as a priority in Balgo.

115 dé Ishtar, Z., *Communication with Social Justice Commissioner's Office*, 6 December 2007.



The lack of supporting infrastructure, notably a Safe House also poses challenges to the women of the Kapululangu Aboriginal Women's Association. This is because when Balgo women are seeking refuge they prefer to approach the Kapululangu Tjilimi (Women's House) on the Women's Law Ground for protection. Because Kapululangu does not have adequate funding to resource a fully secure safe refuge this places the Elders who live in the Tjilimi at risk of violence.¹¹⁶

Lessons from the *Balgo Women's Law Camp*

Empowering women through cultural recognition

The *Balgo Women's Law Camp* recognises the central role of traditional law and culture in solving problems related to family violence and abuse. Traditional law and culture reinforce that violence against women and children is not acceptable. Traditional law also gives power and voice to a marginalised group in the Balgo community. Encouraging connection to culture is a way of empowering women to take a stand against violence and associated problems.

Recognition of culture and law

The *Balgo Women's Law Camp* challenges policy makers to not only recognise that communities have the solutions to their problems but to also be open-minded about engaging with culture and law. A spokeswoman for Kapululangu, Patsy Mudgebell states:

Aboriginal people have solutions to our own problems... but Kapululangu's attempts to run these programs have repeatedly gone unfunded. This is because governments don't understand the central importance of Law... and culture... to building pride of Aboriginality as a mechanism of protection in young people. The Elders know that without this solid foundation all the bricks of health, education and housing will continue to fall down.¹¹⁷

116 Aboriginal Women's Association, *Report on the Balgo Women's Law Camp 2007*, 'Aboriginal Women have the Answers themselves', p18, available online at: <http://www.womenforwik.org/pdfs/BalgoWomensLawCamp100907.pdf>, accessed 9 October 2007.

117 Kapululangu Aboriginal Women's Law and Culture Centre, 'Revitalising women's culture – caring for women and community', Media Release, 13 July 2007.



b) Healing

Healing services are essential to mend the harm caused by family violence and abuse as well as prevent further harm and allow individuals and communities to move forward. Healing is a concept that can be notoriously difficult to define, yet its impact is powerful.

This section sketches some of the issues around healing, including a brief look at the Canadian experience of healing programs. It will also showcase three instances of promising healing programs:

- i. *Rekindling the Spirit* – a family centred healing service in Lismore, Northern New South Wales that addresses the harm of family violence and abuse;
- ii. *Yorgum Aboriginal Family Counselling Service* – a Perth based Indigenous controlled and staffed counselling and community development service assisting victims of family violence, sexual abuse and Stolen Generation members; and
- iii. *Western Australian Healing Project* – a collection of healing projects run in a variety of urban, rural and remote Indigenous communities.

What is healing?

Healing is something we often talk about in relation to Indigenous people and programs. Because it is such a broad, context driven concept it can sometimes be hard to define. Similarly, because it is linked to individual and community empowerment it is crucial that the meaning is ultimately set by those involved in the process.

The *Social Justice Report 2004* dealt with the need for healing services in relation to women exiting prison. Before that, the *Bringing them home* report made a number of recommendations related to healing and wellbeing service for members of the Stolen Generations. In the *Social Justice Report 2004*, healing is described as:

A significant process for empowering Indigenous communities and creating improved partnerships to address the legacy of family violence and abuse... Indigenous concepts of healing are based on addressing the relationship between the spiritual, emotional and physical in a holistic manner. An essential element of Indigenous healing is recognising the interconnections between, and effects of, violence, social and economic disadvantage, racism and dispossession from land and culture on Indigenous people, families and communities.

Healing can be context-specific – such as, addressing issues of grief and loss – or more general by assisting individuals deal with any trauma they may have experienced. The varying nature of healing demonstrates that it cannot be easily defined, with healing manifesting itself differently in different communities.¹¹⁸

Examples of healing processes include:

Women – specific and men – specific groups; story-telling circles; cultural activities; understanding the impacts of issues such as racism, colonisation and identity on Indigenous well-being; the use of mentors and/or Elders to provide support

118 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2004*, Human Rights and Equal Opportunity Commission, Sydney, 2004, p57.



to individuals; and retreats or residential-style components where participants spend a period of time going through the healing process, usually on a spiritually significant site, away from their families and communities.¹¹⁹

Healing can occur at the individual as well as community level. It aims to deal with different layers of trauma experienced by Indigenous communities. Often, healing will seek to mend the harms of the past, as well as contemporary manifestations of trauma through violence and abuse in communities. Healing is holistic so these two layers of hurt cannot be separated.

Judy Atkinson describes this as 'transgenerational trauma'.¹²⁰ Others refer to it as historical trauma theory.¹²¹ It:

supports the notion that an individual does not have to experience such events in their own life to suffer – traumatic events in the lives of one generation reverberate in the next.¹²²

In their review of violence prevention strategies in Indigenous communities, Memmott and others argue that:

What is required is treatment and 'healing' on a massive scale, including the healing of individuals, families and whole communities. Without intervention and without healing and recovery from the long-term effects of the underlying longitudinal causes of violence impacting on Aboriginal people as well as the situational and precipitating factors, cycles of inter-generational violence will continue.¹²³

There is a slowly increasing number of healing programs in Australia, although there remains very little research and evaluation in the area. Canada, however, is much further advanced and has a body of literature supporting effective healing programs as a result of the activities supported by the Aboriginal Healing Foundation (AHF) over the past decade.

The Aboriginal Healing Foundation (AHF) is an aboriginal-managed not for profit organisation. The AHF was established in 1998 through a one off \$350 million grant from the federal government of Canada.¹²⁴

This has allowed funding up to 2009 to encourage and support through research and funding, community-based Aboriginal run healing initiatives which address the legacy of the Indian Residential School System. Additional funding under the Residential Schools Settlement Agreement is likely to extend their work until 2012.¹²⁵

119 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2004*, Human Rights and Equal Opportunity Commission, Sydney, 2004, p58.

120 Atkinson, J., *Trauma Trails: Recreating Song Lines, the transgenerational effects of trauma in Indigenous Australia*, Spinifex Press, Melbourne, 2002.

121 Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 3, Promising Healing Practices in Aboriginal Communities*, Ontario, 2006.

122 Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 3, Promising Healing Practices in Aboriginal Communities*, Ontario, 2006, p15.

123 Memmott, P. Stacy, R. Chambers, C., and Keys, C., *Violence in Indigenous Communities: Full Report*, Crime Prevention Branch, Attorney General's Department, Canberra, 2001, p17.

124 Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 3, Promising Healing Practices in Aboriginal Communities*, Ontario, 2006, p2.

125 Aboriginal Healing Foundation, *Annual Report 2006*, Aboriginal Healing Foundation, Ontario, 2006, available online at: <http://www.ahf.ca/about-us/annual-reports>, accessed 14 November 2007.



The AHF works under the vision of helping Aboriginal communities heal themselves. It has encouraged innovative and creative services that tackle the immediate and intergenerational effects of the Residential School System but also assist services to become sustainable in their own right. The AHF has made 1,345 grants to Aboriginal organisations since 1998.¹²⁶

This model gives substantial control to Aboriginal people to determine how healing needs are met. The AHF has demonstrated a commitment to long term funding of the programs as they realise that healing is not a process that can be rushed and can take time to bear fruit.

The AHF has evaluated its programs and developed a guide to promising healing practices which identifies key characteristics of good services. These include:

- values and guiding principles that reflect an Aboriginal worldview;
- a healing environment that is personally and culturally safe;
- a capacity to heal represented by skilled healers and healing teams;
- an historical component, including education about residential schools and their impacts;
- cultural interventions and activities; and
- a diverse range and combination of traditional and contemporary therapeutic interventions.¹²⁷

Although these principles are based on Canadian experiences they may also help guide effective healing services for Indigenous peoples in Australia.

126 Aboriginal Healing Foundation website, online at: <http://www.ahf.ca/funded-projects>, accessed 14 November 2007.

127 Aboriginal Healing Foundation, *Final Report of the Aboriginal Healing Foundation, Volume 3, Promising Healing Practices in Aboriginal Communities*, Ontario, 2006, p15.



Healing: Chris Binge and sons at a *Rekindling the Spirit* men's camp.

The *Rekindling the Spirit* Program is an Indigenous owned and run initiative based at Lismore which provides a holistic healing service to Indigenous communities, families and individuals with an emphasis on behavioural change. Many of the participants are ex-offenders or have been referred by child protection services.

Lismore is a regional centre in northern New South Wales. Lismore district has a relatively large Indigenous population, with over 1,800 Indigenous people making up the total population of around 35,000 people.¹²⁸ The region has four times the state average of Indigenous people.

Lismore is part of Bundjalung country. There are more than ten distinct Indigenous groups across the Northern Rivers districts that make up the broader Lismore district. Like other Indigenous communities across Australia, Lismore continues to face significant socio-economic disadvantage.

The *Rekindling the Spirit* Program also works with clients from rural areas. Of note, they have worked with the community at Tabulam in North – Eastern NSW, about 90 kilometres from Lismore. Just outside of Tabulam is Jubullum Village. Jubullum is the site of a former Reserve and is now owned and operated by the Jubullum Local Aboriginal Land Council, with around 250 Indigenous residents.

128 *Rekindling the Spirit, Rekindling the Spirit Program Guide: for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p6.



Description of the *Rekindling the Spirit Program*

The *Rekindling the Spirit Program* began in 1995 when a young Aboriginal worker with the Department of Community Services, Greg Telford, saw a gap in the provision of services directed towards Indigenous men in the Lismore area. He noted that Indigenous men and women were not accessing mental health and other services because of the lack of culturally relevant resources that were available. At this point in time there were no Indigenous alcohol, drug or mental health workers or agencies with specialised services to address family violence, anger management, mental health, substance abuse or strategies for personal development.

To fill this void, Greg Telford started devoting more time to working with Aboriginal men, after hours. The first group commenced in 1997 and the program was piloted in 1999.

Rekindling the Spirit works with Indigenous men, women and children. Many of the participants are referred by the Department of Corrective Services or Department of Community Services. It is usually part of their legal order that they attend the program, although *Rekindling the Spirit* also attracts voluntary self referrals as well.

Rekindling the Spirit works with people who have experienced family violence, either as the victims, perpetrators, or children who have witnessed family violence. Clients usually face a range of other problems including:

- drug and alcohol use;
- sexual abuse;
- isolation (especially the clients from the rural community of Tabulam);
- mental health issues; and
- racism and the on-going effects of trans-generational trauma.¹²⁹

The primary objectives of *Rekindling the Spirit* are to:

- promote family healing and well being;
- address negative and unhealthy behaviours and attitudes which deny individual responsibility as well as perpetuate the cycles of violence and abuse;
- recognise the underlying historical and social context of Aboriginal disadvantage; and
- encourage the empowerment of Aboriginal people by Aboriginal people.

Rekindling the Spirit focuses specifically on the bigger picture of Indigenous health and wellbeing which expands beyond western notions of physical illness to include the emotional, sexual, spiritual, physical and mental well-being needs of people. It does this by treating the family unit, and hence the wider Indigenous community.

Greg Telford maintains that the motive behind *Rekindling the Spirit* is 'breaking cycles'. It is about 'taking individual responsibility and not succumbing to the mentality of victimhood'.¹³⁰ The program is not about giving individuals a label as either 'victim' or 'perpetrator'. Greg Telford states:

129 *Rekindling the Spirit, Rekindling the Spirit Program Guide: for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007.

130 ABC Lateline: *Preventing Violence in Aboriginal Communities*, available online at: <http://www.abc.net.au/laeteline.content/2006/s1802593.htm>, accessed 25 October 2007.



It is about continuity, about empowering individuals, families and ultimately communities in the fight against family violence and abuse which has become an intergenerational issue.¹³¹

Rekindling the Spirit has three main streams of services:

- Men's programs – including urban and rural men's groups, men's camps and father and son camps;
- Women's programs – including women's group and women's camp; and
- Family services – includes couples counselling, parenting counselling and training, mediation, family counselling and family reunion support for members of the stolen generations.

The usual program length for each client is 12 weeks, although it is often recommended that they stay on longer.

Table 3 below provides an overview of the programs provided for Indigenous men and Table 4 below provides an overview of the programs provided for Indigenous women and families.

Service	Delivery
Intake & Case Management Allocation	One to one appointment; (with or without Department representatives) monthly review; quarterly goal setting; annual review.
Men's Group (Urban)	Weekly 4 hour meetings; centre-based support including casework, advocacy and referral; home-based support for follow through. Major themes addressed are: <ul style="list-style-type: none"> • violence; • alcohol and drug use; • emotional connection with self; • trauma and abuse; • relationship with partner and children; • lack of practical skills including financial supports; and • disconnecting with Aboriginal culture.
Men's Group (Rural)	Weekly, usually held at Jabullum (Tabulam community)
Men's Camp	3-night camp in bush setting occurs half yearly.

131 Telford, G., *Communication with Social Justice Commissioner's Office*, 19 November 2007.

132 *Rekindling the Spirit, The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p26.



Counselling Support (including mediation)	One to one with case manager or specialist counsellor mediator.
Men and Boys Camp	3-night camp in bush setting suitable for extensive activities including food preparation by the fire, fishing, hunting, cultural activities.
Crisis Response	Home-based or in-service includes protection and/or relocation of family members; external referral.
Therapeutic, Alcohol and Other Drugs Service	Twice weekly service, Intensive referral; Support ongoing maintenance with participants; active group-work participation; transport and advocacy.
Police Youth Citizens Club	Attend gym to build physical health, relationship building with Police; training to establish and encourage health and well-being.
Bundjalung Men's Gathering Community Development Program	Annual consultation and interaction with Aboriginal and community Elders to promote respectful participation; widespread issues promotion in culturally sensitive setting; building alliances and service providers.

Table 4: Services for women and families provided by *Rekindling the Spirit*¹³³

Service intervention	Format, strategy and location details
Intake & case management allocation	Appointment with referrer present; monthly review; quarterly pathway review, annual review.
Counselling and support to determine pathway	Weekly session to address major aims' home or centre-based support including addressing presenting problems and current life challenges. Support to women in home can include case-work for her family (including partner) as well.
Women's Group	At <i>Rekindling the Spirit</i> centre or community location; includes afternoon session, child-care with a registered service, and transport as required, held weekly.

133 *Rekindling the Spirit, The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p119.



Counselling Support	One to one with family worker. Service includes strengthening ability to stay in group to re-network. Sometimes court support and documentation is provided.
Couples & Family Counselling	Woman (client) and her family member(s) can attend for support in resolving entrenched conflict. Can include intensive counselling to avoid risks of unsafe home-life, child abuse or neglect.
Women's Retreat or Camp	Two to five night retreats or camps a year in locations suggested by women, usually away from normal environment in nurturing and quiet settings such as comfortable conference centres.
Crisis Response	Home-based or in service includes protection and/or relocation of family members; external referral.
Aboriginal Alcoholics Anonymous	Intensive referral; support ongoing maintenance with participants; active group-work participation; help placement and support to rehabilitation facilities.
Malanee Bugilmah (Intensive Family Based Service)	Liaison with the service as required, supporting client's needs to extend her activities outside of the home in healthy settings.
Family Days and community meeting supports	Provide healthy activities for families to come together to enjoy recreation and connection with other families. Specific themes may revolve around women's specific requests and leadership skills for community development and community meetings.
Advocacy and Support	Continued family support.

Camps for men and women are a particularly successful part of the program. To date, *Rekindling the Spirit* has conducted in excess of 30 cultural camps. An overview of the camps is provided in Text Box 5 below.



Text Box 5: Rekindling the Spirit Men's and Women's Camps

Men's Camps

The Men's camps are usually held in a place of cultural significance such as Pretty Gully, Jabullum in Tabulam, Casino or Lismore.

The camps provide an opportunity for the men to heal and get a 'rekindled connection with the land, with traditional values, and with traditional practices and skills.'¹³⁴

Bringing the men together in the natural environment of camp also means that new skills and experiences are easier to take in without fear of being 'assessed' by *Rekindling the Spirit* staff.¹³⁵ In particular, for men recently released from correctional facilities, the camp is an extremely powerful experience and enables them to see how easy their basic needs for shelter, food and clothing at camp can be met.¹³⁶ This is not only a positive cultural tool, but important for reintegration into society as well.

The camp provides a good opportunity for the men and staff to build more trust, as well as improve their self-esteem through fun activities. The cultural camps are also an ideal space for the men to bond with one another. This is particularly helpful for the healing process where men gradually begin to reveal sensitive issues such as their experiences with abuse or drug or alcohol use.

As bonds and trust strengthen, the camp fire usually provides a good place for men to talk openly about their own life stories. In this way, they simultaneously gain a sense of community as well as communication skills that are transferable back home.

Women's Camps

The *Rekindling the Spirit* women's camps have similar objectives to that of the men's programs. However, the locations of the women's camps are often not exclusively in a natural habitat to give the women a break from the chores that camping can involve, seeing as most of the women are already over worked and feeling stretched at home.

Instead, they are conducted in comfortable conference style settings to allow for a secure space where new skills and bonds are encouraged. This is also usually supplemented by being close to a beach or other environment that gives off positive energy and in turn facilitates the spiritual well-being of those involved. Sometimes however, camps might be held in a city-based location such as the Gold Coast, to allow the 'women to learn new skills in the ways of the mainstream culture.'¹³⁷

Importantly, women can not self-refer to attend the Camp, but instead must demonstrate a commitment to the Women's programs before they do so. This is usually achieved in the continued attendance, as well as the female participants meeting their own progress agreements.

Along with group sessions, women's camps are also accompanied with traditional activities such as jewellery making, basket weaving or fishing. Importantly, priority is given to skilled Aboriginal craftswomen, who teach the group by using either

134 Rekindling the Spirit, *The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p97.

135 Rekindling the Spirit, *The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p96.

136 Rekindling the Spirit, *The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p97.

137 Rekindling the Spirit, *The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p161.



traditional or contemporary materials. These sessions allow women to connect with their roots as well as enable them to learn new skills. During these sessions women are comfortable and opportunities to discuss difficult topics like violence, abuse and drug and alcohol use often arise.

Impact of the *Rekindling the Spirit* Program

Rekindling the Spirit has been operating for almost 11 years and is now an established, well respected service that can act as a model for other holistic healing services. Long term evaluation has not been done but some analysis of recent clients suggests significant successes. Statistics analysed by the NSW Department of Corrective Services show that 97% of men and women who completed the *Rekindling the Spirit* Program had not returned to custody after two years of completing the program.¹³⁸

The overall number of referred and accepted clients with the service as at 30 June 2007, including the cumulative clients from the year prior, was 189 in total. 98 of these made up the new client intake for the 1 July 2006 to the 30 July 2007. The remaining 91 people were those who had stayed with the program from previous years.

Rekindling the Spirit is an Indigenous run and managed program that encourages self-determination within the local community. *Rekindling the Spirit* revitalises culture and pride which in turn has built leadership and capacity in the community. This also translates into individual successes. For instance, Greg Telford reported that one of the men who participated in the very first men's group has gone on to become a fully qualified drug and alcohol worker with the local Aboriginal Medical Service.¹³⁹

Funding is an issue for *Rekindling the Spirit*. Although it has been funded through the NSW Government's *Two Ways Together* plan, this is the last year of the funding agreement. With the continuity of the program in mind, Greg Telford and other members of *Rekindling the Spirit* staff have been collaborating with similar organisations, individuals, communities and government in order to ensure the legacy of the *Rekindling the Spirit* program by developing a training package.

On the issue of sustainability and the inevitable need for financial backing of community initiatives, Greg Telford maintains that:

the Government needs to be aware that two years of funding only begins to scratch the surface of entrenched issues such as family violence. There needs to be continued support of programs if we are going to see real results. Getting an initiative up and running and then having it suspended because of lack of financial support is a common problem that leaves communities raw and left to deal with the aftermath of family violence.¹⁴⁰

138 *Rekindling the Spirit, The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs*, Rekindling the Spirit, Lismore, 2007, p10.

139 Telford, G., *Communication with Social Justice Commissioner's Office*, 11 December 2007.

140 Telford, G., *Communication with Social Justice Commissioner's Office*, 19 November 2007.



Lessons from *Rekindling the Spirit*

Culturally Appropriate

Rekindling the Spirit uses an approach that focuses on traditional Bundjalung family values, and developing community solutions to individual problems. Connection to land and culture is promoted and clients are given an opportunity to connect with their spirituality.

Unlike mainstream services, *Rekindling the Spirit* is run and staffed by Indigenous people. Elders were involved in the development of the program and often contribute to group sessions and camps.

Partnership approach to service delivery

Rekindling the Spirit has developed effective partnerships with the NSW Department of Corrective Services, Department of Community Services and NSW Health as sources of referral and funding. *Rekindling the Spirit* workers communicate openly and effectively with the referring agencies to report on individual progress, as well as advocate for better client outcomes.

Rekindling the Spirit has been part of the Two Ways Together, the NSW Government's 10 year plan (2003-2012) to improve the lives of Aboriginal people and their communities. This is a whole of government plan that reports back to the Premier regularly.

Sustainability

Rekindling the Spirit grew from small beginnings and has since flourished into a successful, much needed community program. The sustainability of the program is also owed to the commitment and diligence of the staff at *Rekindling the Spirit*. It is through their expertise, as well as their personal and cultural experience that translates into effective care for their clients. The cultural experience of staff also facilitates the healing process with clients by creating common ground, which enhances the relationships of trust which are needed for this process.

Indigenous Staff Expertise and Networks

Rekindling the Spirit recognises that the employment of Indigenous staff is an important healing tool, not only for clients and families but also for the staff who have been exposed to violence or other trauma in their upbringing.

Holistic

Rekindling the Spirit recognises that 'health' is a concept that does not simply mean the absence of disease. It does this by distinguishing between Western and Indigenous notions of health to focus on the spiritual, sexual, emotional and also mental health needs of people. Importantly, the program also takes into account the social and historical context of Indigenous culture and disadvantage to produce a culturally appropriate response to the needs of clients.

Rekindling the Spirit offers a holistic response to healing that not only acknowledges the importance of culture in the healing process, but focuses on community as well as individual treatment. In doing so, the program recognises the importance of healing the family unit in assisting to break the cycle of intergenerational trauma and violence.



Greg Telford put it well when he said that Rekindling the Spirit is about:

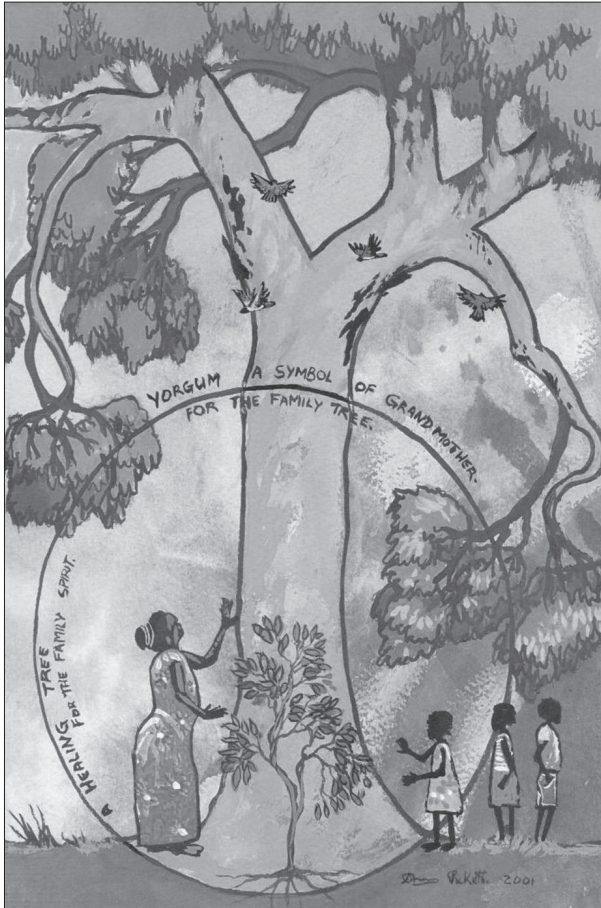
Continuity, about empowering individuals, families and ultimately communities in the fight against family violence and abuse which has become an intergenerational issue.¹⁴¹

Flexible, long term funding

Despite being a strong community based organisation with long-running success and well-built relationships with government and non-governmental organisations, *Rekindling the Spirit* inevitably depends on funding from other bodies to keep it running. A much needed program, it shows us that there needs to be an extended commitment to ensure the sustainability of such initiatives.

141 Telford, G., *Communication with Social Justice Commissioner's Office*, 19 November 2007.

ii) Yorgum Aboriginal Family Counselling Service



Culturally appropriate: *Yorgum* is an Indigenous owned and run initiative that provides a holistic healing service to Indigenous families.

Yorgum Aboriginal Family Counselling Service provides counselling and healing services to Aboriginal victims of family violence and sexual abuse. It is the only Aboriginal run family violence and sexual assault service in all of Western Australia. *Yorgum* has developed from strong community foundations to become an essential part of the service delivery landscape of Perth.

The Perth metropolitan area has an Aboriginal population of 21,324 people. This is only 1.5% of the total population, compared with the 2.3% average across Australia.¹⁴² This relatively low rate reflects the fact that Western Australian Aboriginal people are more likely to live in remote areas than other Indigenous people. Nonetheless, Perth is still an important Aboriginal centre with a fluctuating transient population drawing people from all over the state.

142 Australian Bureau of Statistics, *2006 Census Quickstats: Perth (Indigenous Region)*, available online at: <http://www.census.abs.gov.au>, accessed 12 December 2007.



The Aboriginal population in Perth faces significant disadvantage. One way of looking at this disadvantage is starting from childhood. The *Western Australian Aboriginal Child Health Survey* provides a snapshot of the social and emotional wellbeing of the Indigenous children in Perth. Compared to their Aboriginal counterparts in remote Western Australian Aboriginal communities, children in Perth are more likely to be effected by clinically significant social and emotional difficulties, with 1 in 4 at high risk of social and emotional problems.¹⁴³ By way of comparison, children living in isolated communities were 83% less likely than Aboriginal children living in the Perth metropolitan area to be at high risk.¹⁴⁴ Similarly, the level of emotional and behavioural difficulties for households where alcohol was reported to be a problem was estimated to be highest in the Perth area, where two in every five children was at high risk of emotional or behavioural difficulties.¹⁴⁵

Perth is part of Noongar country. Noongar country stretches from Esperance, to Bunbury and up to Geraldton. Despite the considerable problems that face the Noongar population, a recent landmark native title win has boosted community pride and cohesion. In September 2006 Justice Murray Wilcox ruled in favour of the Noongar claim, recognising that Noongar society and culture had survived.

Description of the *Yorgum Aboriginal Family Counselling Service*

Yorgum developed out of a group of concerned Aboriginal women who recognised the need to develop counselling services for Indigenous people. At that stage there were no culturally appropriate counselling services, so the women started the Aboriginal Counselling Course to skill local workers.

Out of this course grew the *Yorgum* service. Whilst the program had its beginnings in a volunteer basis, the success of the initiative led to incorporation in 1993. *Yorgum* secured funding from what is now called the Department for Child Protection Services in 1995 to run a service for child victims of sexual assault.

Over the years *Yorgum* has expanded to provide more services and developed partnership with Oxfam Australia. *Yorgum* now include a team of 16 all Aboriginal Indigenous staff and management, from social workers and family case workers to counsellors and community development workers.

Yorgum provides holistic counselling and healing services in the following programs:

- Child sexual abuse treatment service;
- Counselling for children witnessing and experiencing family violence;
- Family Violence Counselling and Advocacy Program ;

143 Zubrick, S., Lawrence, D., Mitrou, F., Blair, E., Griffin, J., Milroy, H., Cox, A., and Li, J., *The Western Australian Aboriginal Child Health Survey: The Social and Emotional Wellbeing of Aboriginal Children and Young People*, Perth, Curtin University of Technology and Telethon Institute for Child Health Research, 2005, p74.

144 Zubrick, S., Lawrence, D., Mitrou, F., Blair, E., Griffin, J., Milroy, H., Cox, A., and Li, J., *The Western Australian Aboriginal Child Health Survey: The Social and Emotional Wellbeing of Aboriginal Children and Young People*, Perth, Curtin University of Technology and Telethon Institute for Child Health Research, 2005, p68.

145 Zubrick, S., Lawrence, D., Mitrou, F., Blair, E., Griffin, J., Milroy, H., Cox, A., and Li, J., *The Western Australian Aboriginal Child Health Survey: The Social and Emotional Wellbeing of Aboriginal Children and Young People*, Perth, Curtin University of Technology and Telethon Institute for Child Health Research, 2005, p148.



- Community Development Healing Project (including family violence community workshops, working with communities on a needs basis, events and support initiatives like the Grandmother's group and men's healing camps); and
- Building Solid Families (state Link Up program).¹⁴⁶

All of the programs are run according to the holistic, healing philosophy of *Yorgum*. This philosophy eloquently draws on cultural symbols. The meaning and philosophy of *Yorgum* are explained in Text Box 6 below.

Text Box 6: The *Yorgum* Aboriginal Family Counselling Service Philosophy

The name '*Yorgum*' is a Noongar name for a large red flowering gum tree which has healing properties. The name is an expression of the life-sustaining image of the living tree. The deep roots, rising sap, branches reaching to the sky, the shelter given and the home provided to the many forms of life-insects, reptiles, birds and other animals. It is a symbol of connectedness and inter-dependence in the diversity of living beings. The image conveys the philosophy of the *Yorgum* staff and the way in which they work.

The underlying philosophy is valuing our diversity: in different individuals, different families, language groups and people from places who are included and respected; that human differences can be accepted as expressions of our uniqueness and capacity to survive.

Abuse can be compared to a tree with the root system being affected by some of the factors such as loss of culture, identity, low self-esteem, unresolved cultural traumatic experiences.

The lack of consistent, supportive and loving relationships and the absence of positive life enhancing values are like the soil in which the tree grows. A tree is an organic system. If the whole system is diseased, you can't just treat one of the roots and expect the rest of the tree to be healthy. You must treat the whole tree as well as the soil within which it grows.¹⁴⁷

The real success of *Yorgum* is the way it has developed a culturally appropriate and accessible service. Jade Maddox, Chief Executive Officer of *Yorgum*, notes that this starts with the environment they create for their clients. Staff make an effort to get to know all the clients so there is a relationship beyond the counsellor and there is a genuine friendliness that can be missing in other mainstream counselling services. Jade Maddox states that they often get positive feedback from clients, reflecting that *Yorgum* makes them feel good because it is 'safe, warm, cultural and friendly'.¹⁴⁸

146 Unpublished briefing document, *Yorgum Aboriginal Family Counselling Service*. Information provided by Jade Maddox to the author.

147 Unpublished briefing document, *Yorgum Aboriginal Family Counselling Service*. Information provided by Jade Maddox to the Social Justice Commissioner's Office.

148 Unpublished briefing document, *Yorgum Aboriginal Family Counselling Service*. Information provided by Jade Maddox to the Social Justice Commissioner's Office.



Yorgum counsellors also use Aboriginal ways of engaging with their clients. For instance, staff have developed an Aboriginal Case Management model which privileges cultural planning. Counsellors use sand play in therapy, especially with children. Jade Maddox explains that 'after all we have been using the sand to communicate for hundreds and thousands of years.'¹⁴⁹ Art also features heavily in counselling as well as community development activities. All of these engagement tools help connect to culture and are a vehicle to express difficult emotions.

Many of the children that come to *Yorgum* receive support from the Grandmother's group. This has a dual purpose of allowing the Elder women to share their knowledge, keep active and provide nurturing to the younger generation. It also has a profound impact on the children, with the grandmothers often being the most skilled counsellors of them all.

For instance, one young girl who was a victim of abuse had been attending *Yorgum* for sometime but had not engaged with any of the counsellors. She was still severely traumatised by her experiences and simply would not speak. However, when she was introduced to the Grandmothers she almost immediately started talking and opening up. This built up her trust in the service and allowed her to start counselling and healing.¹⁵⁰

Impact of *Yorgum* Aboriginal Family Counselling Service

Yorgum is a well established service that has delivered significant individual and community benefits. Testament to their success is the fact that all funding is now on a recurrent basis¹⁵¹ as they have a proven track record of achieving results as well as good governance practices. *Yorgum* has not been formally evaluated but it has recently been acknowledged by ANTaR in its publication, *Indigenous Health Success Stories*.

Yorgum has a broad reach in the community. In 2006-07 the total number of clients attending *Yorgum* for support or counselling was 1,048. Of these, 687 were adults and 361 were children.¹⁵² Referrals are received from child protection, sexual assault and health services, as well as self-referral.

In addition, through the community development program, there are opportunities to work with community members outside of the counselling role in ways that develop individual and community capacity. Family violence workshops are an example of a 'local solution at the local level'¹⁵³ facilitated by *Yorgum* staff for the Noongar community.

149 Maddox, J., *Communication with Social Justice Commissioner's Office*, 12 December 2007.

150 Maddox, J., *Communication with Social Justice Commissioner's Office*, 12 December 2007.

151 *Yorgum* Aboriginal Family Counselling Service, *Annual Report 2007*, p8.

152 *Yorgum* Aboriginal Family Counselling Service, *Annual Report 2007*, p13.

153 *Yorgum* Aboriginal Family Counselling Service, *Annual Report 2007*, p12.



Lessons from *Yorgum* Aboriginal Family Counselling Service

Culturally appropriate

Yorgum have developed a range of unique, culturally appropriate counselling techniques that enable them to engage some of the most traumatised and traditionally hard to reach clients. This has been achieved through a real commitment to staff training, development and supervision. There are good mechanisms for supporting staff in this difficult work and encouragement to use their cultural knowledge and creativity to develop new ways of working.

There is a possibility that the original Aboriginal Counsellor Training course will recommence soon. This could help spread this valuable knowledge to other counsellors.

Community development

Yorgum recognise that not all the problems can be solved through counselling. There is a need to develop communities. Initiatives like the Grandmother's Group have been incredibly successful. The Grandmother's Group honours Elders and supports their valuable role in the community. Similarly, community workshops have provided a voice to Aboriginal people and helped promote anti-violence messages.

Flexible, long term funding

As well as securing Western Australian government funding, *Yorgum* have also developed a long term funding arrangement with Oxfam Australia. Oxfam Australia funds the Community Development Healing Project which includes some of the more innovative programs like the Grandmother's Group and men's healing camps. Jade Maddox remarks that this funding arrangement has given them considerable flexibility to be creative.¹⁵⁴ Oxfam promote *Yorgum* on their website and include it in the *Oxfam Unwrapped* scheme which allows people to buy a goods or service in lieu of a gift, with \$50 buying support for the Grandmother's Group.¹⁵⁵

154 Maddox, J., *Communication with Social Justice Commissioner's Office*, 12 December 2007.

155 Oxfam Australia website, available online at: <http://www.oxfamunwrapped.com.au/Product.php?productid=111>, accessed 7 November 2007.

iii) *Western Australian Aboriginal Healing Project*



Follow the beat: A young girl lets loose on a drum at Kalgoorlie's Drum Beats, an initiative of the WA Aboriginal Healing Project.

The *Aboriginal Healing Project* evolved out of the context of the Gordon Inquiry. The Gordon Inquiry, headed by Magistrate Sue Gordon AM, reported on the responses by government agencies into complaints of family violence and child abuse in Aboriginal communities. It followed a Coroner's inquest into the death of Susan Taylor, a 15-year-old girl in the Swan Valley Noongar Community in Perth. The Gordon Inquiry made 197 findings and recommendations in its report.

In its response to the Gordon Inquiry, the Western Australian Government committed \$75 million over four years to implement strategies addressing family, domestic and sexual violence in Indigenous communities. This led to the expansion of Sexual Assault Resource Centres (SARC) with dedicated Aboriginal Liaison Officer positions and specific counselling services for Aboriginal people.

In most cases, the expansion of SARC services increased service capacity and organisational commitment to provide services to Aboriginal people affected by sexual violence. This increased confidence led the Western Australia Department of Health to consider the possibility of community based healing initiatives to work beyond the individual level but still building on the strengths of the SARC model in a complementary way.



Located in the Women's Health Policy and Project Unit of the Western Australian Department of Health, the *Aboriginal Healing Project* was developed as an initial two year pilot program utilising matched Western Australian and Australian government funds. Funds are provided from FACSIA under the Family Violence Partnership Program. A total of \$2.9 million has been provided for the project. Funding commenced in 2005 and the project has been running ever since.

Description of the *Aboriginal Healing Project*

The *Aboriginal Healing Project* is currently run in Bunbury, Mandurah, Kalgoorlie, Geraldton and Port Hedland. Each of these sites has a high Aboriginal population and are allocated Department of Health funding for the implementation of the Gordon Inquiry recommendations for sexual assault projects. There are well established non government services in each of these areas.

The selection of project sites has contributed to the success of the project. The *Aboriginal Healing Project* is premised on the notion that communities must be ready and willing to heal. Dorinda Cox, Manager of the *Aboriginal Healing Project*, notes that some of the preconditions that must be present for healing projects to work include:

- Whether the community actually wants the healing projects – some communities are not ready to work on these issues and there can be 'some resistance around family violence and sexual assault';¹⁵⁶
- Whether the community has self identified healing as an issue they would like to address;
- Whether the necessary supporting infrastructure for healing exists, such as 'good counselling services, mental health services and Aboriginal medical services';¹⁵⁷ and
- Whether a suitable place for the project to occur exists, for instance, whether there is an existing healing centre, or at least a 'place of belonging'.¹⁵⁸

In communities where these preconditions aren't met, healing projects can be counterproductive. Dorinda Cox notes that 'most communities have some'¹⁵⁹ of these conditions, if not all. In these communities, they suggest that government pools resources to increase capacity.

The *Aboriginal Healing Project* employs full time Aboriginal project officers in each of these communities to develop practical projects on healing and reduction of violence. Four of these workers are located in the Sexual Assault Resource Centres and one is located in an Aboriginal organisation.

156 Cox, D., *Communication with Social Justice Commissioner's Office*, 30 November 2007.

157 Cox, D., *Communication with Social Justice Commissioner's Office*, 30 November 2007.

158 Cox, D., *Communication with Social Justice Commissioner's Office*, 30 November 2007.

159 Cox, D., *Communication with Social Justice Commissioner's Office*, 30 November 2007.



The *Aboriginal Healing Project* has clear objectives about healing and reducing harm through:

- increased sense of group cohesion;
- increased value and worth;
- identifying and agreeing on collective actions which will heal the effects of past suffering and harm;
- increased sense of safety in family and community groups; and
- reduction in the incidence and experience of violence.¹⁶⁰

However, how these are met in each site is entirely dependent on what the community wants and needs. All of the programs are currently aimed at women, adolescents and children.

The project officer in each site consults extensively with the local communities to tailor the project to their needs. Consultations are an ongoing process, with the project officers continually gathering feedback and ideas on the activities in order to maintain the community ownership of the healing activities. Given the diversity of locations, it is not surprising that the range of projects is equally diverse. It makes sense that the needs of the more remote locations like Kalgoorlie and Port Hedland will be different to less remote, better serviced locations like Bunbury or Mandurah.

Some examples of healing projects that have been undertaken to date are as follows:

- Port Hedland: *Mums Against Drugs* – the local women identified that drugs, including ice, were a big problem in the community and causing a great deal of violence. They decided that they wanted support and advice on how to take action against drugs to start healing their community.
- Port Hedland: *Deadly Young Women* – providing support to mainly traditional young women who have been stranded in town after last year's cyclone. There is a severe shortage of accommodation so these young women are often living on the streets in very dangerous conditions. The group meets their practical needs, like 'a good feed and a shower'¹⁶¹ but also increases their protective skills, provides education about violence and sexual assault and support for previous trauma they have suffered.
- Bunbury: *Strong Sisters* – an activity group for 8-15 year olds that aims to increase their self esteem and pride through fun, culturally based activities.
- Bunbury: *Young Mums group* – providing parenting support and education for young women in a safe, culturally appropriate environment.
- Kalgoorlie: *Drum Beats* – anger management program that uses drums as a form of expression.

160 Unpublished briefing document, *Family Violence Partnerships Programme Western Australian Aboriginal Healing Project*. Information provided by Dorinda Cox to Social Justice Commissioner's Office

161 Statz, E., *Communication with Social Justice Commissioner's Office*, 15 October 2007.



- Kalgoorlie: *Prison group* – a program for the women in the Eastern Goldfields regional prison. There is a severe lack of support and rehabilitative programs for the women in prison so the project officer worked with the prison to provide a support group on a regular basis. The group is focused on activities like beading and painting but there is an underlying focus on safety and healing as many of the women are victims, and sometimes perpetrators, of violence.

Most of the projects are practical, activity based groups. On the face of it, these might not seem like traditional healing processes but according to *Aboriginal Healing Project Manager, Dorinda Cox*:

They create the right environment for conversations around healing and violence to occur.¹⁶²

This 'under the radar' approach is non-threatening and lets the participants set the agenda and pace for dealing with difficult issues like family violence and abuse in communities. The activities also provide a 'hook' to get people to attend the programs.

Evaluation has been built into the operation of the *Aboriginal Healing Project*. At the end of each session project officers complete a template that outlines how the activity went, how it met the project goals and reflections for improvement. These forms are fed back to the manager for quality assurance and recording.

The *Aboriginal Healing Project* also seeks feedback from participants to show how they are meeting the key indicators set out in their funding agreement.

Impact of the *Aboriginal Healing Project*

Over 500 participants have taken part in the various Aboriginal healing projects across Western Australia to date.¹⁶³

The *Aboriginal Healing Project* has undertaken some preliminary evaluation of the program, using a primarily qualitative approach. Focus groups and interviews have been held with program participants as an opportunity to discuss their satisfaction with the various projects, the difference it has made to their lives, as well as any areas for improvement.

Overall the response has been very positive and participants seem to be getting benefit from the projects.

A selection of comments from participants in various projects run by the *Aboriginal Healing Project* follows. It indicates the sense of empowerment and support felt by many participants:

In the group we 'learn how to express yourself, listen, and support other people in the community'

The group is 'able to make a difference in peoples lives'

'Strong sisters, solid sisters, I'd suggest it to other kids, culture learning, it's deadly, challenging, happy and brave'

162 Cox, D., *Communication with Social Justice Commissioner's Office*, 30 November 2007.

163 Statz, E., *Communication with Social Justice Commissioner's Office*, 15 October 2007.



'I like the fact that it's all us yorgas (women) and that more people are understanding our culture. Also that we are meeting different people and learning different things every time we come about what our grandmothers' and Elders went through when they were our age'

I like 'the activities, we're empowered, tried new things, there's heart in the group, it's relaxing'

The group 'allowed me to talk openly about my own issues'

'at last it's going, at last we are doing something, getting somewhere'

'good to talk it out and feel better at the end of the group'

'they (participants and project officer) are all very friendly, trustworthy and supportive'.¹⁶⁴

According to survey data, around 90% of participants feel the programs have taught them ways to self-nurture, protect their children and increase their safety.¹⁶⁵

The *Aboriginal Healing Project* staff have also noticed changes in the wellbeing and confidence of the women who have participated. For instance, a number of the women have subsequently become involved in leadership activities like a reference group for Indigenous health issues and taken part in the Indigenous Women's leadership program. According to Erin Statz from the *Aboriginal Healing Project*, this is:

a huge step for these women who previously were living crisis to crisis. This has developed their self esteem and made them more active in the community.¹⁶⁶

Similarly, Indigenous young women who have disengaged from education have gone on to enrol in TAFE courses following supported group visits to the TAFE which built up their confidence to take this step.

Lessons from the *Aboriginal Healing Project*

Community generated

A strength of the *Aboriginal Healing Project* is that each community has been given the freedom to generate their own project and solutions to their problems. This has ensured that communities get the intervention they want and need. It also positions the community in an active partnership with the project so that the process of deciding what to do is actually part of the community development and healing process.

Flexibility

The flexibility and responsiveness of the *Aboriginal Healing Project* can be seen in the community led definitions of healing. Rather than being prescriptive, communities have been asked what healing means for them and how it can be achieved. Overwhelmingly, communities have identified activity based ways of group healing. This means doing things that 'reduce stress levels, give time to reflect and reconnect with self, family and country'.¹⁶⁷

164 Unpublished *Aboriginal Healing Project* evaluation report. Provided by Dorinda Cox to the Social Justice Commissioner's Office.

165 Statz, E., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

166 Statz, E., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

167 Statz, E., *Communication with Social Justice Commissioner's Office*, 15 October 2007.



For instance, one successful activity has been a women's healing camp. For some women, this is the first time they have ever had their hair done by a hairdresser. This might seem like a little thing, but it is an activity that makes the women feel good about themselves and helps them relax away from the pressures of community life. Creating a relaxed environment makes difficult but necessary, conversations around issues like sexual abuse possible.

This way of viewing healing is in contrast to Western healing models which privilege therapy and counselling. Dorinda Cox notes that therapy is 'fairly new'¹⁶⁸ to Indigenous people and may not always be the most appropriate way to facilitate healing.

Sustainability

The *Aboriginal Healing Project* is relatively unique because it has built evaluation into the project from the very outset. This ensures that the Project Officers reflect on their practice, progress of the groups and remain consistent with the core objectives of the project and build the sustainability of the service.

Importantly, the evaluation data provides rich material for funders and helps build a compelling case for continuation. So often we see good programs struggle with funding bodies because they cannot articulate what they are doing and measurable gains. The emphasis on evaluation has increased the sustainability of the *Aboriginal Healing Project*.

Implementing the project where communities are ready

The *Aboriginal Healing Project* has clear criteria about the communities they work with. Communities need to be ready, able and willing to heal. Healing is a difficult process that requires additional support and resources. Without these necessary preconditions, any healing projects can be setting people up to fail.

The *Aboriginal Healing Project* staff are realistic about what they can achieve with their limited resources. However, they do not turn their back on communities that are not ready for healing. They use their assessments to advocate for further support from government to build capacity.

168 Cox, D., *Communication with Social Justice Commissioner's Office*, 30 November 2007.



c) Alcohol Management

Alcohol abuse causes devastating harm in Indigenous communities, fuelling environments fraught with violence and abuse. In a submission to the Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse in the Northern Territory, a Yolgnu elder described alcohol as '[the curse of] this white man's water'.¹⁶⁹

Recognising this harm, proactive strategies have been introduced in some communities to manage the impact of alcohol. This section will consider the impact of the *Groote Eylandt and Bickerton Island Alcohol Management Plan*. In particular, this case study will focus on the methods used by the Groote Eylandt community of Umbakumba to reduce alcohol consumption and related harm.¹⁷⁰

The relationship between alcohol and family violence in Australian Indigenous communities has been well documented. Memmott and others note in, *Violence in Indigenous Communities*,¹⁷¹ that alcohol is one of the many situational factors that can contribute to violence. They also note that there will be different dynamics and therefore different solutions required in different communities to address the impact of alcohol. As an example of why this is the case, there are dry communities where violence is still a problem and conversely, Indigenous people who drink alcohol but do not become violent as a result.¹⁷²

We also need to consider the drinking patterns of Indigenous people when looking at alcohol management strategies. On one hand, we know that a lower proportion of Indigenous people drink, but on the other, those that do drink are approximately six times more likely to drink at high-risk levels than non Indigenous people.¹⁷³ High risk drinking leads to significant health consequences, with an alcohol related death of an Indigenous person occurring every 38 hours.¹⁷⁴

169 Anderson, P., and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, 2007, p163.

170 In 2006, the University of Sydney was invited to conduct a review of the Groote Eylandt alcohol management plan on behalf of the Northern Territory Liquor Licensing Commission. The results of this evaluation are found in Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System*. This evaluation is a comprehensive overview and evaluation of the development, operation and effectiveness of the alcohol management on Groote Eylandt, and includes all the major communities on both Groote and Bickerton Island (Milyakbura), of which Umbakumba is one. Permission to quote from the report granted by Ian Crundell, Principal Advisor Community and Justice Policy Division, Dept. of Justice, via email, 22/10/2007.

171 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p26.

172 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p26.

173 It is important to note that recent work by Chikritzhs and Brady have problematised the collection of drug use statistics, particularly within Indigenous communities. See generally, Chikritzhs, T., and Brady, M., 'Fact or fiction? A critique of the National Aboriginal and Torres Strait Islander Social Survey', (2002), 25, *Drug and Alcohol Review*, pp277-287.

174 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007.



Alcohol abuse is not just a problem for Indigenous people living in remote parts of Australia. The incidence of alcohol abuse within the national Indigenous population does not significantly vary across remote and non-remote areas.¹⁷⁵ Moreover, only one in four Indigenous Australians live in remote communities. This means that the great majority of Indigenous Australians live in regional and urban areas¹⁷⁶ and are therefore not subject to discrete community restrictions. This underlines the need for varied approaches to alcohol management rather than focusing solely on problems of, and solutions for, discrete Indigenous communities.

Little Children are Sacred is the latest report to make the connection between alcohol abuse and violence and abuse. It identifies the 'scourge of alcoholism'¹⁷⁷ in many Indigenous communities and notes that:

every one of the 45 places visited by the Inquiry indicated that alcohol was having an extremely significant detrimental effect on almost every aspect of community life including the safety of children.¹⁷⁸

The report concluded that alcohol consumption increased the risk that a person would sexually abuse a child; that alcohol abuse by family members resulted in reduced supervision and protection of children from sexual abuse; and that abuse of alcohol by children also renders them more vulnerable to abuse. The report found that alcohol also impacts on the social fabric of Indigenous communities in the following ways:

- Aboriginal culture is being lost as alcohol has impacted severely on the teaching and practising of culture...
- alcohol abuse clearly led to general physical violence and dysfunction,
- alcohol impacted negatively on education (the Inquiry was told that children were often sleep deprived due to the late night antics of 'drunks'),
- large numbers of children are drinking alcohol,
- alcohol impacted negatively on employment and employment prospects, and
- alcohol is a major cause of family and social breakdown and lead to the weakening of the normal family and social protections that exist in relation to children.¹⁷⁹

175 In 2004-05, 13% of people aged 18 years and over in major cities of Australia had risky/high risk levels of alcohol consumption, compared to 15% in inner regional and 16% in outer regional Australia. Australian Bureau of Statistics, *Alcohol Consumption in Australia: a Snapshot 2004-05*, 2007, ABS cat. 4832.0.55.001, Canberra, available online at: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/mf/4832.0.55.001/>, accessed 10 January 2008.

176 Australian Bureau of Statistics, *National Aboriginal and Torres Strait Islander Social Survey 2002*, ABS series cat. no. 4714.0., Commonwealth of Australia, Canberra, 2002, p1.

177 Anderson, P. and Wild, R., Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007.

178 Anderson, P. and Wild, R., Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007.

179 Anderson, P. and Wild, R., Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007.



Alcohol abuse is not just an issue for Indigenous people. The Australian alcoholic drinks market grew by 2.6% in 2006, to reach a value of \$12.4 billion and is projected to reach a value of \$14.1 billion by 2011.¹⁸⁰ Alcohol is the second largest cause of drug-related deaths and hospitalisations in Australia after tobacco. The estimated direct health care cost of substance abuse is \$145 million for alcohol and \$43 million for illicit drugs.¹⁸¹

In light of such great social and economic cost, research has been increasingly devoted to effective alcohol regulation in Australia in order to address alcohol related harm across the population. In their comprehensive evaluation of Australian alcohol management strategies in both Indigenous and general populations, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, the National

Drug Research Institute (NDRI) identifies two key types of control which can be placed on the sale of alcoholic beverages:

1. *Economic availability*: that refers to the price of alcoholic beverages in relation to the disposable income of drinkers; and
2. *Physical availability*: that relates to the ease with which individuals can obtain or come into contact with alcohol in their local environments.¹⁸²

The NDRI also ranks the strategies tried in various liquor management plans across Australia in order of their effectiveness in reducing consumption of alcohol and alcohol related harm. The three most effective restrictions to date have been:

1. the price of alcohol;
2. restrictions on the hours and days of sale for licensed premises; and
3. limiting access to beverages more frequently associated with certain types of harm.

In terms of Indigenous specific research, Memmott and others support the role of alcohol management plans as 'early proactive' interventions that 'aim to counter any likelihood of violence as early as possible'.¹⁸³

Alcohol management strategies have been introduced within Indigenous communities in most states and territories. For the most part these involve the introduction of 'dry areas' or restrictions on limits of alcohol that can be purchased.

For example:

- In **Queensland**: The *Cape York Justice Study* (2001) led the Queensland government to introduce the *Meeting Challenges, Making Choices* (MCMC) policy in 19 communities (including Yarrabah, Aurukun shire, Lockhart River and Hope Vale).¹⁸⁴ Strategies introduced included the development of Alcohol Management Plans and Family Violence Strat-

180 DataMonitor, *Alcoholic Drinks in Australia; Industry Profile*, Ref. 0125-2201, Sydney, 2006, p7.

181 Australian Institute of Health and Welfare, *2001 National Drug Strategy Household Survey: First Results*, AIWH cat. No. PHE 35, 2002, Canberra (Drugs Statistics Series No. 9), p1.

182 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, pxi.

183 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, pp3-4.

184 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, p73.



egies, rehabilitation services and the creation of statutory powers for Community Justice Groups.¹⁸⁵

- An evaluation of the MCMC program was conducted in 2005 by the Queensland government and revealed mixed results. The evaluation revealed the importance of community involvement and support for alcohol management if it is to succeed, and also noted adverse effects in some communities such as pushing drinkers out of communities to avoid arrest, increased pressure on people with a car to drive out of the community to buy alcohol, and an increase in sly grogging.¹⁸⁶ There were, however, improvements in the number of hospital separations for assault, self inflicted and other injuries and a small number of residents reported that there were fewer fights in the community.
- In **South Australia:** The *Liquor Licensing Act 1997* (SA) provides for the establishment of 'dry areas' aimed at controlling unwanted behaviour associated with the excessive consumption of alcohol in public places. Local Councils can apply for areas to be deemed 'dry' by lodging an application with the Liquor and Gambling Commissioner. In July 2006, there were 92 areas subject to dry area provisions in South Australia. Dry area provisions have been evaluated in Glenelg, Adelaide City and Port Augusta. Although not officially stated, it has been commonly observed that the targets of the legislation are 'Indigenous people and juveniles'.¹⁸⁷
- Dry area provisions of the ***Anangu Pitjantjatjara Yangkuntjatjara Land Rights Act 1981 (SA)*** and the ***Maralinga Tjarutja Land Rights Act 1984 (SA)*** provide for Aboriginal owners of those lands to 'make by-laws restricting consumption and possession of alcoholic beverages'.¹⁸⁸
- In the **Northern Territory:** The ***Liquor Act 1978 (NT)*** includes provisions for 'general restricted areas' and public restricted areas. The so-called '**Two Kilometre Law**' was introduced in 1983 in section 45D of the *Summary Offences Act 1923* making it an offence to consume alcohol within a two kilometre radius of a licensed premise.
- The Northern Territory government has made particular use of 'dry areas' established under the *Liquor Act 1978 (NT)* providing for the 'residents of an area to apply for the area to be declared 'dry', or subject to special restrictions on the sale of liquor'.¹⁸⁹ The taking of alcohol into these restricted areas is a criminal offence. At June 2006, over 100 Northern

185 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, p73.

186 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, pp78-80.

187 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, p85.

188 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, p91.

189 Fitzgerald, T., *Cape York Justice Study*, Department of Communities, Brisbane, 2001, p48.



Territory communities had applied for and been granted 'restricted area' status, including most non-urban communities and town camps.¹⁹⁰

- The NT Licensing Commission can also tailor licence conditions to community circumstances. After a hearing, communities can be made subject to special restrictions on alcohol availability. Tennant Creek, Katherine, Alice Springs and Elliot are all subject to such tailored restrictions. Each has also been evaluated, revealing varying degrees of success.
- In **Western Australia:** Section 64 of the *Liquor Licensing Act 1988* (WA) was amended in 1998 focusing on public health and safety, and allowing the licensing authority 'to impose, vary or cancel' the conditions of any liquor license where the health and welfare of the community is adversely affected by excessive alcohol consumption. This allows for the Director of Liquor Licensing to enforce restrictions as deemed necessary in certain communities to try to curb the incidence of alcohol related crime and disruption. Restrictions have been introduced in Halls Creek, Derby, Roebourne, Port Hedland and South Hedland, Meekatharra, Newman, Mount Magnet, Wiluna and Nullagine, with varied levels of success.
- Separate to this, several Indigenous communities in Western Australia have also advocated for processes to minimise the impact of alcohol. For instance, the Derby Alcohol Action Group (DAAG) and the Alcohol Action Advisory Committee (AAAC) in Halls Creek were instrumental in negotiating agreements with licensees, lobbying the Director of Liquor Licensing and implementing community projects such as sobering-up shelters and health promotions. Community advocacy in Wiluna, Port and South Hedland and Meekatharra has been influential in administering local agreements with licensees, mostly resulting in positive impacts. These efforts were, however, hampered by a lack of enforceability making them difficult to apply across the community.

The *Cape York Justice Study* asserts that 'the number of Indigenous communities that have declared themselves 'dry' demonstrates the considerable support for the general restricted area provisions'.¹⁹¹ The National Drug Research Institute observes that the 'limited evidence indicates that 'dry area' declarations have some impact in reducing both alcohol consumption and related harm... [although] reports on the evaluation of these restrictions indicate some... variation in their impact'.¹⁹²

Because these alcohol management strategies impact particularly on Indigenous communities they may also raise issues under the *Racial Discrimination Act 1975 (Cth)*. Restrictions imposed on one group of people based on their race may amount to racial discrimination and be contrary to section 9 or 10 of the Act. This is unless they can be characterised as a 'special measure' under section 8 of the Act, which is an exception to the prohibition of racial discrimination.

190 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, p96.

191 Fitzgerald, T., *Cape York Justice Study*, Department of Communities, Brisbane, 2001, p48.

192 National Drug Research Institute, *Restrictions on the sale and supply of Alcohol: Evidence and Outcomes*, Curtin University of Technology, Perth, 2007, pp131-132.



To be characterised as a special measure an action must:

- confer a benefit on some or all members of a class, and membership of this class is based on race, colour or national or ethnic origin;
- be for the sole purpose of securing adequate advancement of the group so that they may enjoy and exercise equally with others, their human rights and fundamental freedoms;
- give protection that is necessary so the group may enjoy and exercise equally with others, their human rights and fundamental freedoms; and
- not lead to a regime of 'separate rights' or be in place for longer than is necessary to achieve equality for the class of members to whom the action is applied.¹⁹³

In essence, this requires defining a restriction on alcohol as a positive or beneficial measure. HREOC has argued that alcohol restrictions **are** capable of being characterised in this way on the basis that 'while you might be detracting from the rights of the individual to alcohol by virtue of introducing restrictions, you may (also) be in fact conferring rights on the group as a result (known as collective rights):'¹⁹⁴ Such benefits may include community safety, freedom from violence and other related benefits.

However, the Commission has also made clear that the consent and participation of those impacted upon is crucial to determining whether the restrictions can be considered beneficial.¹⁹⁵ This has implications for how alcohol restrictions are imposed. Restrictions without the consideration, consultation and consent of the community may not meet the criteria for a special measure.

At a practical level, alcohol management plans that do not have the community behind them are also likely to be less effective. One unintended impact of some dry areas is to push:

drinkers into more and more unsafe drinking practices... [T]hey'll drink in places where they can't be found because that way they can't be found by people like [the police] so what we're marginalising them even more, we're pushing them into more and more unsafe places.¹⁹⁶

The effectiveness of alcohol management plans almost always depends on the level of support the plan receives both from within the community and from external stakeholders. Factors such as the level of policing of dry areas can have a significant impact on levels of sly grog entering dry areas. Many plans receive negligible support through complimentary measures like community education, alcohol treatment and rehabilitation facilities¹⁹⁷ and counsellors or meaningful work within or around the affected community.¹⁹⁸

193 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*, HREOC, Sydney, 2006, p19.

194 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*, HREOC, Sydney, 2006, p19.

195 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*, HREOC, Sydney, 2006, pp102-114.

196 Mitchell, S., *Communication with Social Justice Commissioner's Office*, 6 November 2007.

197 Conigrave, K, *Correspondence with Social Justice Commissioner's Office*, 17 January 2008.

198 Wodak, H., *Communication with Social Justice Commissioner's Office*, 6 November 2007.



Umbakumba Alcohol Management Plan: regulating alcohol in the idyllic Groote Eylandt.

Groote Eylandt is an idyllic island situated in the Gulf of Carpentaria. The Traditional Owners are the Anindilyakwa people, whose lands stretch across Groote Eylandt, Bickerton Island and the mainland.

There are three main population centres on Groote Eylandt – the Indigenous communities of Angurugu and Umbakumba, and the mining town of Alyangula. There are also several outstations both on Groote Eylandt and neighbouring Bickerton Island.

The island experienced only sporadic contact with Europeans until the mission at Emerald River was established by the Church Missionary Society in 1924.

Umbakumba was settled by Fred Gray in 1938 and used as a service point for defence forces during World War II. Fred Gray continued to run Umbakumba after WWII until the Church Missionary Society took over Umbakumba as a mission in 1958. The Church Missionary Society managed Umbakumba until 1966 when the Aboriginal Welfare Branch took over responsibility.¹⁹⁹

The first elected local council was established in 1982 and Umbakumba has been self-managed since then.²⁰⁰ In the early 1960's GEMCO, a subsidiary of BHP, established what has become the largest Manganese mine in the world on the island at Alyangula.

199 Unpublished, Umbakumba Community Council Inc. *Annual Report 2006-07*, s1.2. Provided by Community Council CEO, Keith Hansen to the Aboriginal and Torres Strait Islander Social Justice Commissioner.

200 Unpublished, Umbakumba Community Council Inc. *Annual Report 2006-07*, s1.2. Provided by Community Council CEO, Keith Hansen to the Aboriginal and Torres Strait Islander Social Justice Commissioner.



In 2006, there were 1,541 residents on the island.²⁰¹ As a result of a large mining population, just under half the population on Groote Eylandt is Indigenous. Of the Indigenous population, 479 speak Anindilyakwa as their first language and 82 reported speaking only English. As a result of the sustained church presence, the great majority of the Indigenous residents are Anglican.²⁰²

The impact of alcohol on Groote Eylandt and the development of the Groote Eylandt and Bickerton Island Alcohol Management Plan

Alcohol was introduced to the residents of Groote Eylandt by mining interests in the early 1960s. As a result, escalating crime and social dysfunction began to tear the Indigenous communities apart. Over the next 20 years, Groote Eylandt became notorious for its high crime rate. Famously likened to a 'war zone', Groote Eylandt had an imprisonment rate of 2,274 per 100,000 in 1986,²⁰³ more than ten times that of population centres like Alice Springs and Darwin.

When the mine opened on the island, conditions were imposed on the mining company in the 1964 Agreement with the Traditional owners included provisions that GEMCO must minimise the impact of alcohol on the community. In 1980, most of Groote Eylandt (excluding Alyangula and the prawn processing depot at Bardalumba Bay) were declared a 'restricted area' under the *Liquor Act* (NT). Alcohol could not be brought into, consumed, sold or disposed of in any of the restricted areas.

Despite this, Groote Eylandt continued to suffer major alcohol related harm. By the late 1980's, a number of women and men from Angurugu tried to address the crisis by further restricting access to alcohol. After meetings and discussions with all Aboriginal communities it was decided that to become a member of the licensed clubs on the island you had to be in the employ of the mining company or live in the township of Alyangula. There was a substantial improvement following this initiative, although alcohol continued to be purchased or brought into communities illegally.

It also became apparent that certain residents of Alyangula were purchasing excessive amounts of alcohol – up to seven cartons of heavy beer at a time – which was being supplied to non-Alyangula residents, including those at Umbakumba. Alcohol related violence and deaths continued to occur.²⁰⁴

This problem was initially addressed through a voluntary limit on takeaway purchases for those members of the Aboriginal community in Alyangula for whom alcohol was a problem. This system was developed by GEMCO in association with

201 Australian Bureau of Statistics, *2006 Census QuickStats: Groote Eylandt (Statistical Local Area)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 9 November 2007.

202 Australian Bureau of Statistics, *2006 Census QuickStats: Groote Eylandt (Statistical Local Area)*, available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 9 November 2007.

203 Extracted data from *Royal Commission into Aboriginal Deaths in Custody*, Vol. 5, s4.5, Table 4, available online at: <http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/rciadic/national/vol5/1.html>, accessed 8 January 2008.

204 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p15.



Anindilyakwa Land Council, police and the individual employees in an effort to protect the jobs and homes of the Aboriginal employees and the impact of alcohol on their communities.

However:

despite successes with this system, concerns were raised that this method of 'rations' could be accused of being discriminatory and could be legally challenged. Because of this, the use of individual takeaway alcohol limits for Alyangula residents was reduced and then largely abandoned by May 2004.²⁰⁵

While this informal system of takeaway limits was in place, a committee was formed to seek a more permanent solution to the problems of regulating alcohol consumption across the island. The committee comprised representatives of the Land and community councils, health services, the township of Alyangula and the liquor licensees. The committee came to a decision to try to 'ratify the system of voluntary individual limits and to seek the support of the Northern Territory Racing, Gaming and Licensing Authority to do so.'²⁰⁶

Developing the *Groote Eylandt and Bickerton Island Alcohol Management Plan* was a long process, which involved a great deal of consultation and consensus building. In fact, twelve Drafts of the Liquor Management Plan were considered between April and August 2003. The final draft was presented to the Minister for Racing, Gaming and Licensing for his information and action in 2003.²⁰⁷ Assurances were gained from the NT Anti-Discrimination Commission that the draft plan did not breach the provisions of the *Anti Discrimination Act*.²⁰⁸

Under the Management Plan, permits would be needed by anyone 'who wished to consume alcohol at their own residence or those of other permit holders, or to buy takeaway supplies.'²⁰⁹ The Plan did not limit the type or amount of liquor that could be purchased by permit holders.

In addition, all residents of Alyangula needed to be financial members of the ARC or the Golf Club in order to obtain takeaway liquor, and all members of either Club were required to obtain a permit from the Licensing Commission.

Residents of Umbakumba could also apply to the Liquor Commission for a permit. This would allow them to possess and consume liquor at their residences and those of other permit holders. They would still be subject to restrictions on the

205 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, pp16-17.

206 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p17.

207 Groote Eylandt Echo 22/08/2003

208 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p18.

209 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p19.



importation of liquor such as not being allowed to take liquor into Angurugu, or to import into Groote Eylandt by plane or barge.²¹⁰

The *Groote Eylandt and Bickerton Island Alcohol Management Plan* came into force in 2005.

Description of the *Umbakumba Alcohol Management Plan*

The *Umbakumba Alcohol Management Plan* describes a series of formal and informal initiatives developed by the community over a period of about 20 years. The result of these initiatives is that Umbakumba is now a dry community.

Throughout the 1980s Umbakumba was the only Aboriginal community on Groote Eylandt to have its own canteen, and had unlimited access to beer, while a permit was required for wine and spirits. The canteen caused much disruption and violence in the community.

The Umbakumba community began to seek to moderate the flow of alcohol in the early 1990s through the *Living with Alcohol Program*.²¹¹ Through the increasingly strong influence of the local women as well as growing support from community men, a beer ration was introduced and stronger forms of alcohol were banned altogether. Initially, the beer ration was 30 cartons per day and then reduced to 14 cartons (336 cans) for the Umbakumba community per day (for a total population of under 350 people).²¹² Over the years this quantity steadily decreased.

Originally, local men at Umbakumba were in control of ordering the ration, but in 2005, women were handed control of the ration. If there was trouble arising from drinking, the ration would be cut for a period of time.

While these measures were partially successful, alcohol continued to be consumed illegally within the Umbakumba community through 'bush club', or in homes. The alcohol was obtained usually through thefts from licensed premises, or through a person who had rights to buy take-away alcohol such as residents of Alyangula or contractors working at the mine.

The introduction of the *Groote Eylandt and Bickerton Island Alcohol Management Plan* has provided the women of Umbakumba with the necessary support to curb alcohol consumption in the community. This is primarily due to the successful regulation of the sale of alcohol from the two licensed premises on Groote Eylandt.

Umbakumba is able to rely on the formal agreements between the licensees, the police and the Northern Territory Liquor Licensing Commission to regulate the sale and consumption of alcohol by Indigenous residents, particularly illegal sale and consumption to Indigenous residents who do not possess permits. However, the

210 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p19.

211 This program was established in the NT in 1992 in an attempt to curb excessive alcohol consumption and alcohol-related harm. A series of strategies and services were implemented across the Territory funded through a levy of 5 cents per standard drink placed on all alcoholic beverages with over 3% alcohol. In 1997 a High Court ruling (*Ha v NSW*) declared state collection of taxes unconstitutional. This caused the levy to be discontinued at which point the Commonwealth Government resumed responsibility for funding the program.

212 Hansen, K., *Correspondence with Social Justice Commissioner's Office*, 13 January 2007.



men resident in Umbakumba have agreed with the women and the Community Council that no one in Umbakumba is permitted to drink at all, regardless of the rights they may still possess under the *Groote Eylandt and Bickerton Island Alcohol Management Plan*.

With the resultant shift in community attitudes, the women at Umbakumba with the support of the Alyangula Police, the Women's Resource Centre staff and the Community Council banned alcohol altogether in Umbakumba in October 2006. Umbakumba has successfully remained a dry community since.

The Impact of the *Umbakumba Alcohol Management Plan*

There is strong support for the *Umbakumba Alcohol Management Plan* and considerable pride in their achievements in turning the community around. When the Anderson and Wild Inquiry visited Umbakumba they noted that:

while Umbakumba provides an excellent example of a community actually winning the war against alcohol, it was the only place of the 45 visited that was happy to make that claim.²¹³

Alcohol management has contributed to a reduction in violence and crime on the island. Particularly noticeable is the great reduction in community violence. Previously, inter-familial disputes would often spill over into street confrontations and occasionally involved family members arming themselves with spears, shotguns and other more makeshift weapons such as crow bars, planks of wood and stones.²¹⁴

This reduction is borne out in Police statistics collected over the period of the development of the *Umbakumba Alcohol Management Plan*. Between 2004-05 and 2005-06, the incidence of assault and aggravated assault fell by 73% and 67% respectively.²¹⁵ Disturbances and public drunkenness also fell markedly by 40% and 75% respectively.²¹⁶

However, the rate of domestic disturbances coming to the attention of Police did not vary significantly, from 90 in 2002-03 to 117 in 2005-06 (with a peak of 123 in 2003-04).

This seems odd given the general reduction in violence but we must bear in mind that statistics on family violence are notoriously problematic. There is also some evidence to suggest that the relatively constant rate of reported family violence may be accounted for by initiatives by the NT Police to combat family and domestic violence, including encouraging reporting, allocating additional resources and the

213 Anderson, P. and Wild, R., Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007.

214 Ingram, A., (Co-ordinator, Women's Resource Centre), conversation with the author, 8 November 2007.

215 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p33.

216 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p33.



introduction of temporary restraining orders.²¹⁷ In other words, more people may be reporting abuse, rather than the statistics indicating that there has been an increase in the actual number of family violence incidences.

There are also suggestions that although alcohol is no longer the primary cause of family violence, it has been replaced by cannabis fuelled violence. However, rather than violence resulting from intoxication, violence related to cannabis use was reported to be linked more frequently to arguments over money to buy cannabis.²¹⁸ Despite this, residents of Umbakumba reported that their community was 'far calmer, more harmonious and more productive, compared with earlier years when alcohol had been available.'²¹⁹

The *Umbakumba Alcohol Management Plan* has impacted on nearly every aspect of community life, with a range of positive flow on effects. The *Little Children Are Sacred* report notes that:

the culture of the community has changed dramatically in a positive way, from one that revolved around alcohol and violence to a more traditional family orientated one.²²⁰

One man told the Inquiry, that he had not drunk alcohol for two years:

When I drank I used to be a fighter, a swearer and a wife abuser but now I'm happy being a good husband.²²¹

The evaluation of the alcohol management plan for the island noted that many Indigenous people in Angurugu had reported 'the community had started to focus on long term goals such as wanting better education for their children, or entering the workforce.'²²²

There was also significantly more cultural activity reported from Umbakumba which has been successfully linked with CDEP programs. The CDEP co-ordinator organised a team of men to develop a market garden, irrigated with a near by freshwater lagoon. This program is in its second year of operation and there are plans to distribute fresh fruit and vegetables to the old people and families in the community as well as to sell the excess produce in the future.

Fishing trips are organised regularly and the fish is similarly distributed. Cultural activities such as ceremonies and traditional crafts such as spear and necklace

217 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, pp35-36.

218 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, pp31.

219 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p32.

220 Anderson, P. and Wild, R., Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007.

221 Anderson, P. and Wild, R., Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007.

222 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, p41.



making are an increasingly strong element of community life in Umbakumba which many people believe has been greatly assisted through the beer rations and then, most recently the alcohol ban.

Men employed through the CDEP programs run by the Community Council were proud of the work they were doing for their community and frequently won tenders to complete construction and maintenance work on the island.²²³ CDEP teams sealed and curbed the roads in Umbakumba as well as constructed fences around houses, tended the market garden, landscaped individual gardens and constructed the irrigation for these projects.

The process of developing the *Umbakumba Alcohol Management Plan* has also led to a shift in the gender power relations on the island. The women described their position in the community, when agitation for restrictions started in the late 1980's, as very weak. In a stark demonstration of their control of community opinion, in the lunch break of one of the first community meetings with the Liquor Commission, the local men sent the women home and the meeting resumed without the women after lunch. The women subsequently wrote to the Licensing Commissioner outlining their concerns that they had been excluded from the consultative process and the Commission held supplementary meetings in order to capture the women's views on the alcohol management scheme.²²⁴

Many of the women involved in advocacy for liquor management have become increasingly prominent in local politics and some women were also elected to the local Council – a phenomenon unimaginable in 1980. These women also initiated a door knock in May 2007 with the support of the Community Council, to retrieve home made and other weapons as part of a strategy to further reduce the incidence and severity of community and family violence.²²⁵

The confidence and leadership capacity of the women has grown significantly, but 'credit should also be given to the senior Elder men for their acceptance of the proposals put to them by the women',²²⁶ leading to better cooperation and negotiation.

The process for developing the *Umbakumba Alcohol Management Plan* built good community and government relationships through the flexibility and culturally aware work of the Liquor Commission. There were many heated discussions during the consultation process as well as extra, secret or closed meetings where women and council members could express their concerns to the Licensing Commissioner without interruption or fear of intimidation (particularly by men who drank). This flexibility of processes and willingness to accommodate the realities of remote community life immeasurably strengthened the consultation process.²²⁷

223 Ingram, C., (CDEP Supervisor), *Communication with Social Justice Commissioner's Office*, 8 November 2007.

224 Umbakumba Community meeting (senior women only) with Social Justice Commissioner's Office, 7 November 2007.

225 Northern Territory Police, *Police praise Council efforts in Groote Eylandt*, Media Release, 9 May 2007, available online at: <http://www.nt.gov.au/pfes/index.cfm?fuseaction=viewMediaRelease&pID=6753&y=2007&mo=5>, accessed 12 January 2008.

226 Hansen, K. *Correspondence with Social Justice Commissioner's Office*, 13 January 2008.

227 Unpublished, Conigrave, K., Proude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, pp21-23.



The Licensing Commission facilitated multiple meetings, meeting at outstations and places convenient for local participation as well as conducting two rounds of meetings with residents, with a break of three months in between, allowed all the communities to fully understand the implications of the management plan and to discuss it at length amongst themselves. The good relationship with the police and the willingness of the local liquor licensees to participate in and support the process were also vital elements in the success of the alcohol management plan, island wide.

As Helen Wodak argues,

The model before [the Intervention, and the model accessed by Umbakumba] was a really strong model in that people would apply for something, there would be a hearing, it would be something that people would be consulted about, there would be a process the community would go through to get used to that idea and then it would be implemented...

[R]emote communities and a lot of the town camps in Darwin weren't dry, they were declared dry [as a result of the alcohol regulation put in place under the Northern Territory Intervention.] Communities were notified because a letter was sent from Canberra to the chief executive officer of the Land Trust in Darwin, the day before the legislation came into force... signs still haven't been put up.

So that pre-Intervention model, where women in Umbakumba could say 'this is what I want', where the community could actually reach a point where they could make that decision and it's a decision the community... is proud of – I think most people would say that that process was much more successful.²²⁸

However, when assessing the impact of the *Umbakumba Alcohol Management Plan*, we need to remember that Umbakumba is unique in many ways which have contributed to the success of their program.

Most obviously, Groote Eylandt is one of the most geographically isolated locations in Australia which makes the control of sly grog, and the movement of drinkers following alcohol availability, much simpler problems than those faced by other remote centres. Since the closing of their canteen, the community at Umbakumba is almost a 60km drive on sealed and unsealed road from the only two takeaway liquor outlets on the island. Indigenous residents at Angurugu, geographically much closer to Alyangula have not experienced the same success in reductions in alcohol related harm.²²⁹

The *Umbakumba Alcohol Management Plan* also faces a number of challenges. These include:

- *Removal of CDEP:* The abolition of CDEP under the Northern Territory Intervention directly impacted on these programs and led to an almost immediate increase in the number of men travelling to Darwin from Groote Eylandt to drink in the long grass, sometimes for weeks at a time. Men who had previously felt they were positively contributing to their community, who wore the uniform of a council worker and earned a wage were suddenly unemployed. Umbakumba had 117 people work-

228 Wodak, H., *Communication with Social Justice Commissioner's office*, 6 November 2007.

229 Rev. Haynes, R., *Communication with Social Justice Commissioner's Office*, 5 November 2007.



ing under the CDEP scheme at the time of its abolition.²³⁰ Since July 2007, 'real' jobs have been found for a fraction of the Umbakumba CDEP workforce.

- Associate Professor Kate Conigrave, principal author of the *Groote Eylandt Evaluation* believes that well run CDEP programs play an important and ongoing role in managing and minimising substance abuse in remote communities:

as an addiction medicine specialist and a public health specialist it seems illogical [to abolish CDEP] – we know that unemployment, having a lack of something to do, having a lack of identity and self-confidence all are risk factors for alcohol problems, we know having a good alternative activity can protect you against relapsing into a drinking problem but here we've got people who have been productively engaged in key activities within these communities who are being robbed of that role, who are being left with time on their hands, low self esteem, and who are a greatly increased risk of alcohol problem.²³¹

- *Attitudes around family violence:* There is a level of family violence which has remained unaffected by the success of the alcohol management process. The level of tolerance for this kind of violence is markedly declining amongst the younger women in the community whose knowledge and access of official remedies including temporary restraining orders and other police interventions is increasing.²³² However, these very public mechanisms are not embraced by many of the older residents of Umbakumba, who feel the shame of family contact with the justice system very keenly and, as a result, prefer to handle these issues locally.²³³ This attitude can also affect the level of support women who report abuse receive from community members. The introduction of human rights education for both men and women dealing with conflict resolution and effective engagement with law enforcement agencies would be invaluable for the continued improvements in the quality of family and community life on the island.
- *Delays:* It has taken over 20 years for Umbakumba to become a dry community. However, while obviously not ideal, this extended time frame allowed for capacity building to occur amongst local residents. Once formal processes were set in train, the communities of Umbakumba and Groote Eylandt more widely had a great deal of time to discuss the plans and to inform the community about the process of consultation.

230 Unpublished, Umbakumba Community Council Inc. *Annual Report 2006-07*, s1.2. Provided by Community Council CEO, Keith Hansen to the Aboriginal and Torres Strait Islander Social Justice Commissioner.

231 Conigrave, K., *Communication with Social Justice Commissioner's Office*, 18 October 2007.

232 Umbakumba Community meeting (senior women only) with Social Justice Commissioner's Office, 7 November 2007.

233 Umbakumba Community meeting (senior women only) with Social Justice Commissioner's Office, 7 November 2007.



Lessons from the *Umbakumba Alcohol Management Plan*

Community generated

The *Umbakumba Alcohol Management Plan* came from the community and was not imposed by outside sources, leading to greater community acceptance and ownership. The women from Umbakumba initially accessed services through the Living With Alcohol program which provided a framework through which they could develop community generated solutions to alcohol related family violence. It was this initiative by local women which began the alcohol management process. The *Umbakumba Alcohol Management Plan* developed organically over the years, shifting from restrictions to a full ban when the community was ready.

Effective consultation

The communities at Umbakumba and other Indigenous settlements on Groote Eylandt were able to negotiate and develop the Alcohol Management Plans with Government and service providers through an extensive series of community meetings and effective community representation. Community consultation was facilitated through a series of public hearings.

The Licensing Commission held all their meetings with translation available and travelled to outstations in order to facilitate a true cross section of community views.²³⁴ All the key stakeholders were involved – licensees and Police, GEMCO, Community and Land Council representatives, as well as individuals from all the communities on Groote Eylandt.

Community development

The lengthy process of program development in Umbakumba allowed the women who initiated the movement for alcohol management to build their own capacity as leaders in their community. Over this 20 year period, the female elders in Umbakumba have regained a position of respect and authority which was almost completely absent when they began the process in 1980s. This has also built a more respectful and cooperative relationship between women and men to negotiate solutions.

A partnership approach

The women involved in the development of the *Umbakumba Alcohol Management Plan* were ably assisted by a stable team of non Indigenous service providers, including the Coordinator of the Women's Resource Centre and CEO of the Community Council and the CDEP coordinator. Successful partnerships were also formed with the Licensing Commission, local Police and the mining company GEMCO, in developing one of the most successful alcohol management programs in the Northern Territory.

Holistic

While the *Umbakumba Alcohol Management Plan* was being developed, other strategies were being put in place in Umbakumba which tackle the situational factors of alcohol misuse and family violence. The CDEP programs provided a sense of community unity in fixing infrastructure and supporting vulnerable people in the community and provided a positive alternative to alcohol. Regular income for men took financial pressure off families and men were able to feel self sufficient, rather than having to bully family members into giving them money.

234 Unpublished, Conigrave, K., Prude, E. and d'Abbs, P., *Evaluation of the Groote Eylandt and Bickerton Island Alcohol Management System, A report produced for the Department of Justice, Northern Territory Government*, July 31, 2007, pp20-21.



Empowering women

The women who initiated the alcohol management process were gradually empowered through their engagement with government and community services. The involvement of these services provided authority and support for these women, particularly at the beginning of the advocacy process, when their own cultural authority was weakest through decades of social dysfunction. As the movement for alcohol regulation gained momentum, the female elders were able to access and strengthen their traditional sources of strength and leadership.

Involving men in the solutions to family violence

The alcohol restrictions put in place by the women would not have been possible without the acceptance and support of the men. The support of the men also seems linked to better opportunities in the community, in particular the CDEP program.

The CDEP program has built a skill base, particularly for young men who were glad to participate in a routine of paid employment which often produced practical benefits for their community. Regular income took financial pressure off families and men were able to feel self sufficient, rather than having to bully family members into giving them money.

Sustainability

The length of time and the rigorous process of consultation have meant that alcohol consumption in Umbakumba is not tolerated – the community norms have been successfully modified. However, plans to move the Community Council to Nhulunbuy on the mainland, will seriously test the resilience of Umbakumba residents as the community will be left without a resident Police presence, no resident medical staff and no system of local governance. These kinds of administrative structures are vital in supporting community driven programs through liaising with government, organising funding for programs (particularly important post CDEP) and maintaining the systems of administration.

Flexibility

The flexibility of support services and the Licensing Commission throughout the negotiation process are integral to the success of the *Umbakumba Alcohol Management Plan*. Without the recognition of local power dynamics and custom, the Plan would not have been successfully implemented.



d) Indigenous men's groups in South Australia: saying 'No to Drugs, Alcohol and Violence'

This section examines the role Indigenous males are playing in South Australia in reducing family violence through men's groups and, more broadly, through the preservation and revival of traditional culture.

Indigenous men's groups exist across Australia²³⁵ and provide a tool for addressing family violence, grief, trauma and other issues facing Indigenous men.²³⁶ Two case studies are presented here from South Australia, both operating in urban settings:

- *Yerli Birko* ('group of males') – Based in the Adelaide Metropolitan Area, it supports local Indigenous men to address a range of issues (including grief, trauma, drug and alcohol problems and family violence) through a program of sharing stories and information and preserving and reviving male culture.
- *Spirited Men* – based in the regional urban setting of Murray Bridge, it provides a culturally based men's support group and also operates a family violence prevention/anger management program *Tau Ngaraldi* ('stop the anger').

A third case study of the first SA Gathering of Aboriginal Men held in Camp Coorong, Meningie, South Australia in 2006 is also presented here.

The importance of culture

Through the case studies that follow, a narrative emerges that speaks of the importance of traditional Aboriginal culture to Indigenous men.

Culture provides a source and support for strong anti-family violence norms of behaviour. In traditional cultures, men come together to address 'men's business'. Men's groups draw on this history and tradition, creating social capital for non-traditional living Indigenous men. This can be used to mitigate the impact of psychosocial and other forms of chronic stress caused by negative long-term situational factors facing them and that are drivers of family violence (such as racism and poverty).

Culture also supports Indigenous men coming together to make their community's business *their* business, or men's business. Working together to offer leadership in the formulation of a wide range of solutions to problems affecting their communities in a similar way to which organised Indigenous women have already successfully demonstrated in many settings.

Recent research has highlighted the importance of cultural dislocation as an underlying factor contributing to family violence in South Australia.

235 See, for example: Aboriginal Health and Medical Research Council, *Directory of Aboriginal Men and Boy's Groups located in New South Wales*, available online at: <http://www.ahmrc.org.au/amh/amh/downloads/MensHealth.pdf>, accessed 5 November 2007.

236 See generally: Mc Calman, J., Tsey, K., Wenitong, M., Whiteside, M., Wilson, A., Cadet-James, Y., and Haswell, M., *A literature review for Indigenous men's groups*, School of Indigenous Australian Studies and School of Public Health and Tropical Medicine, James Cook University, 2006, p6. See also the case studies earlier in this chapter of *Yorgum* and *Rekindling the Spirit*, which include men's camps/groups as one of the tools utilised.



The 2007 report by the South Australian Social Inclusion Commissioner, titled *To Break the Cycle: Prevention and rehabilitation responses to serious repeat offending by young people*,²³⁷ involved extensive consultations with State-wide Indigenous communities.²³⁸ It highlighted that despite an ongoing cultural revival across SA, cultural learning was viewed by them as an outstanding need, and was a particularly important issue for Aboriginal young people.

Not only was it felt that cultural education and cultural mentoring would engender self-esteem and pride in Aboriginal young people, but it also helped ensure the continuation of Aboriginal culture into the future.²³⁹ Indigenous leadership and the involvement of Elders in the formulation of solutions to problems affecting the community were also seen as critical factors in building and strengthening community capacity.²⁴⁰

Indigenous male cultural norms have been grossly misrepresented in the media in recent years as supporting child abuse and family violence.²⁴¹ This is a point of view that I and many Indigenous leaders have loudly condemned and repudiated. I have repeatedly argued that customary law and traditional ways provides support for strong families in which the rights of women and children are respected.

In my view, Aboriginal customary law and traditional ways does not encourage nor condone family violence or abuse against women and children. While systems of law differ among the many Indigenous peoples of this country, I have yet to see any evidence of a single Indigenous culture in which violence against women is condoned as part of that 'culture'. As I have publicly stated many times: We should be speaking of the perpetrators of violence and abuse as people who do not respect customary law. We need to be continually countering the false claims that customary law is itself the problem.²⁴²

Indeed, as set out here, it can be part of the solution.

The importance of culture is a significant difference between Indigenous men's groups and non-Indigenous men's groups.

237 Cappo, D., (SA Social Inclusion Commissioner) *To Break the Cycle – Prevention & Rehabilitation responses to serious repeat offending by young people*, Government of South Australia, Adelaide, 2007, available online at: www.socialinclusion.sa.gov.au/files/breakthecycle2007.pdf, accessed 7 November 2007.

238 Managed through an Aboriginal Advisory Group, there were a total of 24 community and youth forums facilitated, which included the metropolitan area and 12 regional locations in SA. Cappo, D. (SA Social Inclusion Commissioner) *To Break the Cycle – Prevention & Rehabilitation responses to serious repeat offending by young people*, Government of South Australia, Adelaide, 2007, p34, available online at: www.socialinclusion.sa.gov.au/files/breakthecycle2007.pdf, accessed 7 November 2007.

239 Cappo, D., (SA Social Inclusion Commissioner) *To Break the Cycle – Prevention & Rehabilitation responses to serious repeat offending by young people*, Government of South Australia, Adelaide, 2007, p37, available online at: www.socialinclusion.sa.gov.au/files/breakthecycle2007.pdf, accessed 7 November 2007.

240 Cappo, D., (SA Social Inclusion Commissioner) *To Break the Cycle – Prevention & Rehabilitation responses to serious repeat offending by young people*, Government of South Australia, Adelaide, 2007, p38, available online at: www.socialinclusion.sa.gov.au/files/breakthecycle2007.pdf, accessed 7 November 2007.

241 See for example: Kearney, S., Wilson, A., *Raping children part of 'men's business'*, *The Australian*, 16 May 2006, available online at: <http://www.theaustralian.news.com.au/story/0,20867,19149874-2702,00.html>, accessed 8 November 2007.

242 Calma, T., *The Integration of Customary Law into the Australian Legal System*, address given by the Aboriginal and Torres Strait Islander Social Justice Commissioner at the Globalisation, Law and Justice Seminar, 27 October 2006 Perth, UWA in partnership with La Trobe Law and the Australian Institute of Comparative Legal Systems.



Many non-Indigenous men's groups are a response to the challenge of feminism to patriarchy. They help men to challenge traditional (and oppressive) male roles and the heritage of male dominance that existed, and still exists, within non-Indigenous society. In contrast, Indigenous men's groups address a far more complex situation; many of the men attending such groups will experience themselves as radically disempowered in non-Indigenous settings, facing systemic racial discrimination and socio-economic disadvantage.

In this context, Indigenous men's groups provide a space for the preservation and revival of empowered and culturally supported male role models. This may have a direct impact on family violence in and of itself because many commentators believe that the pervasive disempowerment of Indigenous men is a driver of family violence.

Commentators have observed that the only place many Indigenous men feel powerful is in their own homes, and link family violence to this distortion of what would otherwise be a 'spread of power' in their lives. In other words, the misuse of power in one of the few spheres available to Indigenous men but can result in the abuse of women and children.²⁴³

Men's groups also provide a 'cultural fit' in that they provide a space for men to tell stories.

Story telling is crucial to Indigenous peoples. It is integral to the maintenance of our cultures and it helps us to understand our heritage. And it is critical in defining our identity. The story-telling tradition of our peoples is one of the great strengths of our cultures. It contributes to our resilience as peoples as it has throughout millennia. Indeed, story-telling has the potential of healing many of our Indigenous men.

Within the men's groups that are the subject of the case studies presented here, narrative therapy is used to varying degrees. Narrative therapy was developed during the 1970s and 1980s by Michael White and David Epston, based in the Dulwich Centre, Adelaide. Their approach became famous with the 1990 publication of their book, *Narrative Means to Therapeutic Ends*.²⁴⁴

The Aboriginal Health Council of South Australia (the State peak body that represents Aboriginal Medical Services in SA) has worked with Michael White, and the Dulwich Centre to develop and deliver the Diploma of Narrative Approaches for Aboriginal People. At time of writing, there are over 40 (mostly Indigenous) graduates.

Narrative therapy holds that our personal identity is shaped by the stories (narratives) we tell ourselves about our lives. A narrative therapist is interested in helping people understand these stories, and to begin to understand their lives in empowering ways. Part of the therapeutic value of this method is that by seeing their lives as a 'story' people are able to view their lives in a more objective manner. This externalisation, or objectification, of a problem makes it easier to come to terms with the problem.

243 Mc Calman, J., Tsey, K., Wenitong, M., Whiteside, M., Wilson, A., Cadet-James, Y., and Haswell, M., *A literature review for Indigenous men's groups*, School of Indigenous Australian Studies and School of Public Health and Tropical Medicine, James Cook University, 2006, p6, available online at: <http://10.1.1.248:8080/ProgressMessages/litera31.doc?proxy=10.1.1.248&action=complete&index=16&id=52122717&filename=litera31.doc>, accessed 12 November 2007.

244 Epston, D., White, M., *Narrative Means to Therapeutic Ends*, Dulwich Centre, Adelaide, 1990.



This is a form of therapy that has been found to be particularly effective in addressing many of the issues that can erode Indigenous men's and women's social and emotional well-being including grief and loss, trauma and depression from racism and the impact of the Stolen Generation practices and that contribute to drug and alcohol abuse and family violence.

Narrative therapy does this by encouraging Indigenous people to not only tell their stories, but to consider the cultural, spiritual and historical context of their lives and 'rewrite' their stories by exploring other ways of thinking about it. This re-telling is done with a view to weaving new and positive meanings back into their lives, as well as exploring new possibilities for the future. Men in the case study groups reported that they find it healing to realise that problems that they have internalized as 'their problems' (notably, racism) are often in fact much larger than themselves: a part of historical and social processes over which they have had little control.

The need to get Indigenous men involved with addressing family violence has been recognised by Indigenous women in South Australia.²⁴⁵ The South Australian *Family Safety Strategy* (2007) recognises 'the importance of working with extended families and communities in responding to Indigenous Family Violence and the need to provide holistic services that positioned themselves around the whole family rather than responding to each family member separately'.²⁴⁶ This commitment has the capacity to further support men's group initiatives.

The extent of family violence in South Australia

Anecdotally, family violence is reported as being a significant issue in the Indigenous communities in both Adelaide and Murray Bridge. However, disaggregated data about family violence in these two locations is not available. In this section, data in relation to the State of South Australia is set out. In relation to the case studies themselves, data specific to their individual settings is included.

The SA Office for Crime Statistics and Research reports that for all of SA in 2005 'alleged Aboriginal offenders' comprised 37% of all arrests for assault.²⁴⁷ Given that Indigenous people comprise 1.7% of the total SA population,²⁴⁸ the data shows community members are being arrested for assault at significantly higher rates than the non-Indigenous community, but the context of the alleged violence (and the circumstances of the arrest) is unclear.

245 See for example the recommendations coming from the 2006 SA Gathering of Aboriginal Women: SA Office for Women, *Snapshots, Women's safety strategy 2005 -07*, Government of South Australia, 2007, p8, available online at: http://www.officeforwomen.sa.gov.au/files/WomensSafetyStrategy_SnapShots_April2007.pdf, accessed 15 November 2007.

246 Office for Women, *Family Safety Strategy Strategic Overview*, Government of South Australia, Adelaide, undated, p3, available online at: http://www.osw.sa.gov.au/files/Family_Safety_Framework_Strategic_Overview.pdf, accessed 15 November 2007.

247 Percentages are calculated in relation to: 232 for grievous bodily harm; 272 for actual bodily harm and 1,210 for 'other assault'. Office of Crime Statistics and Research, *Crime and Justice in South Australia, 2005, No. 42 (1) Offences Reported to Police, The Victims and Alleged Perpetrators*, SA Dept of Justice, Adelaide, 2006, p187 (Table 6.15b), available online at: http://www.ocsar.sa.gov.au/docs/crime_justice/OFF_Report2005.pdf, accessed 14 November 2007.

248 Australian Bureau of Statistics, *Population Distribution, Aboriginal and Torres Strait Islanders*, ABS cat. no. 4705.0, ABS, Canberra, p5, [Table - Estimated Resident Population, Indigenous status - 2001 and preliminary 2006].



There are limits to the data that make it difficult to use to assess the extent of family violence as South Australia Police (SAPOL) officers are not required to record the relationship between the perpetrator of the assault and the victim and the extent of non-reporting is so great as to render what data is collected of little use.²⁴⁹

Other sources indicate a high number of Indigenous victims of assault. The ABS *National Indigenous Social Survey 2002* (NATSISS 2002) reported that 29.6% of respondents from SA reported being the victim of physical or threatened violence in the previous 12-months.²⁵⁰

Data relating directly to family violence is also generated as a byproduct of the issuance of Domestic Violence Restraining Orders (DVROs) by SAPOL. Over 2004 (the latest available data), 43 DVROs were issued to Indigenous people (no gender breakdown published) across SA (about 13.5% of all DVROs). This compares with 319 DVROs issued to people in the non-Indigenous community, with a further 59 issued to people whose Indigenous status was not recorded.²⁵¹ However, due to the likely extent of underreporting in this area, such data is not likely to indicate the extent of actual family violence occurring in Indigenous (and indeed the non-Indigenous) communities.²⁵² This data, like the above, suggests family violence is occurring at significantly high rates in SA.

249 Office of Crime Statistics and Research, *Crime and Justice in South Australia, 2005, No. 42 (1) Offences Reported to Police, The Victims and Alleged Perpetrators*, SA Dept of Justice, Adelaide, 2006, p258, available online at: http://www.ocsar.sa.gov.au/docs/crime_justice/OFF_Report2005.pdf, accessed 22 November 2007.

250 Australian Bureau of Statistics (ABS), *National Aboriginal and Torres Strait Islander Social Survey 2002*, ABS cat. No. 4714.0, ABS, Canberra, p23 [Table 2].

251 SA Office of Crime Statistics and Research, *Correspondence with the Social Justice Commissioner's Office*, 30 November 2007.

252 Al-Yaman, F., Van Doeland, M., Wallis, M., *Family Violence in Indigenous communities*, Australian Institute of Health and Welfare (AIHW). AIHW cat. no. IHW 17, Canberra, 2006, pp16-17, available online at: <http://www.aihw.gov.au/publications/index.cfm/title/10372>, accessed 30 November 2007.



Men's business: Members of the *Yerli Birko* group.

Yerli Birko is a men's group based in the Adelaide Metropolitan area. It aims to support Indigenous men across a range of issues including in relation to the prevention of family violence.

At the 2006 Census, 12,463 Indigenous people were living in the Australian Bureau of Statistics (ABS) Statistical Division of Adelaide,²⁵³ comprising approximately 1.1% of the population²⁵⁴ and just under half of the Indigenous population of the State (26,000).²⁵⁵ This is less than half the national average of Indigenous representation reported in the total Australian population (estimated at 2.5%).²⁵⁶ Approximately 40% of Adelaide's Indigenous population are under 15 years of age.

Adelaide is built on Kaurna land. The Kaurna people suffered the full force of the colonisation of the State. Significant numbers of Indigenous people in region have Kaurna ancestry.

253 Hereon referred to as 'Adelaide' when referring to data from the 2006 Census. Australian Bureau of Statistics, *2006 Census of Population and Housing, Adelaide (SD 405), Selected Person Characteristics by Indigenous Status by Sex* (First Release Processing) (Table 01). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.

254 Australian Bureau of Statistics, *2006 Census Quick Stats: Adelaide (Statistical Division)*, available on the ABS website at: <http://www.censusdata.abs.gov.au>, accessed 25 October 2007.

255 Australian Bureau of Statistics, *Population Distribution, Aboriginal and Torres Strait Islanders*, ABS cat. no. 4705.0, ABS, Canberra, p5, [Table – Estimated Resident Population, Indigenous status – 2001 and preliminary 2006].

256 Australian Bureau of Statistics, *Population Distribution, Aboriginal and Torres Strait Islanders*, ABS cat. no. 4705.0, ABS, Canberra p4.



Neighbouring peoples include the Ngadjuri, the Peramangk and the Ngarrindjeri towards the south east of the State (which includes the Murray Bridge area). As settlement expanded out from Adelaide, many clans and families were moved, or encouraged to move, to missionary run reserves at Point Pearce on the Yorke Peninsula or at Point McLeay near the mouth of the River Murray (now known as Raukkan).²⁵⁷ Aboriginal people began to move in increasing numbers to urban settings including the Adelaide Metropolitan Area in the 1960s.

The present day legacy of the movement and mixing of tribal groups in SA is reflected in the NATSISS 2002. This reported that approximately 37% of the SA Indigenous population had no tribal affiliation; and that of the approximately 63% who did, only 16.4% remained on their traditional country.²⁵⁸

Efforts to preserve and revive the Kurna language and culture began in 1990. A Living Kurna Cultural Centre was established, and a Kurna language program was introduced into Kurna Plains School, the only Aboriginal school in metropolitan Adelaide,²⁵⁹ in 1992. Census 2006 data for Adelaide reported that 3% of the Indigenous population (485 people) spoke an Indigenous language at home.²⁶⁰

In Adelaide, there is a sizable male youth cohort and relatively few Elders: 48% of Aboriginal and/or Torres Strait Islander males were under 19-years of age at the Census 2006; only approximately 3% were over 60 years of age in Adelaide.²⁶¹

Census data suggests that many young Indigenous males in Adelaide are being raised in one-parent families, with the father's role being less than that of the mother. Census 2006 data reported 5,523 Adelaide 'households with Indigenous persons'.²⁶² Of these, approximately 26% were a 'couple family with children'; and 35% were 'one parent' families.²⁶³

Adelaide's Indigenous populations are significantly socio-economically disadvantaged across all indicators when compared to the non-Indigenous population.

There are very few specific services in Adelaide for the male perpetrators of domestic or family violence with a preventative emphasis; be they for Indigenous or non-Indigenous males. The *Aboriginal and Torres Strait Islander Urban Location and Health Project* highlighted a need for 'safe spaces and places' for Aboriginal

257 Horton, D., (ed) *The Encyclopaedia of Aboriginal Australia*, Aboriginal Studies Press for the Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, 1994, p33.

258 Australian Bureau of Statistics (ABS), *National Aboriginal and Torres Strait Islander Social Survey 2002*, ABS cat. No. 4714.0, ABS, Canberra, p22 [Table 2].

259 Kurna Plains School is an Aboriginal Reception to Year 12 school. Kurna language and culture form an important part of the curriculum, which covers the breadth of the standard public school program, available online at: <http://www.kurnaas.sa.edu.au/>, accessed 31 October 2007.

260 Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC) (SLA 420105040) Language spoken at home by proficiency in Spoken English/Language* (Table 06). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.

261 Australian Bureau of Statistics, *2006 Census Quick Stat: Adelaide (Statistical Division)*. Available on the ABS website at: <http://www.censusdata.abs.gov.au>, accessed 25 October 2007.

262 With at least one Aboriginal and Torres Strait Islander person normally resident.

263 Australian Bureau of Statistics, *2006 Census of Population and Housing, Adelaide (SD 405), Tenure Type and Landlord Type by Dwelling Structure by Indigenous Status of household* (Table 18). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.



and Torres Strait Islander men to be able to gather for support and to discuss their issues and experiences in Adelaide.²⁶⁴

In recent years in Adelaide, the situation of young Aboriginal men has become critical because of a combination of: the media's stereotyping of them as out of control, violent offenders, poor relations between SAPOL officers and the Indigenous community, and the very real possibility that greater numbers of young Indigenous men will be incarcerated in the future due to recent changes in SA law.

All three factors are the result of SAPOL and the SA media's reporting a so-called Aboriginal 'Gang of 49' (named for what has been alleged is a gang of 49 related, young, mostly Aboriginal males, many of whom were said to be repeat offenders) who are alleged to be responsible for an ongoing violent, organised crime wave in Adelaide.²⁶⁵

'Operation Mandrake' was launched by SAPOL as a result, as well as the previously discussed Inquiry undertaken by the State's Social Inclusion Commissioner. His report, *To Break the Cycle*, recommends strengthening the existing requirement on the SA courts to take account of community safety when sentencing serious repeat young offenders; that is, by treating them as if they were adult offenders. The idea being to ensure young repeat offenders are exposed to prison rehabilitation programs as well as removed from the community for a longer than the usual period of time for youth offenders.²⁶⁶ A Bill to this effect has reportedly been drafted, but is yet to be legislated.

The Aboriginal Legal Rights Movement (ALRM) in Adelaide, among others, has been highly critical of the way this issue has been handled by the media, police and the South Australian Government.²⁶⁷ There have been questions raised by ALRM as to whether the 'Gang of 49' ever existed.²⁶⁸

Description of the *Yerli Birko* men's group

One positive that emerged from the fallout of the 'Gang of 49' affair was that concerned men in the Indigenous community, and others working with the community, began to look at ways they could address this constellation of negatives impacting on young Indigenous males in Adelaide, as well as provide support for Indigenous men in Adelaide in general.

264 Gallaher, G., *Aboriginal and Torres Strait Islander Urban Location and Health Project*, Department of Public Health, Flinders University, 2007.

265 See, for example, Walker, J., *Crime wave a family matter for the gang of 49*, article in *The Australian*, November 2, 2007.

266 Cappo, D., (SA Social Inclusion Commissioner) *To Break the Cycle – Prevention & Rehabilitation responses to serious repeat offending by young people*, Government of South Australia, Adelaide, 2007, p43 (Recommendation 2), available online at: www.socialinclusion.sa.gov.au/files/breakthecycle2007.pdf, accessed 5 November 2007.

267 See James, C., *Gang of 49 'not real'*, in *The Advertiser*, February 28, 2007. See also community concerns in Cappo, D., (SA Social Inclusion Commissioner) *To Break the Cycle – Prevention & Rehabilitation responses to serious repeat offending by young people*, Government of South Australia, Adelaide, 2007, p 38, available online at: <http://www.socialinclusion.sa.gov.au/files/breakthecycle2007.pdf>, accessed 5 November 2007.

268 Aboriginal Legal Rights Movement, *Annual Report 2006-07*, ALRM, Adelaide, p36, available online at: <http://www.alrm.org.au/latest%20news/Annual%20Report%202006-07.pdf>, accessed 5 November 2007.



Simon Boyce, the men's support worker in the Towilla Purruputtiappendi (the community and social health team of workers) at Nunkuwarrin Yunti of SA Aboriginal Medical Service (AMS), decided to explore the possibility of a support group in Adelaide in March 2006.

Yerli Birko was a product of both Nunkuwarrin Yunti of SA and the Aboriginal Sobriety Group (ASG) working collaboratively, and building on their existing programs and expertise.²⁶⁹

Text Box 7: Profile of services offered by Nunkuwarrin Yunti and the Aboriginal Sobriety Group

Nunkuwarrin Yunti of SA Aboriginal Medical Service

Nunkuwarrin Yunti²⁷⁰ of SA Aboriginal Medical Service (AMS) was established in 1971. It employs about seventy workers (from doctors through to administrative staff). Services include: primary health care, child and maternal health services; a clean needle program; dental services; diabetes services; a link up program for members of the Stolen Generation; a methadone program for recovering heroin addicts; a homeless person's service (No Pugli); a prison health service; a gambling program; a sexual health program and the Counselling and Social Health Team.

From the Adelaide centre, Nunkuwarrin Yunti of SA operates outreach programs and clinics operate in outer suburbs (notably Elizabeth and Noarlunga), and a transport service operates to bring people to the centre and outreach clinics.

Towilla Purruputtiappendi ('healing the spirit') is an important part of Nunkuwarrin Yunti of SA, offering counselling, and mental health and social work services. It operates from the Adelaide centre, but has an extensive outreach program that works in correctional facilities, detention centres, shelters and hospitals.

Aboriginal Sobriety Group²⁷¹

Founded in 1973 as a volunteer-run self-help group, the Aboriginal Sobriety Group (ASG) shares the same building as Nunkuwarrin Yunti of SA, and like the AMS operates a substantial outreach program across the Adelaide Metropolitan Area. It provides integrated intervention, prevention, diversion, treatment and rehabilitation services for Indigenous people whose lives have been adversely affected by alcohol and substance misuse.

Intervention occurs through a Mobile Assistance Patrol that patrols almost constantly (24 hours a day, five days a week; 12 hours in the evening, two days a week) within a 45 kilometre radius of the Nunkuwarrin Yunti of SA looking for people under the influence of alcohol and other substances in public places. What is offered varies: to some it is simply transport home (or to homeless shelters) or to medical or welfare services; for others, this is the first step towards stabilisation and rehabilitation programs. This occurs through the drug and alcohol awareness education provided as a part of the patrol's services. In 2006-07, 12,215 instances of transport were provided.²⁷²

269 Interview with Simon Boyce, Men's Support Officer, Community and Social Health Team, Nunkuwarrin Yunti of SA, 23 October 2007. Also Simon Boyce, unpublished material on *Yerli Birko* prepared for the Cultural Reference Group, 2007.

270 Meaning 'working together'.

271 Interview with Basil Sumner, CEO of the Aboriginal Sobriety Group (23/10/07), supplemented with information from: Aboriginal Sobriety Group (ASG), *Annual Report 2006/07*, ASG, Adelaide 2007; Aboriginal Sobriety Group (ASG), *Annual Report 2005/06*, ASG, Adelaide 2006.

272 Aboriginal Sobriety Group (ASG), *Annual Report 2006/07*, ASG, Adelaide 2007, p10.



For Indigenous men, Cyril Lindsay House offers a short-term residential stabilisation program based in the Adelaide CBD. A non-medical 'dry' hostel, it caters for up to 12 men at one time, and is staffed 24 hours a day, seven days per week. Over 2006-07, it provided 157 instances of care.²⁷³ While there, men are encouraged to devote time to gaining physical fitness at the Nunkuwarri Yunti centre gym. 'The Shed' an outer suburban ASG centre also contains a fitness centre. They had a total of 217 clients in 2006-07.²⁷⁴

ASG Talking Circles are also conducted at the Lakalinjeri Tumbetin Waal (LTW) rehabilitation program. LTW (meaning 'clan, family, community, healing place') is a non-medical 'dry' residential centre at Monarto. Ten people at a time, men and women, live there for a twelve week period and are assisted through a number of programs to both fully recover from alcohol or other substance misuse lifestyles, and make positive steps towards living productively in the community. The program encompasses traditional cultural methods of teaching and learning. A Manager, Caseworker/Counsellor, and a Senior Rehabilitation Care worker are available to assist clients on site. Over 2006-07, 112 clients used the service, with 35 people undertaking the 4-month program.²⁷⁵

As set out above, the ASG had experience in running men's Talking Circles with a specific focus on breaking drug and/or alcohol dependency. It also employed a Cultural Adviser, a respected Ngarrindjeri elder, to assist with this part of the program. The sharing of personal stories with other addicts in Talking Circles is an important part of its stabilisation program; and this would often involve discussing family violence and the links to alcohol and substance abuse.

Towilla Purruputtiappendi at Nunkuwarri Yunti of SA AMS offered counselling using narrative therapy. Using this, Towilla Purruputtiappendi already provided individual counselling to men and women to address issues of family violence, relationship breakdown and effective parenting. It also had experience in running support groups: already running one for women.

The first step towards the creation of *Yerli Birko* was the forming of a Cultural Reference Group in April 2006, which included Elders working with the ASG and other's experienced with working with Indigenous young men from the health and social services. It was decided that cultural learning would be an important part of the group's activities.

It was decided that *Yerli Berko* would also operate in part as an outreach program to enable the many males living in outer suburban Adelaide to participate. The ASG Mobile Assistance Patrol bus was made available to transport men to meetings wherever they occurred. It was decided that a regular feature of the group was the provision of a healthy meal to participants.

In April 2006, the name '*Yerli Birko*' was approved by the Kurna Warra Pintyandi (the Kurna peoples' language committee based in Adelaide). Flyers were printed and distributed to potential referral sources. An official launch was held in Victoria Square on National Sorry Day: 26 May 2006. Initial referrals were from the ASG,

273 Aboriginal Sobriety Group (ASG), *Annual Report 2006/07*, ASG, Adelaide 2007, p12.

274 Aboriginal Sobriety Group (ASG), *Annual Report 2006/07*, ASG, Adelaide 2007, p13.

275 Aboriginal Sobriety Group (ASG), *Annual Report 2006/07*, ASG, Adelaide 2007, p15.



the Nunkuwarri Yunti of SA Prison Health program, and the Link Up program and from the Towilla Purruputtiappendi itself.

The stated aims of *Yerli Birko* are:

- to increase the participant's knowledge and to develop a greater understanding of their own social and emotional well being issues
- to discuss health issues that directly affect Aboriginal males;
- to encourage and discuss self-determination and empowerment so males can take control over their own lives;
- to invite and link in with other service providers and specialist services and to build on those relationships; and
- to promote and support other Aboriginal males within the community who need guidance and support.²⁷⁶

Ground rules for the group were also established at the second meeting:

- that members treat each other with respect;
- that meetings are drug and alcohol free;
- that the men were not 'clients' but men;
- that the group would be open to new members; and
- that whatever was said in the group stayed in the group.

An initial concern of the Cultural Reference Group was attracting critical numbers of men. One concern expressed by possible attendees was that the group was 'therapy', and they did not want to disclose personal information in this setting. Because of this, from the start it was decided that the group would be informal and relaxed, and not be overtly 'therapeutic'. Instead, the emphasis would be on culture and learning.

Anecdotal experience from other men's groups suggested that over time the men would share their stories and work towards more therapeutic outcomes, but that it was important to establish a relaxed atmosphere first. One issue that was identified as needing to be addressed at an early stage was the false perception that the group was solely for "initiated" Indigenous 'men'; and hence, the term 'males' (over men) is used to avoid confusion in publicity materials.

From the start, the males showed great enthusiasm for cultural events. A cultural program evolved over time (guided, in part, by the males themselves), with visits to the Kurna Cultural Centre in Warriparinga, to some of the galleries and museums in Adelaide with Indigenous collections of note, and to the screening of films like *Ten Canoes*. Indigenous 'art classes' were also held at the Nunkuwarri Yunti centre. Didgeridoo making has also proved extremely popular. Currently, the collecting of oral history and the revival of traditional Indigenous games are some of the cultural activities occupying the group.

Two fishing trips were organised. Elders participated in these, and told stories about the traditions and history of the Adelaide region. Drug and alcohol awareness, as well as nutrition and healthy food education featured in these events. In line with this educational focus, the males in the group were also sponsored to attend the 4th Indigenous Male Health Conference that took place in Adelaide in October 2007.

²⁷⁶ Nunkunwarri Yunti of SA, *Community Connections, positive stories, positive voices*, Nunkuwarri Yunti of SA Social and Emotional Wellbeing Newsletter, Vol 3, Issue 5 (5 December 2006), p5.



The cost of running the group annually (including wages for Towilla Purruputti-appendi workers) is approximately \$65,000. This is mostly provided by Nunkuwarrin Yunti of SA. Volunteer services are also essential to the running of the group: for example, the Cultural Reference Group are all volunteers, and volunteers are needed for cooking the group's lunch.

Yerli Berko is now permanently based at 'The Shed', the ASG facility in the northern outer suburbs of Adelaide. As the group has matured, it has taken a more proactive role in addressing community issues. In particular, the men have taken opportunities to mentor younger Indigenous males who otherwise may drift into contact with the criminal justice system. There have also been some efforts to assist homeless Indigenous people living on the streets in Adelaide.

Therapeutic elements are entering the program. The men are planning to record their stories on DVD, in part to ensure that their children have a record of these. This has also provided an opportunity for bringing narrative therapy to the group.

Family violence (and other issues) are addressed through Talking Circles, usually led by an Elder or facilitator. This discussion often involves the recounting of personal experiences and the men's struggles with violence in their families. Anger management techniques and narrative therapy are also used. From this has emerged a clear cultural norm for the men to hold to – family violence is not acceptable now, and never was a part of Indigenous men's culture. Tolerance of family violence is challenged in the group.

The males in *Yerli Berko* have begun to network with males from across the State: meeting with the Spirited Men men's group based in Murray Bridge, for example, and taking part in the first SA Gathering of Males (discussed further below). Visiting Elders from other tribal groups in the State also talk to the group.

The group also plans to hold workshops around parenting, and Aboriginal male family role models as well as a camp for fathers and their children, with other agencies involvement in the future.

Impact of *Yerli Birko*

Formal assessment of *Yerli Birko's* impact on family violence and other community issues in Adelaide is difficult, particularly given the problems assessing the extent of family violence in the first place. However, the group has made a mark on Indigenous men, and the organisation of the men, in Adelaide in its initial year.

Around a rotating core group of 10-15 men, 170 men took part in *Yerli Birko* activities within the first 3-months; with 590 men attending one or more of the group's activities in the first 12-months.²⁷⁷ That is almost one in six of the Indigenous male population aged over 15 in Adelaide being exposed to the strong, culturally supported, anti-family violence norm established in the group.²⁷⁸ Text box 8 below shares the experience of one man who has benefitted from this aspect of the program.

277 Interview with Simon Boyce, Men's Support Officer, Community and Social Health Team, Nunkuwarrin Yunti of SA, 23 October 2007, supplemented by internal Nunkuwarrin Yunti of SA documents.

278 There were 3,622 Aboriginal and Torres Strait Islander males over 15 years of age in Adelaide at the Census 2006, Australian Bureau of Statistics, *Population Distribution, Aboriginal and Torres Strait Islanders*, ABS cat. no. 4705.0, ABS, Canberra p4.



Text Box 8: Shane from *Yerli Birko* shares his story

I am 31-years-old and already I have had a hard life. My mother died of a heroin overdose when I was 15. My brother and sister and an aunt and an uncle are also dead from drugs. I never really recovered from all the deaths in my family. I was full of rage and anger and got into drugs myself soon after Mum died: heroin and methamphetamine (ice). I was in and out of jail, involved in gangs, street violence and crime.

I have two boys by two different mothers. My last girlfriend walked out on me because I couldn't get my life together. I've been trying for years to get her back, but all I did was get wilder.

I got out of prison eight months ago. As well as going the Talking Circle at the Aboriginal Sobriety Group, my probation case manager took me along to *Yerli Birko*. I got a lot out of it right from the start; sharing and talking to the other men – Nunga to Nunga – broke down my sense of being alone in the world, as if it was all down to me.

In fact, many Aboriginal men share the same problems and have similar stories, but we keep it all bottled up. I see myself in many of the other men in the group. I am learning to express my feelings. In the past I held it all in, it would only come out when I was drinking or on drugs and letting it out with the 'wrong mob', not the mob in *Yerli Birko*.

It's also great to share information, share what helps. The Elders in the group talk about way back [in time]. And I notice the fellas in the group taking it in. Sometimes, traditional men come to the group as they're passing through Adelaide. A lot of Aboriginal men haven't been educated on family violence or our culture. They don't know that our culture doesn't support men beating up on their women. They don't know how to treat our women, how to talk to them better, and show them respect.

Sometimes I feel that I am the most positive person in the groups, but I notice the fellas in all leave with a smile on their face, and I know when they go home that they are going to be nice to their missus, nice to their kids.

I still have no job, but I have friends on the street, and I spend a fair bit of my time working with them to help them turn their lives around too. I try to get them to join *Yerli Birko*.

My life is a lot better since I joined the group. I've been off drugs for eight months and I'm still working hard to get my girlfriend back. I want to be a good role model for my boys. For the first time, I feel optimistic about my future.²⁷⁹

279 Interview conducted 30 November 2007.



Lessons from Yerli Birko

Build on existing community strengths

Yerli Birko evolved from established Indigenous institutions in Adelaide, drawing on their strengths and networks to get up and running, and to attract men to the group.

Addressing drug and alcohol use by Aboriginal men is an essential part of any response to Indigenous family violence

Family violence, when it occurs, is strongly associated with alcohol and drug use by Aboriginal men. Tackling drug and alcohol use is an essential component of, or compliment to, programs aimed at Indigenous men with the purpose of reducing family violence. Yerli Birko shows the linkages that can be drawn between alcohol and family violence interventions.

Promoting traditional Aboriginal male culture helps promote a strong anti-family violence norm of behaviour among Aboriginal men

Traditional Indigenous cultures did not tolerate family violence. And that for Indigenous men suffering cultural dislocation, connecting with traditional cultures also connects them with a strong anti-family violence norm of behaviour, and positive male role models that encourage the treating of women and children with respect.

Connecting up Aboriginal men helps to break down social isolation and mitigate other stressors that can contribute to family violence

Breaking down the social isolation suffered by many Indigenous men, and encouraging them to work together to heal their problems and their communities' problems, creates social capital that can mitigate the impact of psychosocial and other forms of chronic stress caused by negative long-term situational factors facing them (for example, racism and poverty) and that can, in turn, contribute to family violence.

ii) **The Spirited Men Group and the Tau Ngaraldi Program**

Spirited Men is an Indigenous men's group that is based in Murray Bridge, South Australia, but that includes men from across the region including from Mannum, Tailem Bend, Meningie, the Coorong and Victor Harbour.

At the 2006 Census, 749 Indigenous people (396 males and 354 females) lived in the ABS Murray Bridge Local Statistical Area.²⁸⁰ This is an area including the city and 1,831 square kilometres around the city. The total population was 17,677 people; with Indigenous people comprising 4.2% of the total population. There were 19 Torres Strait Islanders or people who identified as both Aboriginal and Torres Strait Islander.²⁸¹

Anecdotal reports suggest that family violence is a significant problem in Murray Bridge. No hard data exists. A soon to be published report by Wendt: *Responding to Domestic Violence in Murray Bridge, 2007*, highlights some of the data issues

280 Hereon referred to as Murray Bridge when referring to the 2006 Census data.

281 Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC) (SLA 420105040) Indigenous status by sex* (Table 02). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 9 November 2007.



in relation to this in Murray Bridge and recommends this issue is addressed as a priority.²⁸²

There are differences between the Indigenous communities in Murray Bridge and Adelaide that may have some bearing on the causes of family violence in Murray Bridge and also work to shape different responses:

- The *Spirited Men* group was established in a community which has less evident cultural dislocation than the Adelaide community. Murray Bridge is on Ngarrindjeri Land. The Ngarrindjeri Nation has fought hard to protect their people, land and culture. In 1923, they unsuccessfully petitioned the SA Government to stop the passage of legislation that would allow it to remove their children;²⁸³ Ngarrindjeri women initiated the legal challenge to the Hindmarsh Island Bridge – and fought all the way to the High Court.²⁸⁴ The establishment of Camp Coorong at the mouth of the River Murray, including the Ngarrindjeri Cultural Centre, in 1985 was an important milestone in the revival and preservation of Ngarrindjeri culture. The NATSISS 2002 reported that in Murray Bridge, approximately 7% of the population speak an Indigenous language, approximately double that in Adelaide.²⁸⁵
- The community presence of both male and female Ngarrindjeri Elders is reported to be strong in Murray Bridge, with an Elders Group already taking an active role in community affairs. However, among the men they are spread thinly. Similarly to Adelaide, there is a big male youth cohort. At the 2006 Census in Murray Bridge approximately 47% of the 396 males were reported to be under 19-years of age.²⁸⁶
- There is a slightly different family profile in Murray Bridge when compared to Adelaide's: approximately 30% of the 256 'households with Indigenous persons' were 'couple family with children' and 30% 'one parent families' (significantly less than in Adelaide).²⁸⁷ Also in contrast to Adelaide, in Murray Bridge child-rearing is more evenly spread between the sexes

282 Wendt, S., *Responding to Domestic Violence in Murray Bridge*, University of South Australia and Centacare (Murray Bridge), Magill, 2007, unpublished.

283 For further information, see the website of the Ngarrindjeri Nation, available online at: <http://ngarrindjeri.tripod.com/>.

284 See *Kartinyeri v Commonwealth* (1998) 195 CLR 337.

285 Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC) (SLA 420105040) Language spoken at home by proficiency in Spoken English/Language* (Table 06). 15/10/07. Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 9 November 2007.

286 Calculated with reference to Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC) (SLA 420105040) Age by Indigenous status by sex* (Table 03). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.

287 Calculated with reference to Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC) (SLA 420105040) Number of persons usually resident by household composition and family composition by Indigenous status of household* (Table 22). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.



with, 'unpaid child commitments' being identified by 26% males and 29% females.²⁸⁸

- Unemployment among Indigenous males in Murray Bridge is significantly lower than in Adelaide. At the 2006 Census, of the 210 Indigenous people over 15 years of age reported as to be 'participating in the labour force' in Murray Bridge, (about half of the 446 strong adult population) unemployment was reported at a rate of 15.2% (8.8% for men – or 9 individuals, and 21.3% for women – or 23 individuals).²⁸⁹

In *Responding to Domestic Violence in Murray Bridge*, Wendt examined the services that address domestic violence in the city. She reported that although services exist that could be utilised in relation to addressing domestic and family violence (for example, supported accommodation, counselling services, and so on) these services are spread throughout agencies, and there is a need to develop more effective links between them to provide a coordinated response.

After interviewing many staff involved in these agencies, she also notes the need for education about the differences between domestic and Indigenous family violence.

Wendt reported that there is no dedicated family or domestic violence services in Murray Bridge (no women's crisis shelter, for example). She recommends that a lead agency be appointed to establish dedicated services, and also to coordinate services that could otherwise be utilised in a response to domestic and family violence.²⁹⁰

Description of the *Spirited Men Group and the Tau Ngaraldi Program*

The Spirited Men Group

The *Spirited Men* group is an initiative of the Lower Murray Nungas Club and Kalparrin Community Inc, both long established Aboriginal community controlled and operated services operating in the Murray Bridge area.²⁹¹

The Lower Murray Nungas Club was started in 1974. It began as a drop-in centre for young people. Today the club building is used to provide a range of primary health care and welfare programs functions. There are Aboriginal youth workers, a family support worker and cultural resources at the centre.

Kalparrin Community Inc. (Kalparrin) operates about ten kilometres out of Murray Bridge. It was established in 1975 to provide a supported residential rehabilitation program for Indigenous men and women with alcohol or drug problems. It is also

288 Calculated with reference to Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC) (SLA 420105040) Unpaid child commitments by age by sex for Indigenous persons* (Table 17). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.

289 Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC), Selected Person Characteristics by Indigenous Status by Sex* (Second Release Processing) (Table 27). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.

290 Wendt, S., *Responding to Domestic Violence in Murray Bridge*, University of South Australia and Centacare (Murray Bridge), Magill, 2007, unpublished.

291 Source: interview with Bony Gibson, Manager of the *Spirited Men* program, supplemented with information from unpublished documents about the *Spirited Men* group.



a 'dry' community, with about 45 permanent residents. Kalparrin provides services to Indigenous people from the Murray Bridge area but also from as far away as Adelaide, the Coorong and Meningie.

In mid 2005, the community development worker based at the Lower Murray Nungas Club applied for funding from the Family Violence Regional Activities Program,²⁹² (operated by the Commonwealth Department of Families, Communities Services and Indigenous Affairs) for both a pilot men's and women's support group for specifically addressing family violence. Kalparrin agreed to manage the funding and the project. The application for the men's group was successful, although the application for funding for the women's group failed. Graham 'Bonny' Gibson was employed to get the pilot project up and running.

The first men met at Kalparrin and many were involved in the rehabilitation program there (it became a condition for men entering the rehabilitation program at Kalparrin that they attend the group). Men from the ASG's Lakalinjeri Tumbetin Waal Centre are also encouraged to attend.

After a year of operating as a pilot, Kalparrin applied for funding to secure the program. As a part of this process, community consultations about the group were held, attended largely by workers in social services and health, but also by community members and Elders who identified ways forward they would like to see the group take – in particular, for the men to have more involvement with the communities' young people and children.

Kalparrin secured approximately \$500,000 to fund the continuance of the group for three years. The funds pay for (among other things) four staff: Bonny Gibson, the full-time manager of the group who is also a group facilitator; Mack Hayes, who works two days a week; and Kym Schellen, a 'Bringing them home' counsellor from Kalparrin, who devotes one day a week to the group. Darren Mundy also works one day a week as a peer support worker. Darren began as one of the men in the group, but has 'graduated' to this role.

Because it was easier for more men to get to, the group is now established at the Lower Murray Nungas Club, just outside of Murray Bridge. Between 10 and 25 males attend the weekly meetings with up to three of the facilitators present (who are also active members of the group).

The group provides an emotionally and culturally safe space for dealing with a range of issues that pertain to family violence – including drug and alcohol misuse, anger, self destructive and harmful behaviours and trauma. The group is an alcohol and drug free space.

The stated aims of the *Spirited Men's* group are to:

- operate as a family violence intervention program;
- as men, address the social, emotional and cultural wellbeing of the whole community;
- develop the community's capacity to respond to family violence through early intervention, prevention and crisis intervention

292 For further information, see the website of the Commonwealth Department of Families, Communities Services and Indigenous Affairs, available online at: <http://www.facs.gov.au/internet/facsinternet.nsf/indigenous/programs-fvp.htm>, accessed 22 October 2007.



- strategies, and promote and support community based ways of reducing and preventing family violence in Indigenous communities;
- consider traditional approaches to family relationships including traditional law;
 - foster collaboration between local agencies and community based organisations and individuals in the prevention of family violence;
 - provide community education and improve awareness of the effects of family violence and develop strategies to ensure family violence is recognised as unlawful and unacceptable; and
 - develop strategies that engage communities in openly talking about family violence.

Information sharing is an important group activity, and men from support services visit the group so the men know what is available in the area. Quite a lot of time is spent discussing the role of men in the local community (and Indigenous community in particular) and the positive contribution the men can make to it. Outside of the group, the facilitators offer counselling and support to the men. There is a strong anti-family violence message that comes through in the group.

In the future, it is hoped to establish a parallel *Spirited Men* program for young Indigenous men in the Murray Bridge area. Currently, Bonny Gibson is working with the SA Department of Education to that end. *Spirited Men* is also looking to sponsor family events and cultural camps and play a dynamic part in the life of the Murray Bridge community.

In recent months, the men from the group have been renovating a derelict house boat that was left to the Murray Bridge Indigenous community. The *Nana Laura* (named after a much-loved Murray Bridge Elder, now deceased) is now fully operational. It is intended that local Indigenous families use the facility, as well as the community itself. The Ngarrindjeri have traditionally had strong cultural links with the Murray River, and it is expected that the boat will help an ongoing effort to preserve and revive that relationship.

Tau Nagaraldi

Tau Nagaraldi grew from the *Spirited Men* group. It is an eight-week anger management and family violence program developed by Mack Hayes, one of the facilitators. It utilises narrative therapy techniques to help the men understand their anger. It does not invalidate their feelings (for example, of injustice at racism) but aims to teach the men to stop and think before acting on their anger.

It aims to show positive ways for Indigenous men to be able to stand their ground and be respected for who they are without resorting to violence. As with *Spirited Men*, there is a strong cultural element to the program that emphasises that traditional culture (Ngarrindjeri and otherwise) did not tolerate family violence, and it will not be tolerated now. A strong, culturally supported anti-family violence norm has developed in the group.



A member of my staff attended a meeting of *Tau Ngaraldi* in preparing this part of the Social Justice Report. He describes it as follows:

About 25 Aboriginal men including two facilitators, an Islander and two non-Aboriginal and Torres Strait Islander men (one of them from a parenting program who was keen to develop links and share information with the group) were present.

The group began with a traditional smoking ceremony in the open air led by Bonny Gibson, and the setting of ground rules: basically, that what is said in the group stays in the group, and that respect should be shown to each other at all times.

The morning session was devoted to information sharing; the non-Indigenous man who runs the parenting program talked briefly about what his service could offer the men, and I gave a brief presentation on human rights. The men asked quite a few questions, and then lunch was served – salad, sausages and chops. Over lunch the men sat and talked.

After lunch, the anger management began led by Bonny Gibson and Darren Mundy. The men were asked to share recent events that had made them angry. One man described an experience of racism in being served that had occurred the previous day, and how angry it had made him feel. Men began contributing their own similar stories. Bonny uses the first man's example to encourage the men to think about anger and all the tell tale signs that can lead up to a violent response. He pointed out that they do have a choice as to how they react. Different men had different things to say about it; no one's opinion or experience is trivialised.

The feeling in the room is warm and friendly, with understanding being shown even when anger is being expressed. There was a strong sense of brotherhood and a 'healing energy' in the room, a sense of spirit, which was acknowledged by many of the men. The men appeared to be good friends, or rapidly becoming good friends, and there was a tremendous sense of camaraderie among them.

Several of the men have brought their sons to the group. I spoke to one of the sons and he said the group had changed his life, helped him at school, as well as helped heal his relationship with his father. He loved the group and being with the men. I spoke to several men after the group and they all believed that the group had had an extremely positive impact on their lives.

Impact of the *Spirited Men Group and the Tau Ngaraldi Program*

Formally assessing the impact of the group on family violence is difficult, but anecdotal reports suggest that the Indigenous women in Murray Bridge are extremely supportive of the project and report positive changes in the way the men behave, and the belief they have in themselves.

In total, between 40-45 men have had fairly regular contact with the group. In an area with only 241 Indigenous males over 15 years of age,²⁹³ that means that in a two-year period up to approximately one in six of the city's and surrounding area's Indigenous men have potentially had contact with the strong, culturally supported, anti-family violence message and norm that the group has. Text Box 9 below highlights the individual impact that the group has had.

293 Australian Bureau of Statistics, *2006 Census of Population and Housing, Murray Bridge (RC), (SLA 420105040) Selected Person Characteristics by Indigenous Status by Sex* (Second Release Processing) (Table 27). Available as a download from the ABS website (Community Profile Series) at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.



Text Box 9: Hearing from the *Spirited Men*

Dave's story²⁹⁴

There was violence in my family when I was a kid. I grew up surrounded by violence. I was violent too back then, although now I can't stand it. I've been surrounded by racism too all my life. I've experienced, and continue to experience, discrimination against me in relation to employment and being served in various places.

I was a country kid, but I ended up living in Adelaide. I grew up feeling suppressed and held back – by white society, by the police, by government. I still do, although things are getting better. I led a crazy life in Adelaide. I used to do amphetamines and dope. But it got to the point where I couldn't stand it. The police were raiding my home and I was under surveillance. I even attempted suicide.

In the past I have been guilty of domestic violence. One of my missus was wild; she would attack me and I would attack her back. I have four children by three different mothers. I want to set them a good example, not like when I was a kid. In particular, I don't want my ten-year-old boy to have a bad role model for a father. I'm very anti-domestic violence. I stick my beak into people's lives if I hear there's violence happening.

In the end I got out of Adelaide, and back to the country: to Murray Bridge. I much prefer it out here. Christianity helped me too, helped me to see that there was a better way of life. I've been drug free for four years now. I still drink a little, although not how I used to. I work for the local drug and alcohol services – that's how I got involved with *Spirited Men* and *Tau Ngaraldi*. I took a client to the group and saw straight away that it could do me good too.

Anger management has been useful to me. Overall I am not as angry as I used to be, although I still get angry. When I experience racism, I still think people need to be taught lessons, but I know my old way [violence] isn't the answer.

I think the group works because many Aboriginal men don't have anyone to talk to. Sharing and talking helps so much. You realise you're not alone; that we all have similar struggles, similar stories – with drugs, with alcohol, with violence. We've all been there.

There's a brotherly bond that develops among the men. We respect each other's views. I also like the fact that white men sit in on the group from time to time. It's good to share with them our stories because many just don't understand what we've been through. It's also good to know that we have things in common. White guys have problems too.

People around me have noticed the change. Five years ago I would smacked you in the head if you looked at me. Now, I don't worry. And I've got a new girlfriend – I feel like I've won the lottery!²⁹⁵

294 'Dave' is a pseudonym, and he has been otherwise de-identified as a condition of telling his story.

295 Interview conducted 30 November 2007.



John's story²⁹⁶

I grew up with violence; there was a lot of drinking and violence around me as a kid in my home. I experienced a lot of discrimination too – at school, I used to get into fights. I used to bottle it all up; let it build up.

My father passed away in 1985; my older brother in 89 or 90; my younger brother died in 2002; and my mother passed away in 2004. But I was very private. I didn't like talking about myself, or what I thought or felt, but I was letting things build up. Although I wasn't violent, I was worried that one day there would be crunch point and I would explode.

I got involved with the group through Kalparrin. I like the camaraderie of the group. Men talking to other men about their life experiences. People say I am a lot calmer now, and easier to talk to. Things still build up, but it easier to talk about them and let them go. I think the group is great. I want the group to develop links with Aboriginal men across SA and the country so we can all interact as males.²⁹⁷

Lessons from the *Spirited Men Group and the Tau Ngaraldi Program*

Build on existing community strengths

Spirited Men, like *Yerli Berko*, evolved from established Indigenous institutions in Adelaide, drawing on their strengths and networks to get up and running, and to attract men to the group.

Addressing drug and alcohol use by Aboriginal men is an essential part of any response to Indigenous family violence

Family violence, when it occurs, is strongly associated with alcohol and drug use by Aboriginal men. Tackling drug and alcohol use is an essential component of, or compliment to, programs aimed at Indigenous men with the purpose of reducing family violence.

Promoting Aboriginal male culture helps promote a strong anti-family violence norm of behaviour among Aboriginal men

Even in areas where there is a strong connection to culture in place, the strong anti-family violence norm of behaviour, and positive male role models in traditional culture that encourage the treating of women and children with respect can, by being highlighted in a group setting, still play an important role in reducing family violence.

Connecting up Aboriginal men helps to break down social isolation and mitigate other stressors that can contribute to family violence

That breaking down the social isolation suffered by many Indigenous men, and encouraging them to work together to heal their problems and their communities' problems, creates social capital that can mitigate the impact of psychosocial and other forms of chronic stress caused by negative long-term situational factors facing them (for example, racism and poverty) and that can, in turn, contribute to family violence.

296 'John' is a pseudonym, and he has been otherwise de-identified as a condition of telling his story.

297 Interview conducted 30 November 2007.



iii) The Gathering of Males at Camp Coorong²⁹⁸

The need to get Indigenous men involved with addressing family violence and other community problems has been recognised by Indigenous women in SA. The theme of the 2006 SA Aboriginal Women's Gathering was 'Indigenous Family Violence – Local Community Solutions'. Among other things, it recommended that the SA Govt support a Men's Gathering, so the women and men could continue to work together to address family violence.²⁹⁹

In the end, Nunkuwarri Yunti of SA, ASG, Families SA, the Yorke Peninsula Aboriginal Health Services, the Central Northern Adelaide Health Region, and Tauondi College³⁰⁰ all contributed to the approximately \$20,000 funding needed for the Gathering of Males to take place.

In December 2006, the Gathering took place at Camp Coorong on Ngarrindjeri Land. Thirty-six males made their way to the Gathering drawn from across the State. The areas and groups represented included the Riverland, Point Pearce, Koonibba, Ceduna, Port Lincoln, Mount Gambier, Raukkan, and Kalparrin Community. This included men from the Aboriginal Sobriety Group, Tauondi College, the Lower Murray Nungas Club, the *Spirited Men* group, Lakalinjeri Tumbetin Waal as well as *Yerli Berko*.

A DVD presentation by the Minister Jay Weatherill (the SA Minister for Families and Communities and Minister for Aboriginal Affairs and Reconciliation, among other ministerial responsibilities) was played to the men that evening commending them for the Gathering and the leadership emerging among the Indigenous men's community in SA.

The camp opened with a traditional welcome to Ngarrindjeri country by Tom Trevorrow, the respected Elder, and then a welcome lunch was held. The men then visited significant Ngarrindjeri cultural sites. The next day, cultural activities began. Men from various tribal groups talked about their own clan group symbols and each came up with a design for their message stick also to be used in a design for a T-shirt.

Indigenous male health was the theme of the gathering. The men gathered food from traditional Ngarrindjeri sources, led by Elders, including by fishing and collecting cockles. Formal presentations were given about: suicide and mental health; the harmful effects of alcohol and new drugs like methamphetamine ('ice'); health and related services that are available and culturally appropriate for Indigenous men in SA; living with diabetes; and the role of the health centre and GP in assisting Indigenous men manage any illnesses they might have.

The problems that face SA Indigenous communities as well as personal and family issues and how they could be addressed were also recurrent themes. It was

298 Interview with Basil Sumner, CEO of the Aboriginal Sobriety Group and Simon Boyce, Men's health worker, Towilla Purrupttiappendi, Nunkuwarri Yunti AMS, 23 October 2007, supplemented with internal (Nunkuwarri Yunti) documents about the Gathering of Males at Camp Coorong.

299 SA Office for Women, *Snapshots, Women's safety strategy 2005–07*, Government of South Australia, 2007, p8, available online at: http://www.officeforwomen.sa.gov.au/files/WomensSafetyStrategy_SnapShots_April2007.pdf, accessed 12 November 2007.

300 An independent Indigenous college based in Pt Adelaide offering 'cultural teaching' and a range of qualifications, accredited courses and Adult Community Education activities for the Aboriginal and Torres Strait Islander community in SA.



recognised that drugs, alcohol and violence have caused Indigenous communities across the State to lose a good deal of its culture. The men began to think about ways that these negative influences can be addressed. It was agreed that too many young Indigenous men have died from these things, and that community safety was vital if communities were to thrive.

In that context, the group looked at the role of males, and how groups for males could assist in promoting males in a positive light within the community. A strong theme was about promoting respect for Indigenous men against the tide of negative stereotyping, and men taking up the responsibility to provide a safe secure environment for their women and children. The role that groups for males can play in supporting men through education in areas such as drugs and alcohol use, employment, relationships, reducing conflicts between people and family violence was discussed.

As a group of males, they agreed that if one message was to come from the gathering it would be 'No to Drugs, Alcohol and Violence'. It was agreed that the men would take this message back to their communities.

It was recommended by the Gathering that a National Register of Groups for Indigenous Males be set up in order to facilitate greater interaction among Indigenous males across the country.

Initial plans for holding a State-wide Corroboree of Males were discussed at the Gathering. The Corroboree is intended as a vehicle for a number of cultural events: with each tribal group presenting their own dance in a competition. The promoting of tribal languages through song was also discussed. During the course of the week each group designed a message stick that included a totem or symbol that represented their respective clans. The sticks were exchanged between the groups present, and are designed to be taken to future Gatherings (or Corroborees) of Males, and male gathering in the future.

The *Yerli Berko* males created a dance that could be performed at future Gatherings (or Corroborees) of Males and that was inclusive of all the State's tribal traditions. In this way, it was hoped that men without tribal affiliation would be able to participate fully in the Gatherings.

Lessons from the Gathering of Males at Camp Coorong

Promoting men's leadership

Men's groups and other ways Aboriginal men can come together can help build leadership capacity in communities and across communities and facilitate the spreading of a strong anti-family violence norm of behaviour among Aboriginal men.

The Gathering drew on existing groups for males to bring together men from across the State to make decisions about the future directions their communities might move, and to begin a process of organising men's business at a State level. Such a model, as already demonstrated by Aboriginal women in SA, holds enormous potential for the emergence of State Aboriginal leadership, and taking part in the State policy cycle in relation to matters that affect Indigenous peoples in SA. Like a feedback loop, it also enables a consistent, State-wide norm of anti-family violence to emerge and reinforce the anti-family violence norm being promoted in the men's groups.



These case studies highlight the importance of Indigenous men actively engaging in addressing family violence and other forms of dysfunction in their communities.

The case studies highlight:

- That family violence is strongly associated with alcohol and drug use. Tackling drug and alcohol use is an essential component of, or compliment to, programs aimed at Indigenous men with the purpose of reducing family violence.
- That traditional Indigenous cultures did not tolerate family violence. And that for Indigenous men suffering cultural dislocation, connecting with traditional cultures also connects them with a strong anti-family violence norm of behaviour, and positive male role models that encourage the treating of women and children with respect.
- That breaking down the social isolation suffered by many Indigenous men, and encouraging them to work together to heal their problems and their communities' problems, creates social capital that can mitigate the impact of psychosocial and other forms of chronic stress caused by negative long-term situational factors facing them (for example, racism and poverty).

And beyond addressing family violence, organised Indigenous males can offer leadership in the formulation of a wide range of solutions to problems affecting their communities in a similar way to which organised Indigenous women have already demonstrated.

The message is clear to policy-makers: if you do not address the situation of Indigenous men you are only likely to be providing a band-aid for a solution, not the least being in relation to family violence. It is bad policy to focus on Indigenous family violence as a problem facing women and children only.

It is not possible to treat the situation of Indigenous men as a separate issue from the health and well-being of Indigenous communities. Resources and planning need to be devoted to policies and programs for males and balance provided to the programs that focus exclusively on Indigenous women and children needs to be ensured. We all have to move together on this road towards healing.



e) Keeping Children Safe: Family Support and Child Protection

Child welfare and protection services have a long and troubled history with Indigenous Australians. The landmark *Bringing them home* report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families documents the experiences of the stolen generation, forcibly removed from their families under the guise of welfare, as well as the impact of contemporary removals of Indigenous children through the care and protection system.

State and Territory governments have responsibility for child protection. In recognition of Indigenous children's right to maintain a connection to their family, community and culture all Australian jurisdictions recognise the Aboriginal Child Placement Principle (ACPP). The ACPP recognises that Indigenous children should be placed with Indigenous carers. Children should firstly be placed with the child's extended family; if that is not available they should be placed within the child's community; failing that they should be placed with other Indigenous people. However, the overriding principle is that the placement be *in the best interests of the child*.

By 1997 all jurisdictions had incorporated the ACPP into either legislation or policy. The ACPP seems to have increased the number of Indigenous children with an Indigenous out of home carer. In 2006 at least 62% nationally were placed with an Indigenous carer or relative, in NSW it was as high as 86%.³⁰¹

Despite this, there remains an imbalance in how Indigenous child safety issues are dealt with.

Prevention and early intervention to support families is a far more successful and cost effective way of addressing child abuse. Recognising this, the child protection system incorporates a continuum of intervention, from primary prevention, early intervention, family support and finally statutory intervention.

In reality there are not enough resources or programs aimed at primary prevention, early intervention and family support. This means that more cases progress through to statutory intervention.³⁰² For instance, an Indigenous child is six times *more* likely to be involved with the statutory child protection system than a non-Indigenous child but four times *less* likely to have access to a child care or preschool service that can offer family support to reduce the risk of child abuse.

The case studies in this section provide examples of promising practice across this continuum of care as follows:

- i The *Cherbourg Critical Incident Group* is an example of **primary prevention** because it aims to prevent abuse and violence before it happens by raising community awareness and creating an environment where abuse will not be tolerated.

301 Australian Institute of Health and Welfare, *Child Protection 2005-2006*, Child welfare series no. 40. Cat. no. CWS 28, Canberra: AIHW, 2007, p58.

302 Secretariat of National Aboriginal and Islander Child Care, *Briefing to State and Territory Governments. Development of a National Action Plan for Aboriginal and Torres Strait Islander communities to prevent and respond to child abuse and neglect*, 2006.



- ii The *Strong Young Mums Program* in Bourke (NSW) is an example of a **family support/early intervention program** that supports young women to increase their parenting ability and confidence to reduce the risk of child abuse.
- iii The *Safe Families program* in Alice Springs is also an **early intervention program** that works with families and communities to try and avoid statutory intervention.
- iv The *Lakidjeka Aboriginal Child Specialist Advice and Support Service* in Melbourne works during the **statutory intervention phase** to provide culturally appropriate advice and placement options for Indigenous young people who come to the attention of statutory authorities.

International comparisons

There is some similarity in the history and contemporary situations of Indigenous people in countries like Canada and the United States of America that provides valuable lessons in relation to providing quality, appropriate child protection services.

The United States of America is often considered to lead the way in the provision of child protection services to Native American children. The *Indian Welfare Act 1978* is 'premised on a recognition of limited sovereignty and the collective interest of tribes for children.'³⁰³ The Act gives authority to Tribal courts to make decisions over child welfare for children living on reservations and shared authority with State courts where children are living off reservations. There are provisions to involve the family and tribe, similar to the Aboriginal Child Placement Principle and there is preference for children to be placed within family and community.

Canada has also taken steps to restore Indigenous control over child protection matters. Since the 1980s agreements and policies have been developed with First Nations groups that reflect self determination and control in child protection. The Canadian situation shares commonalities with Australia in terms of history and government structure and is a better fit for policy comparison. One notable example which may offer directions to Australian governments are developments towards Indigenous controlled services in Manitoba. Text Box 10 below provides a detailed case study on reforms over the past decade in the Canadian province of Manitoba by Terri Libesman (an expert on Indigenous child protection issues).

303 Libesman, T., 'Child welfare approaches for Indigenous communities: International perspectives', *Child Abuse Prevention Issues*, vol 20, Autumn 2004, National Child Protection Clearinghouse, Australian Institute of Family Studies, 2004, p8.



Text Box 10: International Best Practice: Manitoba, Canada by Terri Libesman

The delivery of child welfare services in Manitoba, Canada has been reformed with a thorough and planned process for devolving responsibility for First Nations children to First Nations authorities across the Province.³⁰⁴ Like Australia, Canada has a federal system of governance, with child welfare being the primary responsibility of Provinces and Territories.

The Aboriginal Justice Inquiry released a report in 1991 which found that the Province was not delivering child welfare services to First Nations children in Manitoba effectively and that there should be an overhaul of the system. They recommended amongst other matters that the provision of child and family services in a manner that respects Aboriginal peoples' unique status, and their cultural and linguistic heritage be enshrined in legislation; that existing Indian agencies be expanded to enable them to offer services to band members living off reserves; and that an Aboriginal child and family service agency be established to handle all other Aboriginal child welfare cases in Manitoba.³⁰⁵ The recommendations from this report catalysed the reforms which are part of the Aboriginal Justice Inquiry – Child Welfare Initiative outlined below.

The Aboriginal Justice Inquiry – Child Welfare Initiative negotiations were from the start a joint initiative between the Manitoba Metis Federation, the Assembly of Manitoba Chiefs, Manitoba Keewatinowi Okimakanakwere and the Province. The comprehensive inclusion of all parties in the negotiations has created a firm foundation for effective reform. The negotiations have resulted in shared responsibility between Aboriginal peoples and the Province for child welfare. This initiative has resulted in the expansion of Aboriginal child welfare services which had already been established to service Aboriginal children on reserves and the establishment of new Aboriginal agencies to service Aboriginal children throughout Manitoba.

The restructuring of child welfare in Manitoba commenced with the signing of Memorandums of Understanding and then Service Protocol Agreements between the Province and the Manitoba Métis Federation, the Assembly of Manitoba Chiefs and the Manitoba Keewatinowi Okimakanakwere.³⁰⁶

The Manitoba initiative is different to all previous reforms in that the policy-making process was jointly developed, and the government, rather than being the primary policy maker, was one of four policy-making partners.

Under the *Child and Family Services Act* 2003 (Manitoba) four umbrella child welfare authorities have been established. Two of the authorities are First Nations; there is one Metis Child and Family Service Authority and a General Authority which is responsible for the delivery of services to other (non-Aboriginal) children and families. It is the responsibility of each Authority to develop policy and to fund local agencies to deliver culturally appropriate child support and protection services. The authorities are all working under the *Manitoba Child and Family Services Act* 1985 (CSF) and the *Adoption Act* while new more culturally attuned legislation is being developed.

304 A more detailed review is found in Bell, T. and Libesman, T., *Aboriginal and Torres Strait Islander Child Protection Outcomes Project Report*, SNAICC and DHS, Victoria, 2005.

305 McKenzie B & Morrissette V., 'Social Work Practice with Canadians of Aboriginal Background: Guidelines for Respectful Social Work', (2003) 2(1) *Envision: The Manitoba Journal of Child Welfare*, pp13-39.

306 Holnbeck, C., De Jaegher, S., and Schumacher, F., Metis Child and Family Services, 'Developing Child Welfare Services from the Ground Up: A Multidisciplinary Approach' (2003), 2(2) *Envision: The Manitoba Journal of Child Welfare*, 2003, pp17-27.



A Detailed Implementation Plan (DIP) was designed to provide a framework to implement the restructure of child welfare in Manitoba. A key feature of this plan is that it is a 'rolling document' designed to accommodate any changing circumstances. Caseloads, resources, and assets are being transferred from the previous child welfare departments to the most culturally appropriate authority and their agencies. Under the old system non-Aboriginal agencies provided services to Aboriginal families. The 'general authority' and their associated agencies will be downsized as cases are transferred to the mandated First Nations and Metis authorities. This will only occur once the Aboriginal authorities and agencies are ready to assume these responsibilities.

The intake services are structured in such a way that the four authorities jointly manage the services but through designated agencies. In Winnipeg there is a joint intake response unit as the first point of contact and outside of Winnipeg a number of designated agencies are charged with the responsibility. There is a separate agency designed to provide emergency services, identify the Authority which holds records and refer clients to the ongoing services. It is also envisaged that information sharing including information regarding abuse will take place and that common registries will be established for that purpose. Funding is also being transferred to the new Authorities. The Manitoba government provides funding to the Authorities and this is then distributed to their agencies. An additional one-off payment was also made to cover additional expenses for things such as training, transitional costs, transfer of caseloads and other administrative costs.

A large body of opinion suggests that Aboriginal people have a right to define and deliver their own services.³⁰⁷ The Manitoba restructure is based on the right of First Nations and Metis peoples to culturally appropriate services and the concepts of collaboration, participation and righting the wrongs of the past are at the core of the initiative.³⁰⁸ The restructured system was driven by First Nations and Metis peoples and it is unique in that regard. Another striking feature is that the Manitoba government has been willing to share some aspects of its child welfare jurisdiction.

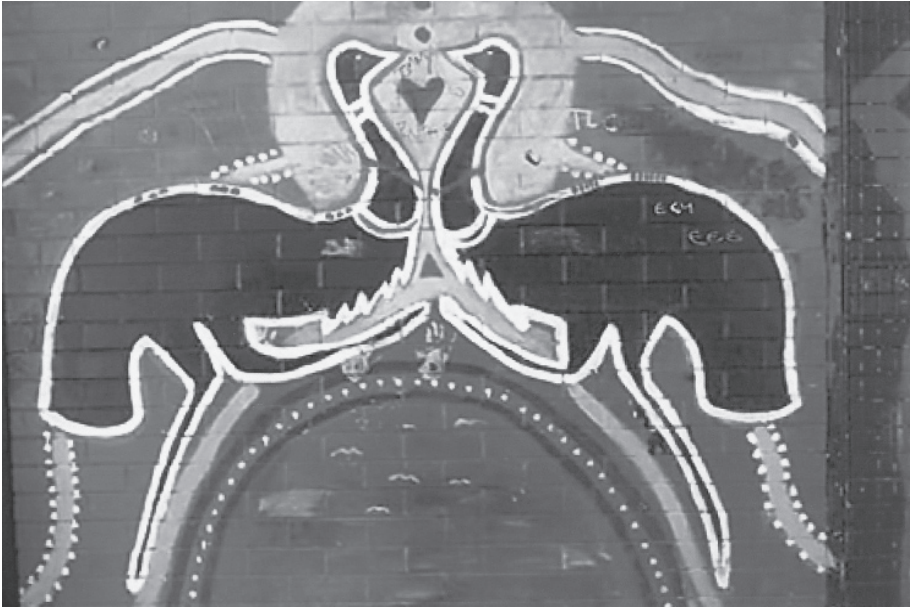
The Manitoba initiative was developed as a five phase plan with timelines that can be updated and amended to ensure that the reform is flexible and is not compromised by artificial constraints. The transfer stage appears to be well thought out with transfers being made on a region-by-region basis, with the aim that each authority and agency will have time to prepare and ensure they are ready to accept the responsibilities entrusted to them. This is particularly relevant to the Métis Authority because it had to be established from scratch unlike the mandated First Nations agencies which have been set up in some form for over two decades.³⁰⁹

One of the benefits of the Manitoba initiative is that it is highly adaptable and can therefore be structured around regional differences. Although some issues may have been missed at the conceptual stage, the structure means it can more readily accommodate changes in the future. It also appears to offer a structure that can be adapted to other contexts and countries.

- 307 See The Aboriginal Justice Inquiry – Child Welfare Initiative Report of the MKO 22nd Legislative Government House Annual General Assembly Opaskwayak Cree Nation September 9-11 2003, available online at: <http://www.mkonorth.com/ajichildwelfare.html>, accessed 23 November 2007.
- 308 Blackstock, C. and Trocme, N., *Community Based Child Welfare for Aboriginal Children: Supporting Resilience through Structural Change*, 2004, available online at: <http://www.cecwcepb.ca/DocsEng/communityBasedCWAboriginalChildren.pdf>, accessed 23 November 2007.
- 309 Bennett M., Blackstock, C., and De La Ronde, R., *A Literature Review and Annotated Bibliography Focusing on Aspects of Aboriginal Child Welfare in Canada*, First Nations Research Site of the Centre of Excellence for Child Welfare, 2005, available online at: http://www.fncfcs.com/docs/AboriginalCWLitReview_2ndEd.pdf, accessed 7 November 2007.



i) Cherbourg Critical Incident Group



An artwork painted on the walls of Cherbourg State School.

The *Cherbourg Critical Incident Group (CCIG)* was created by a small group of Indigenous women concerned about abuse and family violence in their community. It works as a primary prevention and advocacy service by 'taking a stand against violence'³¹⁰ and working with government and service providers to improve responses. The *Cherbourg Critical Incident Group* has been used as an example of 'things that work' in the Productivity Commission *Overcoming Indigenous Disadvantage Key Indicators 2005*³¹¹ and the NSW *Breaking the Silence*³¹² report.

Cherbourg is an Indigenous community approximately 250 kilometres north-west of Brisbane. It has a permanent population of around 2,500 people. Cherbourg is a former mission, established in 1906. People from 13 different tribal groups were forcibly moved to Cherbourg. The conditions on Cherbourg were amongst some of the worst recorded in the *Bringing them home* report.

Like many Indigenous communities, Cherbourg has a youthful population. 40% of the population is between 0-14 years and the median age of all residents is 21 years. Although Cherbourg is not considered a remote community, access to services are still limited. For instance, most patients, including children, needing specialised care still have to travel to Brisbane to be treated.³¹³ There are limited

310 Stanley, G., *Communication with Social Justice Commissioner's Office*, 7 November 2007.

311 SCRGSP (Steering Committee for the Review of Government Service Provision) 2005, *Overcoming Indigenous Disadvantage: Key Indicators 2005*, Productivity Commission, Canberra, p137.

312 Aboriginal Child Sexual Assault Taskforce, *Breaking the Silence: Creating the Future, Addressing child sexual assault in Aboriginal communities in NSW*, Attorney General's Department, Sydney, 2006.

313 Dugdale, A., 'Town or Country: the ARIA index is not an accurate level of access to health services', *Medical Journal of Australia*, Vol 187, no 6, 371-372, 2007.



employment opportunities in Cherbourg and a majority of community members were employed under the CDEP through the Cherbourg Community Council.

Despite indicators of social and economic disadvantage, the community has a reputation for dealing with difficult issues. A notable example is the success achieved by Cherbourg State School while it was under the leadership of Dr Chris Sarra. During his time as principal Dr Sarra worked with the community to reduce unexplained absences by 94% over an 18 month period.³¹⁴ These improvements have been largely sustained with the Cherbourg State School experience becoming a model for quality Indigenous education.

Description of the *Cherbourg Critical Incident Group*

CCIG is a small collection of respected women from Cherbourg who donate their time to be involved with the work of the group. This means being available for monthly group meetings and bi-monthly meetings with government agencies through the 'negotiating table' process.³¹⁵ It also means being available for the community 'whenever something happens'.³¹⁶

CCIG was established in the wake of a particularly horrific case of child sexual abuse. In Cherbourg, according to Grace Stanley, Chairperson of the *CCIG*: Six or seven ladies got together and decided that we were not taking this anymore. We were very angry that in these cases the men got off and nothing was being done.³¹⁷

CCIG works with the community to prevent abuse. Part of the role is getting the message out that abuse will not be tolerated and encouraging local people to report abuse. In many cases, Grace Stanley says that people will come directly to her or other group members and tell them about abuse:

People come to us if they think something is happening to a family, a child, they'll come to us, because there's about seven of us in this group. Like I live in Murgon, but the other ladies live out at Cherbourg, and they live in different areas of the community. And we know what's going, you know.³¹⁸

The *CCIG* also works closely with the Night Patrol and are available to 'sort things out' if necessary. Grace Stanley points out that the *CCIG* is not the only group of community members taking a stand against violence. A men's group in Cherbourg has also been established which reinforces that abuse is not acceptable, works to support men and break down negative stereotypes.

CCIG has been particularly successful in garnering support and services from the Queensland state government. From the very outset the group gained media attention and challenged politicians to deliver much needed services and reforms.

314 Sarra, C., 'Stronger Smarter School Outcomes through Aboriginal perceptions of being Aboriginal', *Griffith Review*, Autumn, 2006.

315 Aboriginal Child Sexual Assault Taskforce, *Breaking the Silence: Creating the Future, Addressing child sexual assault in Aboriginal communities in NSW*, Attorney General's Department, Sydney, 2006, p 281.

316 Stanely, G., communication with author, 7 November 2007.

317 Stanely, G., communication with author, 7 November 2007.

318 Grace Stanley quoted in transcript 'Child abuse tackled by local women', *The World Today*, ABC Radio, 26 June 2007, available online at: <http://www.abc.net.au/worldtoday/content/2007/s1962040.htm>, accessed 15 October 2007.



Then Premier Peter Beattie met with the group and made a number of commitments which were followed through by high level bureaucrats in the state government.

The group also made use of the existing *negotiation table mechanism* where all relevant government and non government agencies raise issues and develop action plans with the local community.³¹⁹

Impact of Cherbourg Critical Incident Group

Grace Stanley believes that *CCIG* has helped reduce abuse in Cherbourg. This is because:

We've let people know that they're on notice, you know, that we're watching, you know. And, if we hear of anything, or know of anything, we'll soon deal with it.³²⁰

The *Breaking the Silence* report documents that:

As at April 2005, twelve months since its inception, there had not been a single reported incident of sexual abuse in Cherbourg. While this does not mean it does not exist, significant progress has been made in raising awareness of, and addressing, the abhorrent issue of child sexual abuse.³²¹

CCIG has made government more accountable to the community. *CCIG* made 58 recommendations to the Queensland government across a range of areas. A majority of these recommendations have been met. Some of the key outcomes include:

- revised procedures for dealing with sexual assault cases in the Cherbourg hospital;
- workshops to inform women about forensic procedures following sexual assault;
- development of a Safe Haven for children effected by abuse and violence; and
- additional child safely counselling positions.³²²

Lessons from the Cherbourg Critical Incident Group

Community generated

The *CCIG* shows that change must come from within the community. The *CCIG* members have used their positions of respect to build on the desire for change. Grace Stanley believes that most people were 'fed up and angry'³²³ about abuse and wanted to take action but just needed some leadership. However, this leadership needs to be from within the community. According to Lillian Gray, another member of *CCIG*:

319 Aboriginal Child Sexual Assault Taskforce, *Breaking the Silence: Creating the Future, Addressing child sexual assault in Aboriginal communities in NSW*, Attorney General's Department, Sydney, 2006, p 281.

320 Grace Stanley quoted in transcript 'Child abuse tackled by local women', *The World Today*, ABC Radio, 26 June 2007, available online at: <http://www.abc.net.au/worldtoday/content/2007/s1962040.htm>, accessed 15 October 2007.

321 Aboriginal Child Sexual Assault Taskforce, *Breaking the Silence: Creating the Future, Addressing child sexual assault in Aboriginal communities in NSW*, Attorney General's Department, Sydney, 2006, p281.

322 McCabe, K., *Communication with Social Justice Commissioner's Office*, 22 November 2007.

323 Stanely, G., *Communication with Social Justice Commissioner's Office*, 7 November 2007.



If they're going to be doing something, they need to have the people do it there that live there. They must be people living in the community, like the women of Cherbourg, like the men of Cherbourg, that'll stand up and help fight these things if there is abuse going on.³²⁴

Partnership approach

The *CCIG* have achieved a lot by engaging the community and reinforcing anti-violence messages to prevent abuse. They have also agitated for a number of changes at a government level. It is not enough to get the message out that violence and abuse is unacceptable. The social conditions that prevent abuse also needed to be created. In the case of Cherbourg, services were limited and there was little coordination between government departments and service providers. The *CCIG* developed recommendations to address this and have worked in partnership with government to ensure the recommendations are addressed.

The *CCIG* have strategically used the media and mechanisms like the *negotiation tables* to make government accountable for actually implementing many of the recommendations.

324 Lillian Gray quoted in transcript 'Child abuse tackled by local women', The World Today, ABC Radio, 26 June 2007, available online at: <http://www.abc.net.au/worldtoday/content/2007/s1962040.htm>, accessed 9 November 2007.



ii) The *Strong Young Mums Program* in Bourke



Strengthening Indigenous families: Members of the Strong Young Mums Program in Bourke.

Strong Young Mums is an early intervention/family support service for young mothers and their children living in Bourke, far Western New South Wales. *Strong Young Mums* is run by Centacare, a Catholic social services organisation. *Strong Young Mums* is not an Indigenous specific program but 93% of the clients so far have been Indigenous.³²⁵ Given the immense need and lack of services in the Bourke area it was decided that the program would not exclude non-Indigenous clients.

Over the last two years, *Strong Young Mums* has had considerable success in the community and made very positive changes in the lives of women and children. They provide an example of how a non-Indigenous service can adopt culturally appropriate practices to strengthen Indigenous families.

Bourke is a regional town of 3,096³²⁶ people in far western NSW. Around 30% of the population is Indigenous.³²⁷ Bourke is part of the Murdi Paaki Regional Council COAG trial. The Murdi Paaki COAG trial goals include improving the health and wellbeing of children and young people; improving educational attainment and school retention; and helping families to raise healthy children.³²⁸

325 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

326 Australian Bureau of Statistics, *2006 Census Quickstats: Bourke (A) Statistical Local Area*, available online at: <http://www.censusdata.abs.gov.au>, accessed 19 October 2007.

327 Australian Bureau of Statistics, *2006 Census Quickstats: Bourke (A) Statistical Local Area*, available online at: <http://www.censusdata.abs.gov.au>, accessed 19 October 2007.

328 Urbis Key Young, *Evaluation of the Murdi Paaki COAG Trial*, 2006 pi.



There has, however, been no direct connection between the COAG trial and *Strong Young Mums* Program, despite the relevance of the COAG trial aims around child wellbeing. The Murdi Paaki Regional Authority's Regional Plan includes initiatives around families³²⁹ which may provide an opportunity for cooperation in the future.

Bourke has been hit hard by the drought. The drought is in its fifth year, severely limiting the already scarce employment options for unskilled workers. Bourke is a relatively isolated community, with the closest regional centre 375 kms away. Some locals describe the 'levee bank syndrome' which refers to:

a sense of enclosure created by the levee which surrounds Bourke but also reflects the geographic isolation they experience.³³⁰

Like all Indigenous communities across Australia, there is a high fertility rate. 40% of all babies delivered in Bourke are born to mothers aged 15-25, a high proportion of these mothers are Indigenous.³³¹ Most of these mothers have left school as a result of becoming pregnant and face a number of social disadvantages. According to the *Strong Young Mums* coordinator, Dorothee Crawley, most of the women are affected by 'incomplete education, unemployment, geographic and social isolation, low income, drug and alcohol abuse and domestic violence.'³³²

Description of the *Strong Young Mums* Program

The *Strong Young Mums Program* targets mothers aged between 15-25 years. The aims of the program are:

- engagement;
- social and emotional support; and
- accredited training.

The *Strong Young Mums Program* is run by Centacare. As the Families First provider in Bourke, Centacare also delivers services relating to parent groups, play groups and home visiting.

According to Dorothee Crawley, Centacare has a very good reputation with the Indigenous and wider community in Bourke based on their good work through Families First.

The *Strong Young Mums Program* was developed following extensive consultations with the Indigenous community by Centacare. *Strong Young Mums* was developed before the system of Community Working Parties was established under the Murdi Paaki COAG trial. This meant that Centacare did not have a central body to consult with but instead identified key stakeholders such as the Aboriginal Medical Service, Aboriginal Preschool, community health services and local community members. This process included discussion about the circumstances and needs of these young women and their children, what should be included in the program and some strategies to engage the target group.

329 Murdi Paaki Regional Assembly, *Murdi Paaki Regional Plan*, February 2007.

330 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

331 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

332 Presentation by Crawley, D., Cunningham, B. and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.



Following the development of a program model funding was applied for under the 'Stronger Families and Communities Local Answers strategy' of FACSIA. Funding of \$298,828 was granted for 34 months, commencing in September 2005.³³³

There are two workers allocated to *Strong Young Mums*. The formal aspects of the program runs over two days each week. Monday focuses on engagement, guest speakers and playgroup and Tuesday is dedicated to TAFE training sessions.

Strong Young Mums accepts referrals from other agencies (eg. hospitals, health services, Department of Community Services, family support services) and increasingly, recommendations from existing participants. *Strong Young Mums* is outreach focused, with staff even 'scanning the streets for mums or expectant mum'³³⁴ and then explaining the program and inviting them to attend the next session.

• Engagement

Given that women are often reluctant to access services, engagement is a crucial component of the *Strong Young Mums Program*. Engagement involves building up trust with the workers to create a safe and appealing space for the women.

One part of the engagement process is offering fun activities to attract women to the program. Scrap booking and beading workshops have been very popular with the women as it is a chance to do something creative and enjoyable with other mums. At the same time, it gives workers the chance to build up relationships and trust in a non threatening situation. According to Belinda Cunningham:

Many mothers have built a wall around themselves and this must be chipped away before they are able to trust and feel comfortable. Giving mums these creative sessions is a way for us to all get to know each other.³³⁵

These sort of activities are also part of creating an accessible, youth friendly atmosphere for the women.

Engagement is also an individual process, with workers taking time out to visit each of women on Monday morning in their 'encouragement drive'.³³⁶ Workers are able to 'have a chat'³³⁷ and tell the women what the day's activity will be.

Women will also be offered transport to and from sessions. This is crucial as not many have access to transport and public transport is virtually non existent.

Engagement is also aided by having an Indigenous worker on staff. This can make the program more accessible to women and develop culturally appropriate service across the program.

333 Stronger Families and Communities Strategy (SFCS) 2004-2008 Round 2 Funding Approved Projects – NSW, available online at: http://www.facs.gov.au/internet/facsinternet.nsf/aboutfacs/programs/sfsc-lap_r2_nsw.htm, accessed 6 November 2007.

334 Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.

335 Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.

336 Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.

337 Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.



• Social and Emotional Support

Support is provided through the group and individual components of the program. The home visiting service is an opportunity for the women to get some assistance and parenting education in a very respectful and unobtrusive manner. The workers are trained in parenting education techniques such as 'Triple P Positive Parenting Program' and 'Parents and Teachers'. More importantly, they understand that:

A gentle way is needed. Workers offer help when it is needed, and give some ideas. They don't lecture the mums... what the mums really want is to be accepted as experts with their own children, they don't want to be judged.³³⁸

Home visits, parenting support and education are protective strategies that help minimise the risk of involvement with child protection services by providing support and monitoring in the home.

Support is also about building the women's self esteem, confidence and getting used to different responsibilities and commitments. Belinda Cunningham explains that:

It is important to remember that these mums are very young and may not be used to routine in their lives, it takes time to establish the idea of being on time and ready, we work on this together... some mums need constant encouragement to keep them engaged, usually when they are experiencing personal hardships, when everything gets too hard and it is easier to stay under the blankets and block out the world. This is when Fallon or myself say, 'I'll be back to get you in 10 minutes'. Ten minutes might turn into 20 while mum gets her hair just right but it is worth it to see her come out to the car and be part of the group for the day.³³⁹

The support that other mothers provided to each other during the program is invaluable. The women develop strong networks of peer support. This is important because they have often lost these friendships when they become mothers.

Play group, held fortnightly, encourages interaction between mothers and their children and provides an opportunity for socialisation. Guest speaker sessions, held on alternate weeks, are designed to give women information about other services and support that is available to them. Agencies such as health, legal services, and parenting organisations provide very informal sessions, based around what the women want to hear.

Developing support from the Indigenous community is also very important. Initially the women were resistant to older women such as elders, aunts and grandmothers coming along to the group. Dorothee Crawley puts this down to the 'shame factor' and not feeling confident as mothers yet. However, as the program has developed and the participants have grown in confidence, they have been keen to have elder women come to the group and share their experience and cultural knowledge.

These mothers, grandmothers and aunts work in a mentoring capacity. They explain the history and impact of the stolen generation and try and break down negative stereotypes of Indigenous people as poor parents. They build cultural connection and reinforce the whole of community approach to child rearing.

338 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

339 Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.



- **Accredited Training**

Strong Young Mums aims for all the women to attain year 10 or year 12 equivalency certificates. Specific courses are run at TAFE which prepare women for these qualifications by reintroducing them to a classroom environment, bearing in mind that most have left school early and have had poor educational experiences. During these courses teachers are also able to assess their literacy and numeracy so any further education or training is tailored to their individual needs and abilities.

Courses have been run in clothing production, with women making items like doona covers and curtains for their children. Cooking classes focus on nutritious food for their children. The next course will be computer skills.

While the mothers are attending TAFE classes, the children are placed in child care. This is good for the mother and child:

Childcare is a foreign ideal to many of the mums, it takes a while for them to get used to the idea of strangers looking after their children. After they become used to the childcare centre they refer to it as their child's school. This is enriching for the child and the mother.³⁴⁰

Impact of the *Strong Young Mums* Program

Since being established in 2005 *Strong Young Mums* has filled an important need in the Bourke community and become a 'household name',³⁴¹ attracting strong referrals and achieving positive results. To date, 44 mothers and their children have participated in the program.

Strong Young Mums has not been formally evaluated as yet. No additional funds were provided for formal evaluation and the emphasis has been on service delivery instead of measuring success.

Strong Young Mums has recently been selected as one of six Local Answers projects, out of 120 state-wide, to be presented as an exemplary project to the federal minister for Indigenous Affairs. *Strong Young Mums* has also been awarded the Norma Parker Award through Catholic Social Services for the most innovative program.

One of the success factors of *Strong Young Mums* has been its ability to identify and respond to the unique needs of young Indigenous mothers and their children. This is no small task, with many services in the area labelling young mothers as 'unreachable' and simply 'too hard'.

340 Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.

341 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.



Young mothers who come to *Strong Young Mums* tend to have experienced a range of disadvantages. Belinda Cunningham, case worker with the *Strong Young Mums*, states that:

Many of these mums have had a less than ideal childhood; they have no real bond with their parents and therefore have little support from their families. They have little confidence and poor self-esteem and an unfinished education... a pretty rough start for a new parent, having no role models and very little life experience.³⁴²

Many of the mothers have used drugs and alcohol. Experiences of family and domestic violence are not uncommon.

This set of social circumstances paints the background for understanding the needs of these women. Centacare staff have been able to go further to look at the social dynamics that influence their choices to access services. Dorothee Crawley states that for many, there is a 'shame factor about being a young mum',³⁴³ constantly having to put up with disapproving attitudes and negative perceptions about their ability to parent. This undermines their confidence in their parenting abilities and can lead to feelings of 'embarrassment with older women'³⁴⁴ that prevents them from attending services for older women.

Many of the young women are caught 'between being a mother and wanting to be a normal teenager', still wanting to hang out with peers, go out and have fun. This has meant that *Strong Young Mums* has had to create an environment that is closer to a youth centre with opportunities for age appropriate fun, not just parenting support.

Staff have noticed significant changes in the women and children who have participated in the program. The story of Liz,³⁴⁵ below in Text Box 11, is one example of the impact *Strong Young Mums*.

Liz, like many of the women participating in the program, comes from a very disadvantaged background with little family support, parental role modelling, poor educational outcomes and a history of substance use. She has gone from a mother potentially at great risk of involvement with child protection services, to a mother who is able to provide a very loving, supportive environment for her child, with greater community support and goals for the future.

342 Presentation by Crawley, D., Cunningham, B. and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.

343 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

344 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

345 Names have been changed to protect the identity of the client and her family. Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.



Text Box 11: Success stories: Liz³⁴⁶

Liz was born in Bourke. Her mother had problems with drugs, so she was given to her Aunty to raise. Liz felt that she didn't have much of a family or mother figure growing up, even though her Aunty tried to do the best by her. Her Aunty didn't have much money and collected cans from the streets to make ends meet.

Liz enjoyed going to school. She felt happy to get away from some of the troubles at home and enjoyed the attention she got at school. It was the only time Liz was able to play with toys as she didn't have any at home.

As Liz grew up she became influenced by her older cousins who wagged school on a regular basis. Liz was lucky to attend school twice a week. Liz stopped attending school all together in year 5. By the age of 11 she was regularly using cannabis. By the age of 13 she was using a variety of drugs and was sexually active.

When she was 19 Liz met her long term partner. Liz fell pregnant at 20. This was her first connection with the *Strong Young Mums* program. She attended Monday sessions and then all of a sudden stopped coming. Staff later found out that she has miscarried. When asked if she needed to talk to someone she said, 'no thanks, that's life.'

Liz approached staff some months later and asked if they could pick her up on Monday. She was pregnant again. Liz showed interest in the cooking course on Tuesdays at TAFE. She said she wanted to learn how to cook healthy meals for her family. She was sick of buying hot chips and coke and wanted to start learning before her baby is old enough to eat.

Liz also attended Monday sessions. By coming to the guest speakers she learnt about the dangers of drinking and smoking and gave up drugs.

Liz had a baby girl named Sarah. She was born at Dubbo Base Hospital. Liz didn't have a good experience at hospital and didn't get on with the nurses who she felt didn't understand her. She found it hard to bath, feed and care for Sarah and had difficulty bonding.

Once Liz was settled at home with Sarah and her partner, she continued to come to *Strong Young Mums*. Staff introduced Parents as Teachers to Liz during regular home visits. Parents as Teachers helps parents understand child development. It has helped Liz understand how important her role is as a mother, especially as she didn't have that role model in her life.

The Parents as Teachers program has helped Liz bond with Sarah. Simple things like learning nursery rhymes have made a difference in how Liz is able to interact and stimulate Sarah.

Staff noticed that Liz was having trouble with literacy. She came around to the office one day and staff gave her some old baby clothes. Someone asked Liz what size they were and she said, '6 or 7' just guessing rather than reading the labels. Liz was later asked if she would like to learn how to read and write and she enthusiastically accepted help. *Strong Young Mums* have now set up private TAFE tutoring for Liz in basic literacy and numeracy.

346 Names have been changed to protect the identity of the client and her family. Presentation by Crawley, D., Cunningham, B., and Ord, F., 'Strong Young Mums Going Strong' at the SNAICC National Conference, Ngadluko Ngartunnaitya, Adelaide, 19-21 September 2007.



Looking at Liz's circumstances, Liz was considered a high risk parent by child protection services given her age, lack of support and history of disadvantage. With the support of *Strong Young Mums* she and Sarah have no involvement with the Department of Community Services. Liz has grown to be loving and caring woman, a friend to other mums and a wonderful mother.

Some of the common impacts of the *Strong Young Mums* program are:

- increased parenting skills and confidence;
- better bonding and attachment between mother and child;
- socialisation for mothers and babies;
- development of peer support networks with other mothers;
- learning about child development;
- decreased alcohol and drug use;
- better access and information about family violence and legal rights;
- re familiarisation with education and training; and
- better knowledge of support services available.

Anecdotally, the consequences of all these positive impacts have led to less involvement with child protection services and an increase in healthy, non-violent relationships for women participating in the program.

Strong Young Mums has also improved the way these women access other services in the community. Through the guest speaker session's women have built up familiarity and increased confidence in accessing a range of services, including health, family support, early childhood, legal and childcare. This means that when their involvement with Strong Young Mums comes to an end, they are in a better position to access support. This is also a positive for the services as many have difficulty reaching Indigenous clients, particularly young women.

Strong Young Mums has overcome a number of challenges in developing a culturally appropriate program built of community consultation and partnership. The challenge for the future, like with so many innovative programs, is finding secure funding to continue their good work.

Strong Young Mums has been funded under the Local Answers strategy. Local Answers provides funding for:

local, small-scale, time limited projects that help communities to identify opportunities to develop skills, support children and families and foster proactive communities.³⁴⁷

This means that Local Answers is one off funding and no further funds can be applied for. This is based on the assumption that the program should be self-sustaining by the end of the funding period.

347 Stronger Families and Communities Strategy 2004-2009, Local Answers \$137 million over 5 years, available online at: http://www.facs.gov.au/internet/facsinternet.nsf/aboutfacs/programs/sfsc-local_answers.htm#5, accessed 6 November 2007.



Whilst the *Strong Young Mums* program has developed strong partnerships in the community that helps make the program sustainable, much of the success still depends on the two workers who are 'the glue holding the program together'.³⁴⁸ The workers provide the consistent engagement and support that make the women feel comfortable, as well as coordinating other service participation.

Strong Young Mums is now pursuing alternate funding, including corporate sponsorship to continue the program.

Lessons from the *Strong Young Mums* Program

Building on existing strengths

Strong Young Mums has built on the solid foundation and reputation of Centacare in the Bourke area and their existing work with Indigenous families. This placed them in a good position to build partnerships with community and other services reasonably quickly so that the majority of the time has been spent on program development and client engagement.

Effective Consultation

Centacare is a mainstream service. This could have posed considerable risks in developing a culturally appropriate service. *Strong Young Mums* have overcome these risks through effective consultation with the local Indigenous community and service providers. Consultation has provided advice on the circumstances that these young women face, as well as strategies to get them involved in the program.

Importantly, *Strong Young Mums* continually consults with the mothers in the program. Women are asked what sort of information they need, what sort of environment is most comfortable and who should be invited to groups. This creates ownership and builds confidence through control.

Connecting to Culture

Strong Young Mums is aware that many of the women may have lost connection with their culture through a chaotic childhood and adolescence. Some may feel judged as young mothers and unsure of how to reconnect. The use of elders in a mentoring capacity has provided opportunities to bridge this gap. This approach views Indigenous culture as a source of resilience and supports Indigenous children's right to culture.

Outreaching to the Community

Strong Young Mums is well known in the community and has taken a proactive response to finding clients. The workers are out and about doing home visits and providing transport rather than being stuck in an office. These practical measures of support make the program much more accessible.

Partnership approach

Strong Young Mums works in partnership with other organisations. They do not aim to provide all the services or all the answers to women. Instead, they introduce other services so that there is a broader network of support. This means that if the *Strong Young Mums* service isn't available women have the resources to tap into other support if necessary.

348 Crawley, D., *Communication with Social Justice Commissioner's Office*, 16 October 2007.



Safe Families Project: A snapshot of a town camp in Alice Springs.

Safe Families, auspiced by Tangentyere Council, is an early intervention approach to keeping Indigenous young people from Alice Springs and the town camps out of the child protection system. It has been operating for the last five years providing a holistic, community centred, Indigenous response to child abuse.

Safe Families has recently been recognised by the Australian Institute of Family Studies and the Secretariat of National and Aboriginal Islander Child Care (SNAICC) as a promising practice in *out of home care* for Indigenous children.³⁴⁹

Alice Springs is the major centre for around 260 central desert communities across the Northern Territory, South Australia and Western Australia. Alice Springs has a population of close to 24,000 people. The 2006 Census estimates that around 20% of the Alice Springs population is Indigenous.³⁵⁰ However, there are problems in accurately measuring the Indigenous population in Alice Springs due to the highly mobile nature of the Indigenous population and underestimation of the population of the town camps.

Around 3,000 people, including residents and visitors, live in the town camps of Alice Springs.³⁵¹ There are 21 town camps in Alice Springs (19 legally established and 2 without leases) which were originally established on the outskirts of town. As

349 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007.

350 Australian Bureau of Statistics, *Census2006 Quickstats: Alice Springs (T) Local Government Area*, available online at: <http://www.censusdata.abs.gov.au>, accessed 8 November 2007.

351 Foster, D., Mitchell, J., Ulrik, J., and Williams, R., *Population and Mobility in the Town Camps of Alice Springs, A report prepared by the Tangentyere Council Research Unit, Desert Knowledge Cooperative Research Centre, Alice Springs, 2005.*



Alice Springs has grown, many of the town camps are now within in the main areas of Alice Springs. Town camps were set up in places that are traditional camping and ceremonial grounds³⁵² and reflect a strong connection to country.

The town camps are diverse, with each camp having dominant family and language groupings. However, one thing that all the town camps have in common is poor access to services and overcrowding.³⁵³ This is reflected in a range of social problems identified by the Alice Springs Town Camps Taskforce including:

- poor health outcomes;
- lower educational outcomes and higher unemployment;
- family violence;
- crime, including the highest homicide rate in Australia; and
- high levels of alcohol use and related harm.

Despite these problems 'many people prefer to live on town camps among family who continue to provide strong social support systems.'³⁵⁴

The Town Camps are serviced by Tangentyere Council. The Council was established in 1974 to help Indigenous people secure land tenure over camping sites to provide housing, infrastructure and basic services.

Tangentyere Council provides a diverse range of services and programs to town camp residents. Although the core business is the provision of housing, other basic services are the 'one stop shop' that brings together Centrelink, banking services, financial management and counselling, a food voucher system, rental collection and postal services. Tangentyere have also developed youth and family services.

The *Safe Families Program* is just one of a suite of programs run by the Council. Other programs include:

- Yarrenyty Arltere Learning Centre at the Larapinta Valley town camp;
- Early Childhood Intervention Program's Mobile Playgroup – that services six of the eighteen town camps. Approximately half of the sessions are done in collaboration with the Toy Library which contributes staff resources and its extensive library of toys;
- Youth Activity Services – structured sport, recreational, cultural, social and creative activities for up to 600 children and young people living on town camps operating after school, at evenings, on weekends and during vacation times up to six days per week throughout the year;
- Central Australian Youth Link Up Service (CAYLUS) – works with remote communities and Alice Springs to address inhalant substance misuse and youth related needs from both a community and regional perspective;

352 Foster, D., Mitchell, J., Ulrik, J., and Williams, R., *Population and Mobility in the Town Camps of Alice Springs, A report prepared by the Tangentyere Council Research Unit, Desert Knowledge Cooperative Research Centre, Alice Springs, 2005*, p3.

353 Alice Springs Town Camps Taskforce, *Alice Springs Town Camps Review Taskforce Report 2006*, Department of Local Government, Housing and Sport, 2006, p16.

354 Alice Springs Town Camps Taskforce, *Alice Springs Town Camps Review Taskforce Report 2006*, Department of Local Government, Housing and Sport, 2006, p2.



- Social and Emotional Wellbeing programs – providing family and individual counselling and support to deal with family violence, problem solving skills and self-development;
- Aged Care Program;³⁵⁵
- Tangentyere Artists cooperative; and
- Tangentyere Night Patrol and Youth Patrol – providing dispute resolution to resolve conflict in ‘Aboriginal way’ and intervene in family violence situations. The Night Patrol liaises with Territory health, alcohol and drug workers, legal services, family, children, youth and women’s services.³⁵⁶

The snap shot of living conditions in Alice Springs and the town camps shows that many Indigenous young people are at risk, either as victims of abuse, family violence or the consequences of poverty and overcrowding.

In 2001 Tangentyere Council commenced consultations with local Indigenous leaders, people living in the town camps, service providers, community groups and funding bodies to develop a solution to these problems.

There was no doubt during the consultations that there was a need to provide something for children at risk. The question quickly became what would be the most appropriate form of assistance. There was an existing crisis accommodation service for young people in Alice Springs but it was ‘misused by parents as a child-minding service’³⁵⁷ and didn’t actively increase parenting capacity or reduce risk in a sustainable way.

Description of the *Safe Families Program*

As a consequence, *Safe Families* has developed as a residential service, offering respite through short and medium term accommodation to children at risk of involvement with the child protection system, as well as a strong family work focus. This means that where possible, families are supported and strengthened, with long-term alternative placements with kinship carers and ultimately, children are kept out of the child protection system.

The *Safe Families* vision statement reflects principles developed in consultation with the community. It aims to:

- provide kinship care wherever possible as it is crucial to the physical, emotional and spiritual wellbeing of all young people;
- support families to preserve their traditional obligations to nurture and provide care to young people;
- foster and preserve community connectedness and the cultural integrity of Aboriginal families; and
- ensure young people grow up strong, safe, resilient and healthy in their transition to adulthood.

355 Alice Springs Town Camps Taskforce, *Alice Springs Town Camps Review Taskforce Report 2006*, Department of Local Government, Housing and Sport, 2006, p32.

356 Alice Springs Town Camps Taskforce, *Alice Springs Town Camps Review Taskforce Report 2006*, Department of Local Government, Housing and Sport, 2006, p46.

357 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p20.



Tangentyere Council approached the Commonwealth and Northern Territory governments and is currently funded at approximately \$700,000 per year. Funding commenced in 2002.

There are three service delivery components of the *Safe Families* Program:

- family work;
- a safe house for young people; and
- a safe house for families.

The safe house for families usually operates independently of family work and accommodation for children at risk and will not be the focus of this case study.

Safe Families provides services to children between the ages of 7-14 years. There is flexibility to work with clients outside of these ages, particularly if the child or young person is particularly vulnerable or unable to access other services. *Safe Families* accept referrals from child protection agencies, the police, youth services, courts, night patrols, health services and self referral. The common criteria are that the young person is at risk of involvement with child protection services, or already involved with child protection services.

Although *Safe Families* was originally conceived as an early intervention program to divert children away from the child protection system, as the program has developed a number of the clients have already been under child protection orders. Before *Safe Families* was established many Indigenous children were placed with non-Indigenous foster carers and serviced by non-Indigenous agencies. A decision was made to include these young people as well to keep them engaged within their communities:

If a child comes into care they don't necessarily have to leave their community... We take a human rights approach [to child welfare]. It's a right to be brought up within your community.³⁵⁸

Once a referral is received an assessment is undertaken by staff about what sort of support the child needs. Some children are identified just for family support. Family workers engage families to increase their ability to care for their child and thus reducing the risk of formal intervention.³⁵⁹

Where there is a more urgent need the child may need to enter the safe house accommodation. This can be as either as respite where the family needs a break, or as a medium term placement while long term placements are found. Ideally, clients only stay up to six weeks but if no other accommodation can be found they are able to stay at the *Safe Families* House longer as:

the service takes the perspective that it is better to keep the child until a suitable placement is found, rather than placing the child in a situation that may not be a good match or satisfactory in the longer term.³⁶⁰

358 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p19.

359 Examples of how the program works are provided in Text Box 12 further below.

360 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p23.



The *Safe Families* House has full time staff in the house to support the children. All of staff working for the program are Indigenous and have strong ties to local communities. Approximately 60-70% of the additional youth support services are staffed by Indigenous workers.

Safe Families provides a safe, supported placement for children but it is not a locked facility. Children are free to 'hop over the back fence anytime they like, we're not a jail'.³⁶¹ Up to six children can stay at the house at any one time.

Children on the *Safe Families* program are provided with extensive case management that is individually tailored to their needs. Depending on their individual case plan children may receive support through:

- counselling services;
- advocacy to ensure other services and government departments deliver services;
- mediation;
- referral for on-going assessment for health, mental health or cognitive disabilities;
- support accessing Centrelink payments;
- development of life skills;
- participation in recreational activities;
- meeting cultural needs;
- education support; and
- finding long term accommodation.

Safe Families works in partnership with other Indigenous organisations such as the Central Australian Aboriginal Congress (the local Aboriginal community controlled health services) and non-Indigenous services to ensure these needs are met.

Safe Families maintain a link with family. Families are central to the wellbeing of children and their knowledge, skills and support are crucial in moving children forward. A comprehensive family mapping process is used to identify what is the best medium to long term placement option for a child.

Impact of the *Safe Families* Program

Safe Families has made some significant changes in the lives of the children, young people and families that they have worked with over the last 5 years. Although the program has not been formally evaluated it has received recognition from the Australian Institute of Family Studies and the Secretariat of Aboriginal and Islander Child Care as an example of promising practice. The combination of individual successes and good processes are testament to the positive impact *Safe Families* has made in Alice Springs.

In the absence of a formal evaluation, the stories of how *Safe Families* has worked with children and young people demonstrate its impact on an individual and family level. Text Box 12 below contains a selection of client case stories which show the diversity of clients that walk through *Safe Families'* doors and approaches that the program takes.

361 Adams, J., *Communication with Social Justice Commissioner's Office*, 20 September 2007.



Text Box 12: Client case stories from the *Safe Families Program*³⁶²

a) Family support and early intervention

A six year old boy was referred to *Safe Families* by child protection services due to concerns around neglect. The boy lived in overcrowded public housing in the Alice Springs, with around 15 people living in the small house.

He was under the primary care of his mother and grandmother but there were a lot of other people in the house. His mother and grandmother cared deeply for the boy, were non-drinkers and tried to meet his needs, but in this over crowded house it was a struggle. Other family members were drunk and he was exposed to family violence.

The boy was very underweight and there were concerns about his health. He had also never attended school.

The *Safe Families* family worker engaged the mother and grandmother to develop a case plan for the boy. The first priority was looking after his health. The family worker took the boy to Congress for a check up. During the check up his ears were looked at by the doctor. They were full of dirt and even dead flies, causing infection. If he hadn't seen the doctor at this time he would have suffered permanent hearing loss in at least one ear.

The family worker recognised the mother and grandmother's strengths but identified that they needed support in learning about proper nutrition. The boy had grown up drinking tea which had lowered his iron levels and contributed to his low weight. The family worker provided education and support to put healthier meals in place. This is now supported by the other family members in the house as well. As the family worker noted:

They'll tell him now; you've got to drink your orange juice, no tea for you. At the same time they'll probably still be eating junk food but at least they are looking out for him.³⁶³

The family worker was also able to advocate for the family to the Department of Housing to get extra accommodation. This has resulted in a number of people moving out and a marked reduction in alcohol and violence in the boy's home environment.

Perhaps most importantly, the family worker has been able to get the boy to school. Much of his reluctance to start school stemmed from his inability to hear and lack of confidence. By consistent encouragement and addressing underlying health problems he was:

hearing better, and feeling better and one day when I said do you want to go to school – I'd ask him every day – he just said yes.³⁶⁴

The boy continues to attend school and child protection is satisfied that his living circumstances have improved enough that he is no longer at risk of intervention.

b) Transition to long term placement

A six year old boy was referred to the *Safe Families* House after coming under a child protection order. He became involved with child protection services after exposure to family violence and abuse. Earlier attempts to engage his parents had failed and

362 Stories from *Safe Families* staff at meeting on 30 October 2007. No names have been used to protect the identity of the young people involved.

363 Marron, M., *Communication with Social Justice Commissioner's Office*, 30 October 2007.

364 Marron, M., *Communication with Social Justice Commissioner's Office*, 30 October 2007.



the child protection service decided that he would be at too great a risk of harm if he remained with his parents.

Family and Community Services could not find a family or kinship placement for the boy. The next most culturally appropriate placement in Alice Springs was the *Safe Families* program. There was a hope that they would be able to use their networks to discover a suitable carer, while providing a supportive environment to minimise the harm he had already suffered.

When the boy came to the *Safe Families* House he was initially very cheeky and his behaviour was challenging for staff to manage. Workers recall that he was often climbing the roof of the house and would constantly tease other residents.

Staff worked hard to put boundaries in place and establish routine. Like many of the children at *Safe Families*, he had a chaotic upbringing with family lurching from crisis to crisis, so routine was a foreign concept. Simple things like getting out of bed every morning, having breakfast and being ready for school took time to get used to. *Safe Families* staff created a predictable environment, where he knew what would happen if he acted out, but he also knew he was safe.

Through the extensive networks of staff working at *Safe Families*, a family placement was found in South Australia for the boy, after about six months in the House. This has been a successful placement so far. This is because it is with family members but also because he has become an easier child to look after. He is now much calmer and his behaviour has dramatically improved from the boy who was always climbing the roof to a polite but still energetic and fun loving boy who directs his energy into positive activities like soccer.

Safe Families have helped the boy maintain his connection with family and culture in Alice Springs. He comes back to visit family out bush three times a year and will stay in the *Safe Families* House for a few days each time while in transit. His family out bush have helped him keep up his language skills and provide a link to country.

c) Special needs

An adolescent girl from one of the town camps was referred to the *Safe Families* House as she was not considered safe in her community. The young woman has a cognitive disability. She was living with her grandmother, but as her grandmother's health deteriorated she was no longer able to provide the high level of care that she needed. She did not have the ability to use protective strategies to keep her safe from others and was therefore vulnerable to abuse.

The young woman had received very limited support and intervention from the Department of Disability Services who considered her disability too mild to receive significant service. She was attending a special school sporadically. She really enjoyed school but had difficulty getting there and needed support to attend.

Whilst in the *Safe Families* House she was provided with a safe environment, supported to attend school and taught living skills and protective behaviours. It is acknowledged that she was a very high needs client and outside the usual service capacity of a program like *Safe Families*. However, if they had not stepped in she would have remained at very serious risk of harm.

She remained in the house for around 14 months. A placement was finally negotiated with a disability service after much advocacy from *Safe Families* staff. *Safe Families* have also managed to get the NT Department of Disability Services involved so that long term support is available.



The success of *Safe Families* is built on the commitment and skill of the staff; however, there are challenges, particularly for Indigenous people working in this area. Tangentyere Youth and Community Services Manager, John Adams is realistic about the toll that this kind of work can take:

It's a big call for such a small community to be involved in statutory work... Some Indigenous organisations don't want anything to do with out of home care. It's very hard work and if it's your community and your family, you don't just clock off at the end of the day.³⁶⁵

Although *Safe Families* has a relatively low staff turn over, it can still be difficult retaining talented staff, especially where there are a lack of career advancement opportunities.

Safe Families struggles to cope with the structural gaps in the system. *Safe Families'* success is dependant on partnership with other agencies and service providers. This is severely compromised while there are so few accommodation services, a reluctance of child protection and disability services to fund proper support and of course chronic overcrowding in the community and town camps.

Sustainable funding is also an issue for *Safe Families*. Funding is currently sourced from a combination of Commonwealth and Northern Territory money. Funding is due to expire in March 2008 and it is not certain whether further funding will be provided.

Lessons from the *Safe Families* Program

Indigenous staff expertise and networks

The *Safe Families Program* provides a model of how Indigenous staff make the crucial difference in providing culturally appropriate child protection services. The high rate of Indigenous staff makes the service more comfortable for the children. Workers are often aunts or uncles. Between the full staff complement most of the local languages are represented. The importance of children being able to communicate in their own language when entering a new and alien environment after traumatic experiences should not be underestimated. Melanie Marron, Family Support Worker, describes the situation as:

A bit more relaxed. It's not a white home which is a totally different culture for these kids. It's like if you were put in a Japanese home, you'd get some things but not everything.³⁶⁶

Indigenous staff prove the difference in the family mapping process and finding long term placements as they are able to tap into their own networks and community knowledge. John Adams notes:

If you have to come to work everyday with a kid who is a little bit rambunctious because he's been in placement too long and you're part of an extended family network, you are highly motivated to ask everyone in your extended family about placement for this kid... our staff have a big network, government can't match that. They have trouble just keeping Aboriginal staff.³⁶⁷

³⁶⁵ Adams, J., *Communication with Social Justice Commissioner's Office*, 20 September 2007.

³⁶⁶ Marron, M., *Communication with Social Justice Commissioner's Office*, 30 October 2007.

³⁶⁷ Adams, J., *Communication with Social Justice Commissioner's Office*, 20 September 2007.



Indigenous staff also use their networks to increase client safety. John Adams outlines one situation where *Safe Families* was working with a teenage girl who was a promised bride. Family and Community Services decided that it would be best for her to live with extended family in another community, away from her promised husband. However, through *Safe Families* worker networks, they were able to find out the man had actually moved to the community where the girl was about to be sent, thus jeopardising her safety. They were then able to advise Family and Community Services and find an alternate placement. This is the sort of detailed knowledge about relationships that non-Indigenous services struggle to access and can unwittingly place children in harm's way.

Support for staff

Safe Families management recognises the personal toll that this sort of work can have on staff members and provides a supportive environment. They also recognise that staff are also active members of their own Indigenous communities and will have various cultural responsibilities from time to time. *Safe Families*, as part of Tangentyere Council has a culturally appropriate Enterprise Bargaining Agreement which has contributed to relatively low staff turn over.³⁶⁸

Connecting to culture

Safe Families is premised on providing cultural safety for the children and young people that they work with. This means:

Workers take the view that while children can be physically unsafe they can also be culturally unsafe. For example, culturally inappropriate responses may incorporate judgmental views about issues such as allowing a child access with family members who may be materially disadvantaged. Culturally unsafe practices compromise the child's ability to remain connected with family, community and culture.³⁶⁹

In practice, workers maintain culture and connection to country with activities like weekend trips out bush to get bush tucker. According to Melanie Marron, this gives the children a 'sense of pride in country and self'.³⁷⁰ Where possible, extended family members are involved as well.

Flexibility

As the client stories indicate, *Safe Families* has the capacity to 'respond to whatever need comes through the door'.³⁷¹ This means dealing with the day to day needs of children and families and not enforcing a strict eligibility criteria or program. In a community like Alice Springs, where culturally appropriate children's services are few and far between, the need is always going to be great. Without *Safe Families* many of the children and young people would simply be cycled through the child protection system, from one foster carer or placement to another.

368 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p20.

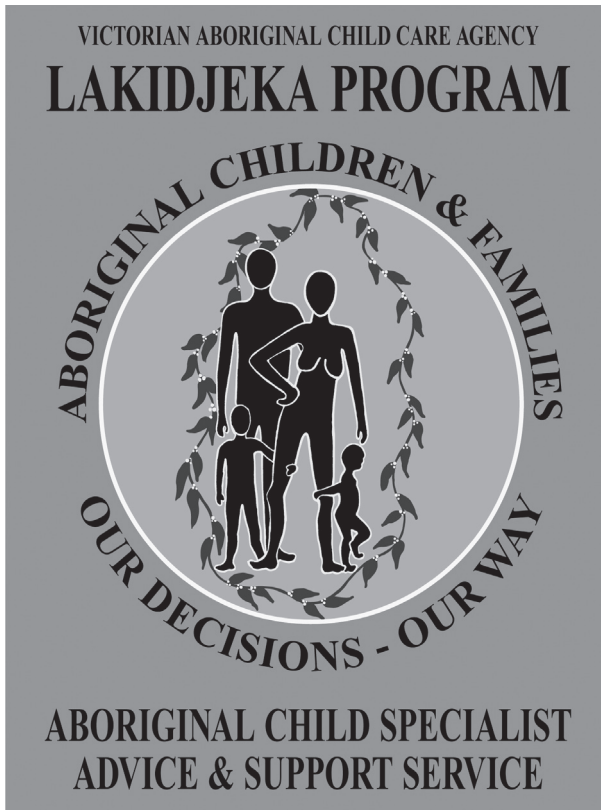
369 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p23.

370 Marron, M., *Communication with Social Justice Commissioner's Office*, 30 October 2007.

371 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p22.



iv) *Lakidjeka Aboriginal Child Specialist Advice and Support Service*



The Lakidjeka Aboriginal Child Specialist Advice and Support Service provides an independent and culturally appropriate service to families.

The *Lakidjeka Aboriginal Child Specialist Advice and Support Service (ACSASS)* is operated by the Victorian Aboriginal Child Care Agency (VACCA). It is an Indigenous initiative to ensure statutory child protection services are culturally appropriate for Indigenous children and families.

ACSASS³⁷² is the only independent service of this type operating in Australia. *Lakidjeka ACSASS* has been recognised as a promising practice by SNAICC and the Australian Institute of Family Studies.

The Victorian Aboriginal Child Care Agency is an established, well respected Indigenous controlled service that is recognised for its good programs and governance. It was established in 1977 to provide state-wide family support and child protection services for Koorie families. It has developed a diverse range of protection and support services including:

- home visiting, family support;
- Aboriginal family decision making;
- family preservation;
- residential family reunification program;

³⁷² The ACSASS program is delivered by Lakidjeka in the State of Victoria with the exception of the Local Government Area of Mildura where it is delivered by the Mildura Aboriginal Co Operative.



- supported playgroups;
- foster care;
- Koorie Cultural and Support program;
- Link Up – Reunion services for Stolen Generations;
- residential care; and
- youth homelessness and leaving care services.³⁷³

The original Lakidjeka Crisis Service was established by VACCA in 1992 following the development of a protocol with the Department of Human Services (Victoria) to respond to Indigenous children involved in child protection.

Initially this service was funded by the Commonwealth and employed four Indigenous workers to provide consultation and advice across the entire state. This level of resourcing was clearly inadequate, with over 1,000 notifications about Indigenous children a year.³⁷⁴

In 2001 the Victorian government committed to consulting VACCA for all Indigenous notifications and allocated commensurate funding for VACCA to take on this function. Consultations were undertaken with Indigenous communities about how to best provide advice and respond to Indigenous children involved with child protection. This was initially a contentious process as:

some communities wanted to take responsibility for child protection issues themselves, but once they understood Lakidjeka's role they opted for their role to be a support service to the families.³⁷⁵

At the end of the process, the government funded VACCA to provide a state-wide service except for the local government area of Mildura. The Mildura Aboriginal Co-operative is funded to provide a service to the Mildura local area. A limited after-hour's state-wide service is also provided by VACCA.

A protocol was developed between the Department of Human Services' Child Protection Service and the VACCA to ensure that consultation occurred consistently for all Indigenous children.³⁷⁶ Following the signing, in 2002 the Victorian government allocated \$2.4 million over four years to establish the processes to successfully implement the protocol.

The role of VACCA in providing advice and consultation to the Department of Human Services' Child Protection Service is now enshrined in the *Children, Youth and Families Act 2005 (Vic)*.

373 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p7.

374 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p9.

375 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p9.

376 *Protocol between the Department of Human Services Child Protection Service and Victorian Aboriginal Child Care Agency*, available online at: http://www.office-forchildren.vic.gov.au/child_protection/library/publications/indigenous/protocol, accessed 31 October 2007.



Description of the *Lakidjeka Aboriginal Child Specialist Advice and Support Service*

Lakidjeka ACSASS is fully operational across Victoria (apart from Mildura Local Government Area). The program employs around 30 staff to provide specialised support and advice to the Department of Human Services' Child Protection Service on all significant decisions in relation to Indigenous children involved in the child protection system.

The protocol sets out clear roles and responsibilities for Child Protection and *Lakidjeka ACSASS* staff from the very beginning of the notification process, through investigation, case planning, and informing placement where necessary, until the case is closed by Child Protection.

Lakidjeka ACSASS staff are required to be involved in all significant decisions. This includes making decisions about:

- whether to proceed to an investigation of a notification;
- what other agencies and services should be involved with the family or child;
- whether to substantiate a notification;
- what type of protective intervention is required during an investigation;
- the overall case planning direction;
- whether an application to proceed to court should be made;
- what contact arrangements should exist between the child and family if the child is removed;
- input into the type of placement that is most appropriate for a child;
- whether a child should be removed;
- whether and when a child should be returned to their parents care;
- whether breaches of existing orders occur;
- whether extensions of orders occur;
- addressing critical health and welfare issues; and
- whether the case should be closed.

The Department of Human Services' responsibilities are also outlined in the DHS Practice Instruction Advice no. 1059 *Responding to Aboriginal Children*.

The step by step process for *Lakidjeka* and Department of Human Services cooperation, based on the Protocol between the Department of Human Services and VACCA, is outlined in Text Box 13 below. This means that there is role for *Lakidjeka* workers at each point of intervention.



Text Box 13: Protocol for child protection and engagement with *Lakidjeka ACSASS*³⁷⁷

1. When a notification is received by the Child Protection Intake Team of the Department of Human Services, they must first ascertain if the child is of Aboriginal or Torres Strait Islander descent. If the child is Aboriginal or Torres Strait Islander, Lakidjeka must be notified as soon as possible, and be provided with client information and details of notification concerns.
2. Child Protection Intake Team staff seek cultural advice to inform assessment of identified risk factors and determine whether the matter will require investigation by Department of Human Services child protection staff or referral to another support agency. *Lakidjeka ACSASS* operates an essential intake system.
3. If the decision is made that Department of Human Services child protection staff will investigate, the case is referred to the relevant local ACSASS team for action. Department of Human Services child protection staff must continue to seek advice and consultation from ACSASS in order to obtain an ongoing Indigenous risk assessment.
4. *Lakidjeka ACSASS* staff are the key Indigenous advisors in the planning and investigative process. Lakidjeka staff will be consulted on any significant decisions made by the Department of Human Services in relation to Indigenous children, such as issuing protective orders and determining outcomes for Indigenous children involved in all allegations of abuse in care processes and in case planning decisions including the decision for permanent care.
5. The Department of Human Services will continue to involve Lakidjeka Case workers as cultural consultants and partners in the case management of an Aboriginal child. *Lakidjeka ACSASS* tasks include undertaking joint home visits with child protection, providing input into cultural support plans, attending case planning meetings, involvement in the court processes and assisting referrals to Indigenous services.
6. If an out of home placement is needed for the child, Lakidjeka will provide information and advice on the extended family and community placement options. Appropriate placements are sought in line with and according to the hierarchy of placement options prescribed in the Aboriginal Child Placement Principle. In the first instance the child should be placed with family, extended family or community. Where this is not possible ACSASS will continue to provide advice as to whether a placement can meet the cultural needs of child and what needs to happen to ensure this occurs. The development of Cultural Support Plans is crucial to this process – particularly where it is envisaged that the placement is to be of a longer term duration.

377 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p11.



As part of this process, Lakidjeka workers also offer support to children and families, in particular to help them 'understand the legal jargon and feel supported from their own culture.'³⁷⁸ Not all families agree to Lakidjeka support as they are aware that Lakidjeka are also required to report relevant information to the child protection services.

However, according to Suzanne Cleary, Program Manager of *Lakidjeka ACSASS*, this is only a very small percentage of all clients and many of the families that initially refuse support often change their minds when they realise that there are serious consequences for their action leading to child protection involvement such as Court Orders and particularly when removal becomes apparent.³⁷⁹ If parents or young people do not want Lakidjeka involved, the service must provide cultural advice to the Department on a secondary consultation basis.

Impact of *Lakidjeka ACSASS*

Lakidjeka ACSASS has grown from a small program providing ad hoc advice and support to be an integrated component within the Victorian child protection system. There is about a 95% compliance rate with the protocol by Department of Human Services staff³⁸⁰ (at the point of notification/report). From the period of October 2002 to July 2007 Lakidjeka provided consultation and advice on 10,136 notifications. Of this 4,418 were further actioned and investigated by the Department of Human Services, with Lakidjeka being expected to provide advice and consultation on key decisions throughout the length of a child protection intervention.³⁸¹

Although Lakidjeka has not been formally evaluated,³⁸² staff believe that it has resulted in less Indigenous children being removed from their families through better understanding of cultural issues and referral to appropriate family support services. Where children are removed, there seems to be a higher compliance with the Aboriginal Child Placement Principle.³⁸³

Lakidjeka ACSASS also acts as an early intervention service with some notifications of Indigenous children being diverted away from formal child protection investigation at the point of intake. Through family, community and cultural knowledge, *Lakidjeka ACSASS* workers are often able to ascertain whether the notification should be taken further, or whether local support services might provide enough assistance to the family to address the reported concerns.

378 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p9.

379 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.

380 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p12.

381 Unpublished *Lakidjeka ACSASS* document. Information provided by *Lakidjeka ACSASS* to the author.

382 *Lakidjeka ACSASS* is currently being reviewed by Department of Human Services.

383 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p13.



Lakidjeka workers challenge notifications that do not take account of cultural and social circumstances for Indigenous families. For instance, notifications are sometimes made about children living in houses where there are a lot of people, or that children are sleeping on mattresses on the floor.³⁸⁴ This may not necessarily be an indicator of risk, but just reflect the realities of many Indigenous people's lives where communal living is still a part of their lifestyle or a result of poverty.

Lakidjeka has been able to use their position of authority to challenge the Department of Human Services to respond appropriately. One example of how Lakidjeka advocates for families is described in Text Box 14 below.

Text Box 14: An example of Lakidjeka client support³⁸⁵

The Department of Human Services received a notification about a baby at risk of harm. As the notification concerned an Indigenous child, *Lakidjeka ACSASS* were contacted and became involved.

The mother was from interstate and had arrived in Victoria after a falling out with her mother. She has two other children, both still being cared for by the grandmother. She was diagnosed with psychiatric problems and appeared to be low functioning, with the notifier concerned that she may also have a cognitive disability. The mother had very little support in Victoria, the baby was failing to thrive and the family was at risk of homelessness.

Lakidjeka Intake agreed that further investigations should take place and where possible support be put in place.

The local *Lakidjeka ACSASS* worker, along with Child Protection, visited the mother and advocated for intensive in-home support to be provided to help the mother bond with her baby, improve parenting skills and monitor any mental health issues. However, the in-home support was not immediately available. A decision was made to place both mother and child in a residential mother and child unit to provide some parenting support.

Lakidjeka recognised that the residential service was not well set up for Indigenous women but there was no alternative. Lakidjeka staff worked extensively with the mother to allay her anxieties about the unit. They also made sure that all the information given to her by child protection workers was appropriate, taking into account her low level of understanding.

What she did understand and communicate consistently with all involved, was that she wanted to go home.

Fortunately, everyone involved in the case agreed that the best outcome would be for her and her baby to return to live with the grandmother and her other children interstate. However, how this would be achieved was a point of contention with a great deal of bureaucratic red tape to be dealt with before her transfer to another state could be approved.

Despite all reports that the grandmother was a suitable person, who was already caring for the child's two siblings and who was recognised as a long term child care worker and respected community member, the Department of Human Services was not willing to let the mother and child return there until a full assessment was completed. This would take a substantial amount of time.

384 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.

385 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.



During her stay at the residential unit, staff there assessed that the mother would be unlikely to be able to properly care for her baby without extensive long term support (which the Department of Human Services was not able to provide). The mother and baby were no longer able to stay at the residential unit and there were no suitable supervised accommodation options available for both the mother and baby. Given this, the Department of Human Services proposed temporarily removing the baby until assessments and long term options could be arranged.

Lakidjeka ACSASS staff recognised the harm that separation would cause to the mother and baby. The mother was already in a fragile state and ACSASS staff were concerned that she would 'fall apart' with the loss of her child. As an Indigenous woman she was particularly distrusting of 'welfare' and was convinced that Child Protection would take her child regardless of what she tried to do. Workers continued to explain to the mother what was actually happening and what processes were taking place.

Lakidjeka also made direct contact with the grandmother and Indigenous services, local to where she lived, in order to set up supports and assessments.

Lakidjeka exerted considerable influence to convince child protection workers of the harm of separating mother and child and challenged their bureaucratic processes. They agreed that an assessment needed to take place, but it should be undertaken with the mother and baby together and interstate in her own country. Lakidjeka's knowledge of the department's rules and regulations meant that they were able to challenge their 'conservative line'³⁸⁶ and suggest this alternative approach, still within regulations but more client focused.

The Department of Human Services eventually agreed and the mother and baby were allowed to return home together to rejoin their family. The child was however, placed on an Interim Children Court Order in order to secure the transfer and planning. A 'Kith and Kin' Assessment was undertaken by the interstate Department and the baby is largely cared for by the grandmother and the mother receives family support and monitoring by the local child protection agency to improve her parenting skills.

In this example, Lakidjeka have been able to act as 'cultural interpreters'³⁸⁷ for the Department of Human Services to help explain why Indigenous families may respond the way they do. Suzanne Cleary believes that due to past history, people are 'brought up with the perception that the welfare will take their children away... so the very first knock on the door is going to bring responses that are angry, worried and scared'.³⁸⁸

Contextualising these responses means that child protection workers are less likely to just assume that this response is 'how the family is all the time'³⁸⁹ and use this information in Court or other decision making processes.

Although Lakidjeka has received significant staff and resource increases since its inception, they still do not have enough staff to keep up with demand. Long term involvement in case planning and being a part of all the key decisions related to Indigenous children places a substantial burden of time on staff. Suzanne Cleary also believes that many of their cases are extremely complex with greater emphasis on family reunification and 'much more emotional work with families'.³⁹⁰

386 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.

387 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.

388 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.

389 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.

390 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.



While most child protection staff work well with Lakidjeka there are still some problems in developing and maintaining the partnership. Some Child Protection workers fail to understand the importance of culture and the effects that past policies and practices have had on Aboriginal people. The need to listen to and consult with Aboriginal workers in ACSASS is crucial.

For example, one notable gap according to Suzanne Cleary is that the Department of Human Services is less likely to inform Lakidjeka when they are considering closure with a family and in many cases ACSASS staff don't find out until after the fact. Lakidjeka are in a unique position to advise the child protection workers about whether this is appropriate:

Some parents will agree to anything to get child protection out of their lives. There are things that they won't always know how to follow through on, or they might be referred to services that aren't responsive to Aboriginal people.³⁹¹

Closing a case prematurely often leads to further child protection notifications as issues have not been effectively dealt with.

Like most Indigenous organisations it is also difficult to recruit and retain Indigenous staff for this difficult work. Although the Department of Human Services are ultimately responsible for any decisions it can be a 'no win situation' for Lakidjeka workers, especially when family and community wrongly perceive that Lakidjeka's role is to always prevent removal of children. Lakidjeka works in the best interest of the child, which sometimes means removal.

Lessons from Lakidjeka Aboriginal Child Specialist Advice and Support Service

Formal protocol

The protocol between the Department of Human Services and VACCA provides agreement to ensure that consultation with Indigenous people about child protection issues occurs systematically. This places Indigenous expertise in a central position within the child protection system, not an additional service that is consulted only if workers are motivated or there is time. The protocol also has a dispute resolution mechanism which facilitates constructive, professional relationships.

Placing Indigenous advice at the centre of the system slowly changes the culture of the child protection organisation. Through training provided by Lakidjeka³⁹² and constantly working in partnership, non-Indigenous staff become more confident in working with Indigenous families, or at least more likely to ask for help.

Effective consultation

Staff attribute the success of the Lakidjeka to the good name of VACCA and of efforts to continually engage the community. At one level this has occurred through community consultation but at another level it involves the day to day work that Lakidjeka staff do to engage and empower families:

391 Cleary, S., *Communication with Social Justice Commissioner's Office*, 12 November 2007.

392 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p12.



Families and children feel that the power has shifted and now they have a real say in what is happening to and with their children.³⁹³

Especially given the stolen generation, communities are wary of child protection services and feel under attack so any attempts to build a bridge too are welcome.

Indigenous staff expertise and networks

Like *Safe Families*, Lakidjeka uses local Indigenous networks and relationships to find placements in compliance with the Aboriginal Child Placement Principle. Crucially, they also use cultural knowledge to help child protection workers make culturally appropriate decisions in the best interests of the child.

Independence

The independent status of Lakidjeka strengthens their voice to advocate and challenge policy and practice in the Department of Human Services. They also try and keep the Department of Human Services accountable for the actions that they commit to during case planning.

393 Higgins, J.R. and Butler, N., *Indigenous responses to child protection issues – Promising Practices in Out-of-Home care for Aboriginal and Torres Strait Islander Carers, Children and Young People* (booklet 4), Australian Institute of Family Studies, Melbourne, 2007, p9.



f) Safe Houses: A tool against family violence

Safe houses, also known as women's shelters or refuges, are a form of crisis accommodation. They are typically communal houses providing short term, after-hours accommodation for women and children facing the threat of family violence. Often categorised as an 'early reactive program' a safe house service operates as an immediate response to violence occurring but intervening before possible police involvement.³⁹⁴

Most women typically stay overnight but some women can stay for up to a few weeks.³⁹⁵ They are mostly run by a small number of full time staff with additional support provided by volunteers and senior women.³⁹⁶

This type of community run crisis accommodation has been identified as particularly crucial in remote Indigenous communities where there are often no accommodation alternatives for women attempting to escape violence.

Safe houses emerged as a community initiative to combat Indigenous family violence in the late 1980's and early 1990's.³⁹⁷ Many were started by women in the community initially volunteering their own homes to shelter women and children escaping situations of family violence.³⁹⁸

Community controlled safe houses in Indigenous communities recognise that the safety of women and children is a paramount concern. They reflect the preference of Aboriginal women to adopt strategies against violence that encourage a change in the behaviour of the male offenders while maintaining the family unit.³⁹⁹

394 Memmott, P., 'Community-based strategies for combating Indigenous violence' (2002), 25(1) *UNSWLJ* 220, p224.

395 'The Safe House Project' Report – Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, p17, available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm, accessed 21 September 2007.

396 'The Safe House Project' Report – Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, p18, available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm, accessed 21 September 2007.

397 'The Safe House Project' Report – Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, p18, available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm accessed 21 September 2007.

398 'The Safe House Project' Report – Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, p18, available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm, accessed 21 September 2007.

399 Blagg, H., *Crisis Intervention in Aboriginal Family Violence: Summary Report*, Crime Research Centre UWA, Commonwealth of Australia, 2000, p3.



The community safe house model can also reinforce traditional roles of women in the community, particularly the Elder women with responsibility for caring and protecting the women.⁴⁰⁰ The traditional authority demands respect from the men and ensures the security for safe house clients.⁴⁰¹

Many community safe houses are owned and controlled by an incorporated community based organisation or by an Aboriginal community council.⁴⁰² The model and specific operation of a safe house will depend on the traditions and characteristics of a particular community. As such the safe house concept continues to evolve and develop on a community by community basis.⁴⁰³

Indigenous women may access a safe house for a number of reasons including: to escape immediate situations of violence; to prevent violence from occurring or to experience some time out.⁴⁰⁴ In addition to providing essential emergency accommodation for women, the presence of a community controlled safe house can also serve to empower women and reinforce the view that family violence in the community is unacceptable.

Establishing a safe house can also be the impetus for education or awareness raising programs on family violence in the community. Research into thirteen Safe Houses in North Queensland⁴⁰⁵ observed:

...that almost all services were involved in a range of activities outside the narrow functions of the 'safe house' and the scale of activities involved was unexpected.⁴⁰⁶

400 'The Safe House Project' Report –Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, p46, available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm, accessed 21 September 2007.

401 Rosser, B. and Coconut, M., *The Safe House Project, Remote North Queensland Communities*, The National Indigenous Homeless Forum 2003, Melbourne, 4-5 March 2003, p59.

402 Rosser, B. and Coconut, M., *The Safe House Project, Remote North Queensland Communities*, The National Indigenous Homeless Forum 2003, Melbourne, 4-5 March 2003, p59.

403 Blagg, H., *Crisis Intervention in Aboriginal Family Violence: Summary Report*, Crime Research Centre UWA, Commonwealth of Australia, 2000 p24; Orana Far West Women's Safe House Project: Stage 1 Report 2006, p77, available online at: <http://www.wrrc.org.au/currentprojectsissues/current/ourprojects/oranareport/view>, accessed 21 September 2007.

404 'The Safe House Project' Report –Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, p17, available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm, accessed 21 September 2007.

405 'The Safe House Project' Report – Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm, accessed 21 September 2007.

406 'The Safe House Project' Report – Sustainable service responses to family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland, funded by the Commonwealth Department of Family and Community Services under the National Homelessness Strategy, 2004, p28 available online at: http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-safe_house_project.htm, accessed 21 September 2007.



This research found that most Safe Houses engaged in programs such as 'child protection, childcare and cultural and social activities'.

Blagg notes that women's shelters in Indigenous communities 'have become a key part of the policy landscape in parts of Australia.'⁴⁰⁷ The *Little Children are Sacred* Report⁴⁰⁸ recognised the Safe House as a 'critical' feature of community family violence prevention strategies to protect people from immediate threats of violence.⁴⁰⁹

407 Blagg, H., *Crisis Intervention in Aboriginal Family Violence: Summary Report*, Crime Research Centre UWA, Commonwealth of Australia, 2000, p15.

408 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007.

409 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p92.



i) Yuendumu Safe House



The *Yuendumu Women's Centre* established the *Yuendumu Safe House* in 2003 to address the growing problem of family violence in the community.

The red dusty town of Yuendumu, one of the largest remote communities in Central Australia, is situated 290 km northwest of Alice Springs in the Tanami desert of the Northern Territory. The area has a population of 692 persons⁴¹⁰ and 83.7% of the Yuendumu population is Aboriginal; the majority of which are Warlpiri people. The land of the Warlpiri stretches from north of the Tanami Rd to the West Australian border.

Yuendumu was originally established as a government rations depot in 1946 with a Baptist missions arriving in 1947. An area of 200sqkm was proclaimed as an Aboriginal reserve in 1952 which later became Aboriginal land under the *Aboriginal Land Rights Act (Northern Territory) 1976* in 1977. By 1955 many local Warlpiri groups had settled in Yuendumu. Administration of the town was assumed by the first Yuendumu Council in 1978.

The town centre comprises a few main streets with local services such as the Yuendumu Council, the Health Centre, the Police station and local school. Yuendumu is also home to Warlpiri Media, the Warlukurlangu Art Centre and the Yuendumu Magpies who this year took out the Central Australian Football League (CAFL) premiership. Warlpiri culture remains strong in Yuendumu; traditional hunting and ceremony is a integral part of the community.

410 Australian Bureau of Statistics 2006 Census QuickStats: Yuendumu (CGC) (Statistical Local Area), available online at: <http://www.censusdata.abs.gov.au>, accessed 25 September 2007.



The main languages of the area are Warlpiri and English, with Warlpiri spoken by 82.2% of people. The town has a young population with 25.9% of the population aged between 0-14 years; the average age of people in the area is 26.⁴¹¹ School attendance remains low in the town and the average age of first time mothers is 15 years old.

Statistics suggest that the people of Yuendumu experience considerable disadvantage. The median individual income is \$227 per week.⁴¹² The average household size in Yuendumu is 4.9 compared to the national average of 2.6. Of the 196 people in the labour force in the community, 36.2% are employed full time and 40.8% are employed part time. The most common occupations for those employed in the town are community and personal service workers, professionals and labourers.

The following case study of the operation of the safe house in Yuendumu was developed through community visits and interviews with staff of the *Yuendumu Safe House* as well as key stakeholders and the general Yuendumu community.

Indigenous family violence in Yuendumu

Family violence was identified as a significant issue in the community by all consulted in Yuendumu. Many people indicated that family violence had been a problem for a number of years.

Pam Malden, coordinator of the Women's Centre and *Yuendumu Safe House*, describes the problem of domestic violence in the community as 'huge'.

The Yuendumu Police report 1-2 domestic violence incidents per week and identify alcohol abuse and domestic violence as the two main policing issues in the community. The Health Service report that they see a handful of domestic violence related clients every week.

Under reporting of physical violence in the community may be compounded due to the size of the town and the complexity of familial relationships.

Ned Hargraves, Community Liaison Officer and member of the Yuendumu-Willowra Council, identified depression and alcohol abuse as causal factors relating to family violence in the community.

When there is drinking the attitude is not controlled and there is no respect for the Elders.⁴¹³

The Police also identified most domestic violence incidents in the town as the result of alcohol abuse. Undiagnosed depression stemming from chronic disease was also identified by the Health Service as a major health issue affecting the community.

There was little information about incidents of sexual assault in the community. In Pam Malden's experience, sexual assault reports were from mostly older women. The Health Clinic also reported few instances of client sexual assault. Susanna Bady, the Domestic Violence Educator in Yuendumu, was aware of few reports of sexual

411 Australian Bureau of Statistics 2006 Census QuickStats: Yuendumu (CGC) (Statistical Local Area), available online at: <http://www.censusdata.abs.gov.au>, accessed 25 September 2007.

412 Australian Bureau of Statistics 2006 Census QuickStats: Yuendumu (CGC) (Statistical Local Area), available online at: <http://www.censusdata.abs.gov.au>, accessed 25 September 2007.

413 Hargraves, N., *Communication with Social Justice Commissioner's Office*, 16 October 2007.



violence but believed there to be a general lack of reporting of these incidences due to general fears of the Police and welfare authorities. It appears that there is still very much a 'silence' around sexual assault in the community and a need for community based education and awareness about this aspect of family violence.

Description of the *Yuendumu Safe House*

The *Yuendumu Safe House* was established in 2003 as a service of the Yuendumu Women's Centre. The Yuendumu Women's Centre is a community controlled organisation that was established by the local women in the late 1970's.

The Women's Centre has provided a base for senior Warlpiri women over the years to gather together and devise strategies to address community problems. It provides a range of facilities such as meeting rooms, exercise and children's play equipment and access to phones and computers.

A large shaded area out the front of the Women's Centre allows women in the community to sit together during the day. Many of the senior women who attend the Centre are involved in leading cultural ceremonies, the Night Patrol or Management Committee of the Safe House.

In addition to running the Safe House, the Yuendumu Women's Centre organises the women's Night Patrol, sex and pregnancy education programs, a Laundromat service and an op shop. The Women's Centre also provides local women with general support such as taking young women to ultrasound appointments in Alice Springs and other resource and advocacy services.

Since the Women's Centre was established in the late 1970's the Warlpiri women have instigated a number of community controlled initiatives to address family violence and related substance abuse issues in the community.

The Yuendumu Women's Night Patrol was formed in 1991 in an attempt to stop the grog and the violence taking place around the community. It was operated by the Nulla Nulla Brigade; women with senior standing and kinship in the area. It is reported that when the night patrol was introduced, incidents of domestic violence dropped 80% in the community within the first year.

The Women's Night Patrol was the first remote night patrol in Australia and is now the longest serving night patrol in the Northern Territory. The Women's Night Patrol continues to be run by the senior Warlpiri women of Yuendumu (with an average age of 58) through the Women's Centre.⁴¹⁴

The *Mount Theo* program is another example of an initiative conceived and controlled by the people of Yuendumu to address substance misuse. Established by the senior men and women in 1994, the *Mount Theo* rehabilitation camp takes young petrol sniffers out of the community and teaches traditional culture on country. The program is known to be responsible for the eradication of petrol sniffing in Yuendumu.

The need for a safe house in response to the problem of family violence in the community was identified by the senior Warlpiri women in the late 1990's. They lobbied the government through the Women's Centre for five years before the safe house was finally established in 2003.

414 Malden, P., Coordinator, *Communication with Social Justice Commissioner's Office*, 25 July 2007.



The *Yuendumu Safe House* provides short term accommodation to women in the community who have experienced violence or who are escaping the threat of violence from their husbands or partners. The Safe House ensures women who have experienced family violence are able to access accommodation in a safe, secure and supported environment. The typical length of stay varies between one night to one week.⁴¹⁵

The Safe House is located on the main road on the outskirts of the town next to the Police station and up the road from the Women's Centre. It is surrounded by a three metre wall with barbed wire and entry to the Safe House is via a locked gate.

The Safe House itself is a large building with three large rooms of beds, a communal kitchen with cooking facilities and food, a bathroom and living areas. An intercom at the gate allows family members, most usually husbands, to talk with their wives or partners from outside of the Safe House.

Women in the community are able to gain access to the Safe House at any time of the day or night by contacting known people in the community who have keys to the building.

The Safe House is advertised on local radio in Walpiri which lets the community know about the service and what it is used for. A description of the radio ad appears below:

Kids are screaming and a woman says to another woman, 'What's wrong?' and she says, 'My husband and I, we've been arguing every night and the kids aren't getting any sleep and they're getting cranky'. And they talk about using the Safe House for that reason.⁴¹⁶

Georgina Wilson, a Walpiri woman, and senior worker at the Safe House describes it as:

A place where women can have peace, quiet, a good sleep and a rest.⁴¹⁷

In Yuendumu, the Safe House is mostly used as a preventative measure against physical violence; that is, women tend to access the Safe House before an assault has taken place.

Quite often they hear that he [a woman's husband/partner] is coming back drunk or they know that he is coming back drunk so they lock themselves up before he gets back.⁴¹⁸

The Safe House is guided by both formal and informal policy and rules. The house contains signs in Warlpiri and English outlining the rights and responsibilities of women using the Safe House.

The Safe House is open to any woman in the community who feels she needs to use it. The strictest rule of the Safe House is that a woman may not access the safe house if she is drunk and alcohol is strictly prohibited. Children are allowed to accompany their mothers to the Safe House however boys over the age of 14, who have been through traditional initiation, are not permitted in the Safe House.

415 Wilson, G., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

416 Malden, P., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

417 Wilson, G., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

418 Malden, P., *Communication with Social Justice Commissioner's Office*, 15 October 2007.



Central to the philosophy of the Safe House is the belief in the woman's right to make their own choices. This principle is practised by safe house workers providing women with comprehensive material about police processes, legal processes and healthcare to enable women to make informed decisions about their own interests.

One of the rules of the Safe House is that it is the woman's choice whether or not to report an incident of domestic violence. If a woman so chooses, Safe House staff will accompany the women to the Police station to make a statement or take out a non violence order. The staff strongly recommend clients to take out non violence orders although there is no pressure to do so.

The Safe House works closely with a number of services in the community. In particular, Ms Malden reports the Safe House to have a close and effective working relationship with the Police.

Susanna Bady, provides follow up work with Safe House clients, training for Safe House staff, referrals to legal services and Centrelink and legal education. Clients of the Safe House are referred to the Health Service for check ups. Referrals are also offered to the Central Australian Aboriginal Family Legal Unit for legal advice and the Alice Springs Shelter.

The senior Warlpiri women were instrumental in establishing the initial rules and policies of the Safe House. The Management Committee of the Women's Centre determines the ongoing program priorities and funding decision of the Women's Centre and the Safe House. The Committee are elected by the members of the Women's Centre and all members are eligible to hold office.

The Committee engages in both formal and informal decision making processes. They meet formally to discuss financial reports, staffing arrangements, funding submissions, major purchases and use of the Centre's vehicle. The senior women also brainstorm ideas for the Women's Centre and crime prevention strategies in an informal manner.

Increased participation in the Women's Centre is facilitated by hosting special days which are particularly aimed at getting the younger women involved and encouraging a continued sense of community ownership.

In Yuendumu an intimate level of understanding of the local families and the language is essential in effectively supporting local women accessing the Safe House at a time of great stress or conflict. All Safe House staff have a deep understanding and knowledge of the families and issues of the community. Pam Malden recognises that the management of the Safe House needs to be in the hands of the Warlpiri Safe House workers.

Georgina Wilson is the Safe House senior worker and has been in this role for five years. She has lived in Yuendumu her whole life and attended school in Alice Springs. Her role is to let women into the Safe House when notified by Pam Malden, the health clinic or the Police and organise the Safe House and night patrol workers.

In addition to Georgina, there are also 12 women in the community who can be called upon to work in the Safe House. The Safe House workers are trained in providing support to women using the Safe House and are subsequently employed as support workers.



Pam Malden believes one of her main roles as coordinator of the Safe House is to encourage the Safe House workers to take on an active decision making roles regarding how the Safe House is managed. For example, she encourages the senior workers to choose the most appropriate worker to stay in the Safe House with a woman accessing the Safe House rather than establishing a roster. She also encourages the women to make planning decisions around day trips to Alice Springs. The aim is to encourage decision making at a level that is comfortable and slowly expand so that eventually the management of the Safe House will be entirely in the hands of the Warlpiri women workers.

Impact of the Safe House

It is clear that the Safe House is well respected and valued by the Yuendumu community. All community members consulted in Yuendumu believed the Safe House to be very effective in addressing family violence in the community. Ned Hargraves, the community liaison officer and member of the Yuendumu Willowra Council believes that the Safe House provides a safe place for both the women and children to go.⁴¹⁹

Georgina Wilson believes that the Safe House has been good for the community, although obviously:

Some men don't like it when their women go to the Safe House but others don't mind.⁴²⁰

There is widespread awareness of the Safe House in the community, particularly due to the radio ads in Walpiri promoting awareness of it.

The *Yuendumu Safe House* represents a community conceived and owned solution to the problem of family violence in the community. Senior Warlpiri women have overseen the establishment of the Safe House and continue to have an active role in its management via the Management Committee of the Women's Centre.

In addition, it appears that the senior Warlpiri men have consistently supported the operation of the Safe House since its inception. The standing of the Safe House in the community is such that there has been no need for extra security. The men in the community are generally aware that must stay away and not approach the Safe House. This support and understanding has been crucial to the respect that the Safe House currently enjoys.

The result is that the Yuendumu community is aware that, in seeking refuge in the Safe House, women have the support of the senior women and men of the community when they choose to access the Safe House and protect themselves from violence.

In this way Pam Malden believes that the Safe House has been instrumental in empowering and supporting women in the community. The Safe House ensures women are supported in their decision to take a stand against such violence and reinforces that such violence is unacceptable. In her experience:

419 Hargraves, N., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

420 Wilson, G., *Communication with Social Justice Commissioner's Office*, 15 October 2007.



...if the women didn't have the Safe House to go to then the odds are that they would be assaulted.⁴²¹

The domestic violence education worker, Susanna Bady, describes the Safe House as an 'essential tool for crisis management' and 'an automatic community reflex response to domestic violence.'⁴²² In her experience

...everyone [in the community] knows what it is and how to use it.⁴²³

The Police believe the Safe House to be:

good as it allows the parties to be separated and the victim can choose to put themselves in the Safe House as a preventative measure.⁴²⁴

They describe the Safe House as 'helpful' in tackling family violence in the community.

The need for an equivalent men's Safe House was identified by a number of people in the community:

We need also a safe place where men can go to sober up and talk about Dreaming and family problems with the senior men.⁴²⁵

The Safe House does, however, face many complex challenges in its operation. These include:

- *Client confidentiality:* Maintaining client confidentiality is a clear challenge of social services employing local residents and operating in a small community environment where family ties are strong. Client confidentiality is an ongoing challenge for the operation of the Safe House in Yuendumu. Pam Malden states that the importance of confidentiality is continually raised and talked about amongst the staff and safe house workers.
- *Tensions between the private and the professional:* There are clear tensions between the private and the professional roles of Safe House workers. The multiple roles the women safe house workers assume in the community produce significant familial challenges with most having to try to balance the responsibilities of both their family, wider community pressures and work at the Safe House. As coordinator of the Women's Centre, Pam Malden plays an important role in attempting to recognise and manage the multiple responsibilities of the workers whilst ensuring that the Safe House service is not compromised.
- *Operational challenges:* The Safe House has encountered operational issues over the three years it has been in existence. Some of these have included communication issues between the safe house and the police as to who is accessing the Safe House and record keeping by past Safe House coordinators. The Women's Centre aims to act quickly to put in place processes to address such issues as they arise. The Domestic

421 Malden, P., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

422 Bady, S., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

423 Bady, S., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

424 Yuendumu Police., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

425 Hargraves, N., *Communication with Social Justice Commissioner's Office*, 16 October 2007.



Violence Educator believes the Safe House provides a necessary service to the community however in her view the Safe House service needs to professionalise to ensure that it provides a consistent and appropriate 24 hour service for women in the community.⁴²⁶

- *Funding:* Each program run by the Women's Centre is funded from a difference government source.⁴²⁷ The Family Violence Prevention Unit through the local Indigenous Coordination Centre funds the Safe House. This funding is due to cease in December 2007.⁴²⁸ For each of the four programs run by the Women's Centre, the centre is required to provide a funding submission, a quarterly performance report, a quarterly financial report and an annual financial report. Frustration is expressed at the very time consuming reporting procedures required to secure relatively small amounts of money. These reporting requirements are made more onerous given that no additional funding is provided to assist in this process. Pam Malden observes:

government funding requirements make it almost impossible to employ people who cannot read or write. The red tape is getting worse instead of getting better.⁴²⁹

In regard to the funding requirements for the Safe House, Pam Malden reports some dissatisfaction with the outcome based criteria used to measure crisis support accommodation. The numbers of women accessing emergency accommodation are prone to fluctuation and the outcome based criteria does not take into account the largely preventative effect the safe house has on domestic violence in Yuendumu.

Pam Malden also expresses disappointment at the lack of support she has received from the funding bodies in regards to the Safe House and the other programs run by the Women's Centre. Pam Malden reports that for the two and a half years that The Safe House has been running she has been visited by the government funding body on only two occasions.⁴³⁰

- *Stakeholder relationship issues:* The Domestic Violence Educator was initially able to use the Safe House for domestic violence education in the community. At the time of the author's visit the Women's Centre and the Domestic Violence Educator were no longer working together in this manner. This is perhaps unfortunate given the valuable and complementary work both are achieving in the community.

426 Bady, S., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

427 For example the women's night patrol is funded by the Attorney General's department through the ICC, the 'Strong Women, Strong Babies' program is funded by the Department of Child and Maternal Health through the NT government and the Women's Centre is funded by a multi purpose grant through the Department of Health and Ageing, Malden, P., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

428 At the time of the interview, Noel Mason, the newly appointed government Business Manager in Yuendumu (as part of the Northern Territory intervention) has assured Pam Malden that funding would be found for the continued operation of the Safe House.

429 Malden, P., *Communication with Social Justice Commissioner's Office*, 15 October 2007.

430 Malden, P., *Communication with Social Justice Commissioner's Office*, 15 October 2007.



Lessons from the *Yuendumu Safe House*

Building on existing community strengths

In the small community of Yuendumu family violence is perceived as not just a problem for the female victim but as a problem for the whole community.

Over the past three decades the senior women of Yuendumu have built up a tradition of successfully identifying issues affecting their community and addressing them through their own initiatives. The Women's Centre has provided a base for the women to devise strategies to address community problems. It is a prominent and safe gathering place in the community which allows the women to sit and meet and facilitates informal discussion.

The establishment of the Safe House has emerged from this strong culture of leadership which the senior women have been gradually building up in the community over a number of years. The policies and rules that govern the Safe House reflect the traditional culture of the Warlpiri people. The involvement of the senior women gives the Safe House credibility and respect.

Support of the men

The support of the men in the community was continually emphasised as crucial to the formation and successful operation of the Safe House.

The men were involved in building the Safe House and attended the opening in larger numbers than women. The men appear to acknowledge that women and children in the community need a safe place to go when their husbands or partners are being drunk or violent. Since the opening of the Safe House there has been no need for security to be employed and there have been no major security breaches.

Community generated

Given that the concept of the Safe House originated from the community itself, community participation and ownership has been crucial to the success of the Safe House. The Safe House workers have knowledge of the language and the familial relationships of the community and are therefore best placed to provide support to the clients of the Safe House. The Safe House workers are encouraged to take on active decision making roles in the management of the service. This is fundamental to ensuring that the day to day operations of the service remain in the control of the Warlpiri women.

Partnership approach

The *Yuendumu Safe House* has the respect and recognition of the Police as an essential service providing safety for women and children, with Police working in strong partnership with the service.

Pam Malden believes that the Safe House is well supported by the Police and she is confident to contact them at any time of the night to respond to an incident. This support is crucial to maintaining the standing of the safe house in the community, ensuring that the policies of the Safe House are respected and to guaranteeing women's safety when accessing the service.



g) Working with perpetrators of family violence

Family violence and abuse are serious crimes under all state and territory legislation, with distressing consequences for the victims and communities. Equally distressing is the revolving door of custody that sees many Indigenous offenders cycle in and out of the criminal justice system without any meaningful opportunities for rehabilitation and long term behaviour change.

There remains a pressing need for programs working with Indigenous offenders. Testament to this is the profound over-representation of Indigenous people in the criminal justice system. Indigenous adult prisoners make up 24% of the total prison population as of 30 June 2006,⁴³¹ making them almost 13 times more likely than non-Indigenous Australians to be imprisoned.⁴³² Recidivism rates remain unacceptably high, with too many Indigenous peoples leaving prison only to re-enter it soon after.

The Little Children are Sacred Report makes numerous recommendations about the need to focus on offender rehabilitation programs in any sustained response to family violence.⁴³³ Despite this, the need to provide support to offenders has not been addressed as part of the Australian government's emergency response in the Northern Territory.

The need to focus on offender programs is also required in all other states and territories. With some exceptions, the majority of offender treatment programs nationally are not culturally appropriate for Indigenous peoples and those that are, often service only a fraction of those in need.

Evidence suggests that cognitive behavioural programs that aim to change how people think are most likely to reduce recidivism. The existing research, largely developed in the United States of America and Canada largely obscures contextual factors namely, 'cultural factors such as interdependence, spirituality and discrimination',⁴³⁴ culture, history and experience of racism, as well as structural disadvantages of poverty, poor housing and unemployment that are often faced by Indigenous offenders.

These programs are now firmly rooted in corrections services around Australia. Some adaptations have been made to try and make them more culturally appropriate but these largely cosmetic changes are a poor substitute for programs that are flexible, have actually been developed by and for the Indigenous community and incorporate connection to culture.

Most offender treatment programs run in custody are also only available for sentenced offenders that are serving longer terms of imprisonment. Compared with other offenders, Indigenous prisoners are usually in custody for shorter

431 Australian Bureau of Statistics, *2006 Prisoner Census*, ABS series cat. no. 4517.0, Commonwealth of Australia, Canberra, 2006, p18.

432 Australian Bureau of Statistics, *2006 Prisoner Census*, ABS series cat. no. 4517.0, Commonwealth of Australia, Canberra, 2006, p5.

433 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p134.

434 Day, A. 'Reducing the risk of offending in Australian indigenous offenders: What works for whom? (2003), 37 (2), *Journal of Offender Rehabilitation*, p11.



periods of time. That means that these offenders are usually in and out of custody without any meaningful intervention and access to programs.

Despite these general concerns, recent years have seen some promising developments and community generated partnerships to work with Indigenous offenders. We have chosen two locally based case studies to highlight these successes:

- i The *Northern Territory Indigenous Family Violence Offender Program* in Nguiu, Tiwi Islands; and
- ii The Murri Court family violence initiatives in Mount Isa.

Both of these programs deal with family violence, not sex offences. However, some of the lessons around program development and processes will be applicable to this group. Consideration is also given to international models of Indigenous sex offender treatment.

To understand effective practice with Indigenous family violence offenders we need to return to an understanding of what family violence means in Indigenous communities. Unless we reflect on the differences to non-Indigenous mainstream domestic violence, we are likely to construct programs and interventions that are inappropriate.

Family violence involves a greater, more fluid range of victim – offender relationships than mainstream domestic violence. It also breaks from feminist conceptions of violence that criminalize men's behaviour. In contrast, Blagg argues:

While not ignoring the need for men to take responsibility for their behaviour, the family violence paradigm stresses collective Indigenous experience of powerlessness and, at the level of practice, leans towards finding pathways to family healing, rather than new routes into the criminal justice system.⁴³⁵

This emphasis on healing recognises the slippage between offender and victim in the cycle of violence. The *Little Children are Sacred* report cites the unpublished thesis of Caroline Atkinson-Ryan to illustrate this connection. Through her interviews with prisoners she found that over a third of the men in her sample had been sexually abused, and of these most could be diagnosed with post traumatic stress symptoms.⁴³⁶ One account from her research reflects the experience of abuse shaping offending behaviour:

And you know like; I suppose the biggest part in my life was the sexual abuse. You know that happened from not long after the old man grabbed me, a friend of the family, and I put up with it till the age of 14, when I said no enough's enough. It started about four or five years old. Now, like with my crime now, [rape] like when I see these programs mob and they say 'hang on, you talk about empathy. Now let's put on your shoes, putting yourself in the shoes of the victim' and I said hang on,

435 Blagg, H. 'Restorative Justice and Aboriginal Family Violence: Opening a Space for Healing' in Strang, H. and Braithwaite, J., (eds), *Restorative Justice and Family Violence*, Cambridge, UK: Cambridge University Press, 2002, p193.

436 Atkinson-Ryan, C. cited in Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p67.



woo, pull up, I was a victim. So I've seen both sides of the fence and I can comment to you as a victim and as a perpetrator of the crime.⁴³⁷

We also need to consider the specific needs and backgrounds of Indigenous female offenders. Although a numerically small group, making up only 7% of the total prison population,⁴³⁸ Indigenous women are grossly over represented in our prisons. Indigenous females are 23.1 times more likely than non-Indigenous females to be in prison,⁴³⁹ and the imprisonment rate for Indigenous females has increased by 34% during the years 2002 to 2006.⁴⁴⁰ The 2002 and 2004 Social Justice Reports have highlighted the extreme disadvantage faced by Indigenous female offenders, in particular, the high rate of victimisation.⁴⁴¹ A NSW study, *Speak Out, Speak Strong*, found that:

- 70% of Indigenous women in prison had reported being sexually abused as children;
- 78% reported being physically abused as adults; and
- 44% reported sexual assault as adults.⁴⁴²

As with male offenders, these high levels of victimisation can be linked to trauma and further violent behaviour. For instance, a Queensland profile of female offenders revealed that 45.3% of all Indigenous female offenders were sentenced for a violent crime.⁴⁴³

As noted in the introductory section of this chapter, violent offending as an expression of trauma goes beyond the individual experience. Individuals are also influenced by 'inter-generational trauma'⁴⁴⁴ which stretches back to first colonisation and reaches into the contemporary experiences of marginalisation and dispossession.

Blagg⁴⁴⁵ elaborates to describe 'narratives of loss' which contribute to family violence. These are historical and social losses that manifest in contemporary disadvantage. Loss of land and culture, breakdown of community, breakdown of kinship systems

437 Atkinson-Ryan, C. cited in Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p68.

438 Australian Bureau of Statistics, *Prisoners in Australia 2007*, ABS series cat. no. 4517, Commonwealth of Australia, Canberra, 2007, p3.

439 SCRGSP (Steering Committee for the Review of Government Service Provision) 2007, *Overcoming Indigenous Disadvantage: Key Indicators 2007*, Productivity Commission, Canberra, p128.

440 SCRGSP (Steering Committee for the Review of Government Service Provision) 2007, *Overcoming Indigenous Disadvantage: Key Indicators 2007*, Productivity Commission, Canberra, p129.

441 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2002*, Human Rights and Equal Opportunity Commission, Sydney, 2003, pp135-177; Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2004*, Human Rights and Equal Opportunity Commission, Sydney, 2004, pp11-65.

442 Aboriginal Justice Advisory Committee, *Speak out, Speak Strong*, Aboriginal Justice Advisory Committee, Sydney, 2003, p5.

443 Department of Corrective Services (Women's Policy Unit), *Profile of female offenders under community and custodial supervision in Queensland*, Queensland Government, Brisbane, 2003, p13.

444 Atkinson, J. *Trauma Trails, The Transgenerational effects of trauma in Indigenous communities*, Spinifex Press, Melbourne, 2002.

445 Blagg, H., *Working with adolescents to prevent domestic violence: phase 2 the Indigenous rural model*, National Crime Prevention, Canberra, 2002; Blagg, H., *It Breaks All Law: Models of intervention at the point of crisis in Aboriginal family violence*, Domestic Violence Prevention Unit, Perth, 1999; Blagg, H., *Crisis Intervention in Aboriginal Family Violence: Summary Report*, Domestic Violence Prevention Unit, 2000.



and customary law, the effects of the Stolen Generation have all lead to entrenched poverty, racism, alcohol and drug abuse and of course, family violence.

International best practice – Canadian healing circle programs

High levels of family violence and sexual abuse are common to other countries where the Indigenous population has been exposed to colonisation, loss of culture and pervasive disadvantage. In particular, New Zealand and Canada have developed effective interventions by and for Indigenous sexual offenders.

The most well known program is the pioneering *Hollow Water Community Holistic Circle Healing Program* in Manitoba, Canada. This program works with victims, offenders and community members. Over the past 15 years, 107 offenders have completed the program with less than 1% recidivism, and at a saving of \$15 million dollars over 10 years to the Canadian government.⁴⁴⁶

While Hollow Water is certainly an inspirational success, a recent Churchill fellowship study by Mandy Young (Coordinator of the NSW *Breaking the Silence* report into Aboriginal sexual abuse) analysed a selection of Canadian programs with development for Indigenous Australian communities in mind. That report examines the *Biidaaban Community Healing Model*, which was considered a more transferable model for Australian Indigenous communities and government structures than the Hollow Water program.

An edited extract from Mandy Young's report is found at Text Box 15 below.

Text Box 15: Community Based Healing Circles to Address Child Sexual Assault in Canada – by Mandy Young⁴⁴⁷

In 1995 the Mnjikaning community decided to begin addressing child sexual assault within the community. They looked at a number of native healing models and decided that the Hollow Water was the most suitable for their community.

Biidaaban is a Mnjikaning community based healing program based on accountability, restitution and reconciliation to restore balance in the lives of those people who have been affected. It is a victim driven process that promotes healing rather than punishment. The Biidaaban Circle promotes community wellness, breaking the cycle of abuse within families and within the community, respecting individuals not only for their personalities, but also their beliefs and values. The philosophy is to '*label the behaviour not the person*'.

The implementation of the program has taken a number of years. In 1995/96 extensive training in community healing began as well as community education, outside agency education and working with families. In 1997 the first community gathering was facilitated and the first sentencing circle was undertaken in 1999 following the securing of funding from Aboriginal Correction, Public Safety Canada in 1998.

446 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred' Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, Northern Territory Government, Darwin, 2007, p132.

447 Young, M., *Aboriginal Healing Circle Models Addressing Child Sexual Assault, An examination of community based healing circles used to address child sexual assault within Aboriginal communities in Canada*, The Winston Churchill Trust of Australia, 2007.



To become involved, persons who have harmed others (offenders) need to take responsibility for their actions and commit to making amends. In addition, those who have been harmed (victims) must consent to the offender participating in the program even if the people who were harmed are not yet ready to go through the process themselves.

The core of the healing model is the Biidaaban Protocol, a detailed process that provides explicit procedures to follow when there is a disclosure of sexual abuse. The Protocol is a signed agreement between Biidaaban Circle, Mnjikaning First Nation and the Simcoe County Crown Attorney's Office. The protocol details the referral processes, information sharing agreements, diversion agreement, and consent issues...

The community, as a whole, then works toward healing through extensive counselling sessions. Should there not be willingness on the part of the victim or the offender to participate, the case is handled by the mainstream justice system. Once the offender accepts responsibility, the community will work with all affected individuals to develop a treatment plan that it will submit to the mainstream courts. This plan focuses on the offender working with the Biidaaban team towards the healthy resolution of the victimisation...

Biidaaban run a variety of programs to assist in the support and healing of clients. They include:

- an anger management program, 'Keep it Cool';
- 'Building healthy relationships' – a holistic 12 week program to address family violence, anger and self care;
- 'Strengthening the family circle' – a 12 week parenting program that can be attended by the whole extended family as per traditional child rearing practices;
- Men's and Women's circles;
- a cultural program which looks at traditional practices and ceremonies; and
- a youth circle (conducted weekly).

The circle process consists of a ceremonial opening, declaration of purpose and introductions, explanation of wrongful behaviour, acceptance of responsibility by the person who has offended for their actions, an opportunity for all participants of the gathering to speak, drafting of a treatment plan by the participants, an apology and acceptance of the treatment plan by the person who has offended, a (six monthly) review process date is set, a ceremonial closure occurs and finally there is a debriefing for all participants. Following this gathering, the treatment plan/healing contract is implemented.

Biidaaban believe that this circle process can be used for many things including criminal behaviour or addictions. The holistic focus of the healing is used to emphasis the spiritual, mental, emotional and physical healing rather than compartmentalising people and bringing balance back into the lives of the individual, family and community. The circle also provides a sense of belonging that gives confidence and increases community functioning...

Since its implementation the service has dealt with approximately 90 offenders, primarily for assault. Of the 53 who elected to proceed with the Biidaaban Circle, 30 have completed the program and none of these 30 have reoffended.



It has been a long process, taking over 10 years with the development of developed strict protocols and guidelines. This ensures that there is accountability for both themselves and other agencies involved in the program. This level of agreement and protocol has been critical to the success of the program. Whilst it may have taken longer to develop, it means that the process will be more effective for the community in the long run...

The more structured Biidaaban is likely to be more accepted by existing service providers because of the clear protocols and accountability mechanisms. Whilst it has not been in operation for as long as Hollow Water, it has been able to adapt the principle of Hollow Water and apply them to their community successfully. The higher level of structure has meant that it has been able to be implemented more quickly as each stakeholder is clear on their responsibilities within the model.

The *Little Children are Sacred* and *Breaking the Silence* reports both suggest that the Canadian healing circle model could be adapted for Australia.



Mangroves around Nguiu, Tiwi Islands.

The *Indigenous Family Violence Offender Program (IFVOP)* is a community based offender program run by Northern Territory Community Corrections. It has a strong community focus and has achieved good results since it began in 2005.

The *IFVOP* has been run in 6 remote communities in the Northern Territory (Nguui, Oenpelli, Daly River, Pirlingimpi, Milikapati and Galawinku) but the primary focus of this case study will be the program in Nguiu in the Tiwi Islands. Nguiu was the first community to implement the program and a majority of the program participants have been from Nguiu.

The *IFVOP* was originally piloted in 1999 in Darwin Correctional Centre with the Council for Aboriginal and Alcohol Programs Unit. The Office of Women's Policy coordinated the pilot with Australian Government funding from the Partnerships Against Domestic Violence program.

The custodial program is still being run at Darwin Correctional Centre but in 2005 a community based program was trialled by the Department of Justice. This required substantial adaptations, with a re-write of the program manual to ensure that it was appropriate for a community setting. The pilot program was run in Nguiu, Ntaria (Hermannsburg), Yuendumu and Kunberllanjnja (Oenpelli).

The *IFVOP* undertook consultation with all of the communities to discuss the issues of family violence generally, explain the program aims, develop program content and identify suitable local Indigenous people to be trained as facilitators for the program.



The facilitators were provided with a 50-hour accredited training program run by the Council for Aboriginal and Alcohol Programs to enable them to lead the program. Two Coordinators, based in Darwin and Alice Springs, provides 24 hour support to the facilitators.

The first program was run in Nguiu on 26 April 2005. Since then programs have been running regularly in Nguiu and expanded to other Tiwi Island locations, Pirlingimpi (Garden Point) and Milikapti (Snake Bay). This expansion has been relatively smooth because facilitators in the other communities have been able to get on the job training and support from the more established facilitators in Nguiu. In contrast, the programs in Central Australia have struggled to get established due to staffing issues.

Description of the *Indigenous Family Violence Offender Program in Nguiu*

Nguiu, located on Bathurst Island, is the largest community on the Tiwi Islands. Nguiu has a population of around 1,500 people, 60% of the Tiwi Islands population.

Nguiu has a missionary history. The mission was established in 1911 and soon grew with the school and flourishing market gardens attracting people from outlying areas. The priest also began a practice of 'buying' promised wives from their husbands and bringing them to live on the mission. This in turn, attracted young men to the mission who did not already have promised brides. The missionary history has created a very mixed population on Nguiu with eight different clan groups in addition to the traditional owners, the Mantiyupwi clan.

Nguiu has a young population with the median age of residents only 24 years. Other indicators show that Nguiu is a disadvantaged community:

- The average life expectancy of a Tiwi person is only 48.5 years, 30 years less than the non-Indigenous average;
- The unemployment rate on Nguiu from the 2001 Census is 17% for people aged over 15 years and as high as 37.5% for youth; and
- Living conditions are over crowded with an average of 12 Tiwi people per house.

On 30 August 2007, the Tiwi Land Trust signed a 99-year lease over the township of Nguiu. This gives the Commonwealth government through the Executive Director of Township Leasing, the head lease over the township. In return the Commonwealth have agreed to provide:

- \$5 million to cover the first 15 years of the lease;
- \$1 million for health initiatives;



- construction of 25 new houses within the next two years; and
- repairs and maintenance of existing houses.⁴⁴⁸

The signing of the 99-year lease has been a contested process, drawing criticism about whether in fact the majority of Tiwi people had been able to exercise free, prior and informed consent to the lease.⁴⁴⁹ The general impression formed during a visit to Nguiu is that to some extent, the Nguiu community remains divided about the decision, and at best, ambivalent about the consequences.

The *IFVOP* is a community based program for family violence offenders. The program is an alternative sentencing option available to the court to prevent Indigenous imprisonment. The aims of the *IFVOP* are:

- to reduce the incidence of Indigenous family violence in communities;
- to reinforce that family violence in any form is unacceptable and never has been an accepted part of Indigenous culture;
- to educate and provide alternatives strategies for addressing issues that result in anger and inappropriate responses to triggers;
- for offenders to be given the opportunity to actively practice skills being learnt while residing in the community; and
- for the community to facilitate and own the program themselves.⁴⁵⁰

Eligible family violence offences include, Assault Female – Offender Male, Assault, Aggravated Assault and Failure to Comply with a Restraining Order. More serious charges have to be heard by a higher court and are therefore ineligible for inclusion in the Program.

Although it is used as a diversionary option to imprisonment, volunteers are also encouraged to participate. Most of the volunteers are people who have been banned from the Nguiu Social Club and a requirement of the ban being lifted is that they address family violence/alcohol issues. This form of early, non mandated participation can be seen as an early intervention because it engages individuals before family violence has escalated.

Before the Court decides if the *IFVOP* is suitable, the facilitators undertake a comprehensive assessment with the offender and victim. The assessment covers:

- personal information, including family relationships, children and living arrangements;
- relationship history, including experiences and reasons for conflict and violence;
- family history, including experiences of abuse, or witnessing abuse and violence;
- expression of anger;

448 Agreements, treaties and negotiated settlements project: *Nguiu (Tiwi Islands) 99 year lease*, available online at: <http://www.atns.net.au/agreement.asp?EntityID=4116>, accessed 2 October 2007.

449 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Native Title Report 2005*, Human Rights and Equal Opportunity Commission, Sydney, 2005, pp 51-107; Aboriginal and Torres Strait Islander Social Justice Commissioner, *Submission to the Australian Senate, Community Affairs, Legislation Committee on the Aboriginal Land Rights (NT) Amendment Bill, 2006 (Cth)*, 13 July 2006, available online at: http://www.humanrights.gov.au/legal/submissions/sj_submissions/alra_amendments_senate_subjuly2006.html, accessed 9 January 2007.

450 White, D., Alimankinni, M., and Alimankinni, G., '*Indigenous Family Violence Offender Program: The Nguiu Experience*', *Positive Ways: An Indigenous Say*, Victims of Crime NT Conference, September 2006.



- self harming behaviour;
- mental health issues;
- alcohol and drug use; and
- available community support services.

Based on this information the facilitator will make a recommendation about the suitability of the offender to participate to the Court. The Court then makes a community based order 'to attend the *IFVOP* program and do nothing to cause his/her early discharge there from'. The Community Court usually sits in Nguiu and involves Elders who provide advice on sentencing options.

The *IFVOP* is a 50 hour program for offenders. It is structured slightly differently in each of the communities but in Nguiu it is run two days a week for a month.

One of the strengths of the program is that the facilitators have had significant input in designing the content, as well as the delivery of the program. Topics covered in the offender program include:

- what is Indigenous family violence;
- past life experiences;
- personal values and beliefs;
- the cultural context of violence;
- intergenerational aspects of violence;
- the law and family violence;
- recognising and responding to anger appropriately;
- violence and alcohol and drug use;
- motivation to change behaviour;
- controlling behaviours versus equality;
- power versus equality;
- dynamics of family violence;
- relationships and taking responsibility for behaviour;
- resolving conflict without violence;
- Indigenous spiritual healing and
- relapse prevention and revision.

A partner group is also offered on a voluntary basis for victims. The partner group is a six session program. Both groups are held at the Tiwi Land Council offices in Nguiu.

The partner group is a shorter, modified program. Partners are given information about what family violence is, their rights and legal remedies and strategies to manage their own anger, conflict resolution and good communication skills. There is also safety planning, helping women identify safe places they can go if required and information about accessing services.

Court referred clients are mandated to attend the *IFVOP*. If they do not participate they are in breach of their order and can be returned to court to be dealt with



further. A warning letter is given to offenders in the first instance. Facilitators are committed to improving attendance:

We send a letter out but sometimes people don't always come. So we get out there and let them know that the program has started and they have to come. If they don't come, we give them a warning letter and then we talk to them to come. It's really important to get the letter out instead of having to send them back to court; they can stay with their families hopefully.⁴⁵¹

According to facilitators, when the process and consequences for not attending are explained to the offenders, they usually comply with their legal order and further Court can be avoided.

The offender and victim are then formally interviewed at six and twelve monthly intervals to assess whether violence is still an issue. They are asked whether violence has ceased, decreased or escalated and whether they remember or use any of the strategies taught in the *IFVOP*. It also provides an opportunity for the facilitators to encourage the participants, go over any learning that may need refreshing and make any referrals for further support.

Impact of the *Indigenous Family Violence Offender Program*

Since the *IFVOP* commenced in Nguiv 69 men have completed the program and 12 women have attended the partner program. The Department of Justice has been collecting some recidivism data but it has not been publicly released. At this stage the numbers are too small and the follow up time is too short for the results to be statistically significant and reliable.⁴⁵² However, initial indications are that there is a low recidivism rate.

The initial indications of success are supported by the facilitators and community. Facilitators note that there is 'now not much reoffending'⁴⁵³ and they have received positive feedback about how the program has helped from community members and Elders:

Family just keep coming up to my house and say this fella has changed. Other family walk up and say you mob are doing a really good job... They've seen a lot of men change, helping out family, taking turns, responsibility at home.⁴⁵⁴

In the absence of formal evaluation, the stories and comments from community members demonstrate the personal impact of the program. Text Box 16 is the story of a couple who successfully completed the *IFVOP*.

451 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

452 Ogden, L., *Communication with the Social Justice Commissioner's Office*, 12 October 2007.

453 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

454 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.



Text Box 16: Case study of participant in the Indigenous Family Violence Offender Program

Mary and Sam⁴⁵⁵ were referred to the *IFVOP* following a serious assault on Mary by Sam. The Police attended the assault and charges were laid against Sam. Sam was required to attend the Community Court to have the charges dealt with.

Mary was initially uncomfortable and worried about the charge going to court. She wanted the violence to stop but was worried that they would lock Sam up. This wasn't the first time Sam had been to court for violence and they were both aware that there was a real chance that he would be locked up.

On the day of Court the solicitor suggested that Sam be assessed for the *IFVOP*. Elders were also involved in the Court process. According to Sam, this really helped as he felt like it:

was up to them to say if they want me on the program. They know me and they give me another chance.

The facilitators completed the assessment and found Sam suitable. In talking with Sam and Mary they found out that drugs and alcohol were a problem for both of them and contributed to their fighting. They would both go to the club drinking every night. In fact, drinking was the main focus of their days with neither of them working and 'not much to do' during the day.

Sam completed the program without any problems. He was happy with the facilitators as:

local people help a lot and explain what it is all about so it makes sense.

Sam remembers some of the anger management techniques. Both he and Mary say he has gotten better at walking away when he is angry.

Sam has also learnt to control his substance abuse, 'less drink, less smoke' and now only goes to the Club about once a week and only when he has money. Seeing Sam reduce his drinking, Mary has also cut down on her alcohol consumption and they have both reported 'more peace, less fighting' now.

The *IFVOP* has helped divert Sam away from negative, risky behaviours like drinking and encouraged positive activities. Although Sam isn't working yet, he is now hunting a lot and spending time on country. According to Sam, a lot of the men in the group would talk about camping and hunting as activities that helped relieve stress.

The *IFVOP* facilitators encouraged them to do these things and go to 'happy places' when things were 'building up at home'. Sam has found:

I don't get so angry now. No food at home, now I'm not drinking I go hunting instead. Wild geese, carpet snake, wallaby, oysters, fish, turtle eggs – better than the shop – and it is a good thing to do for me.

When Sam was drinking more he had stopped going hunting as he was so focused on drinking and felt bad. Now that he has cut down drinking, he said he feels 'better about myself' and more motivated.

Mary attended some of the partner sessions and thinks they helped her 'see what he is thinking' and how to walk away.

Since completing the program Mary says that Sam has not been violent towards her. They still fight sometimes but it is not as intense and one usually leaves before the situation escalates too far. Their relationship has improved and Sam has avoided going to gaol.

455 Names have been changed to protect the identity of the participants



The *IFVOP* is now well known in the community and seen as a good way of addressing family violence. Since the program started the reporting of violence seems to have increased as women are more confident that a report will result in community based intervention rather than imprisonment.⁴⁵⁶ There is still under reporting of violence and local Police are not notified in every occasion but there does seem to be a shift in attitude according to local justice workers.

The program is also contributing to the community stand against family violence. One of the workers says that he uses his position in the community to challenge people about violence:

When I come out and talk to people about violence, sometimes I get a rough responses. I ask them about violence and they say 'mind your own business.' I tell them that it is my business, it's everyone's business... having programs like family violence helps get the message out.⁴⁵⁷

Facilitators also challenge what reporting to the police means:

When the woman goes to the Police, I tell the man that it is a good thing because it means they want you in the community. They want you to do the program and change your behaviour for your family... If she reports it it means she wants you here and you're going to have to change.⁴⁵⁸

Significantly, the *IFVOP* is skilling victims and offenders up to communicate anti-violence strategies to others in the community. The facilitators are very proud of the program's ability to stretch beyond the individuals and 'plant a seed in the community'⁴⁵⁹. Gilbert Alimankinni, one of the original *IFVOP* facilitators recounts one experience:

I know this one fella that in 2004-2005 he was in the program. At six months we went to check on him, make sure things are still in place and he was telling me 'we don't have any family problems.' His two eldest daughters have moved out and got their men. He had been going there because *they* were having family problems and violence. He would get there and take his book [program worksheets and manual] and help them work it out... I was encouraging him, saying you have to show other people how to stop the violence and then more people will look up to you. That's one of the best stories because we have helped one person to help his family and his community. This sort of thing is a big rap for us. This man has been coming to report [to Community Corrections] for a long time and had lots of problems but now he can help.⁴⁶⁰

This story highlights the broader potential that this sort of program has to break the cycle of violence.

The program does, however, face many challenges. In particular:

- *Burden on workers*: The use of local workers is integral to the success of the *IFVOP* but it is also one of the challenges in managing the program. The nature of the work can be a huge burden on workers, as they are

456 White, D., Alimankinni, M., and Alimankinni, G., 'Indigenous Family Violence Offender Program: The Nguui Experience', *Positive Ways: An Indigenous Say*, Victims of Crime NT Conference, September 2006.

457 Tipuamantumirri, L., communication with author, 10 October 2007.

458 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

459 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

460 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.



unofficially on-call 24 hours a day, 7 days a week because they are in the community and well respected. The works load that the staff manage may also point to the lack of other appropriate and accessible services.

- Taking a stand against family violence can also come at a personal cost. One of the facilitators has 'copped some flak from men when I encourage the women to go to the police'⁴⁶¹ and one of the female facilitators states that she has only undertaken the role as she has the support of her husband and son to stay safe from threatened violence.
- *Structural gaps:* Workers believe that the effectiveness of the *IFVOP* is hampered by the structural gaps in the community. This is summed up:

Over crowding, no job, no house, how can you have self esteem? The program can help but you still need to fix the big issues.⁴⁶²
- Other notable service delivery gaps are the lack of mental health services to deal with the increasing incidence of drug induced psychosis that leads to violence and self harming behaviours.
- *Expanding Program:* In the Northern Territory Government *Closing the Gap of Indigenous Disadvantage, Generational Plan*, \$5.4 million has been allocated to extend the *IFVOP*.⁴⁶³ This additional funding and recognition is warmly welcomed however, there are concerns that expanding the program too quickly could lose the community connection and control that has made it so successful.

Lessons from the *Indigenous Family Violence Offender Program*

Community generated

The implementation of the *IFVOP* has been based on consultation and input from the community. Importantly, facilitators have been able to adapt the program for their own community:

If you have your own people working, they understand them and they understand you. So we look at the manual and see if it makes sense for us, our culture, and then explain it our way.⁴⁶⁴

This means that there are subtle differences in how the program is run across the different communities, depending on their needs. This level of flexibility also involves Indigenous people in the development and implementation of the program, handing some control and ownership back to the communities. In this way the program moves from being a justice intervention, to a community intervention.

Culturally appropriate

The *IFVOP* is not only culturally appropriate because it employs Indigenous workers. Conscious attempts have been undertaken to include the cultural context of family violence in all aspects of the program.

461 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

462 Tipuamantumirri, L., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

463 Northern Territory Government, *Closing the Gap of Indigenous Disadvantage, Generational Plan of Action*, available online at: http://www.action.nt.gov.au/fact_sheets/safety-police_justice_family_violence.shtml, accessed 12 October 2007.

464 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.



The program looks at issues that would be considered outside the scope of mainstream criminogenic need but are crucially important to understand the context of how family violence happens and how it can be prevented. For instance, there are modules on the history of Indigenous people, the impact of colonisation and how this impacted on traditional law and cultural norms. Elders are often invited to conduct the sessions on history:

They talk about how we used to live before the first settlers came, comparing to today. They talk from a long time. We had lots of wives, there was no grog, no substance abuse and no violence – just live in harmony. Now things gone really big now and we have to teach ourselves to get back to harmony.⁴⁶⁵

A traditional healing session is also run by a local healer.

Elders and respected community members like the facilitators are also in a unique position to assist men to negotiate change in gender roles that have impacted on men's feelings of loss of power. According to Luke Tipuamantumirri, local corrections officer who works with many of the *IFVOP* participants:

traditionally women walked behind the man. Now we are walking shoulder to shoulder. They don't like it but they have to deal with it.⁴⁶⁶

Facilitators and Elders continually reinforce that violence is not acceptable. Facilitators believe that the message means more coming from them than it would from non-Indigenous people as they 'don't take any excuses'⁴⁶⁷ and don't let men 'hide behind culture'.⁴⁶⁸

The *IFVOP* also deals with contemporary issues in a responsive way. Apart from alcohol, the biggest issue related to family violence put forward by the facilitators is jealousy:

Violence comes from jealousy, people always going back over the past, old boyfriends, old girlfriends, and bringing it all up again and again... This is the men and the women but we tell them that it is about power and control.⁴⁶⁹

The mechanism of separate men's and women's groups allows the program to work through this issue in a safe, appropriate way that makes sense for both men and women.

Holistic

Most family violence offender programs only work with the offender. From an Indigenous perspective, this is like treating only half the problem. Although offenders are always encouraged to take responsibility for their violent behaviour, it is acknowledged that dynamics such as jealousy often lead to violence. The partners are encouraged to look at their own behaviours and are taught strategies to communicate better and resolve conflict. The fact that both partners are working on their behaviour can lead to a supportive environment for change and strengthen the relationship.

The *IFVOP* facilitators in Nguui are also trying to work with children around family violence. In partnership with the Council for Aboriginal Alcohol Program Services, they have developed an interactive learning tool to teach school age children about family violence, protective strategies and how to understand and share feelings about experiencing family violence.⁴⁷⁰ This program will soon be run in the local school.

465 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

466 Tipuamantumirri, L., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

467 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

468 Alimankinni, G., *Communication with Social Justice Commissioner's Office*, 10 October 2007.

469 Puaatujimimi, J., *Communication with Social Justice Commissioner's Office*, 9 October 2007.

470 Document provided to the author.



Community based

The *IFVOP* is a community based diversion from custody. The commitment to keep offenders in their community is not only in line with the principle of imprisonment as a last resort, but also an effective practice. Offenders remain connected to their families and communities and are able to put behaviour change and learning into practice, rather than being sent away with little, if any, rehabilitative intervention. As previously mentioned, the community and the women in particular, are supportive of the program because it keeps families and communities together.



Members from the Murri Men's Support group.

Left to right kneeling: Paul Hill, Elston Dick, David Roebuck, Dudley Sailor.

Left to right standing: Alquin Williams, Fabian Ogden, Lionel Stretton, Brendon Moon, Warren Percy, Tim Shaw (group facilitator), Barry Johnny, Matty Ned, Neville Barclay, Charlie Ryan, Vincent Body, Robert Smyler.

The *Mount Isa Murri Court* is an Indigenous Court that is using men's and women's business groups to assist with family violence offences. Like the Indigenous Family Violence Program in the Northern Territory, the *Mount Isa Murri Court* provides an alternative to detention through culturally appropriate intervention for offenders and victims.

Murri Courts have been operating in Queensland since 2002. The first Murri Court was established at the Brisbane Magistrates Court. Based on the South Australian Nunga Court, it is a modified Magistrates court that includes culturally appropriate elements and involves Elders and respected persons from the offender's community in the Court process. The role of the Murri Court is explained further in Text Box 17 below.



Text Box 17: What is the Murri Court?⁴⁷¹

The Murri Court is a Magistrate Court or a Children's Court constituted by a Magistrate which is designed specifically for Aboriginal and Torres Strait Islander offenders.

The Murri Court involves Indigenous Elders or respected persons in the court process.

The role of Elders and respected persons can include:

- a) advising the Magistrate about cultural issues;
- b) assisting the offender in understanding court processes;
- c) assisting the Magistrate to decide on a sentence that is more appropriate;
- and
- d) acting as a connection between the court and the local Indigenous community.

The Elders' and respected persons' role in the Murri Court is authorised under section 9 (2)(o) of the *Penalties and Sentences Act 1992 (Qld)*, that provides a court must have regard to relevant submissions made by community justice groups including Elders and respected persons, when sentencing Aboriginal and Torres Strait Islander offenders.

The Elders' and Respected Persons role in Youth Murri Court is authorised under section 20(1) and (7) of the *Children's Court Act 1992* and section 150 of the *Juvenile Justices Act 1992 (Qld)*.

Murri Courts are now in operation in Brisbane, Caboolture, Rockhampton, Townsville, Mount Isa, Cherbourg, Ipswich, Cleveland, Cairns, Coen and Cairns. To be eligible offenders must plead guilty to the offence and there is typically an expectation that the offender would be facing a prison sentence. Youth Murri Courts are also available for juvenile offenders in most areas.

There are subtle differences between the courts arising from local consultation between the magistrates and local communities. For instance, in Brisbane and Mount Isa, magistrates do not wear ceremonial dress or sit behind the bench, whilst in Townsville and Rockhampton communities have decided to retain traditional dress and seating to reinforce the seriousness of the process. This flexibility extends to allow innovations such as the *Mount Isa Murri Court's* use of men's, women's and community justice groups in the process.

Description of the *Mount Isa Murri Court*

Mount Isa is located in far North Western Queensland. Mount Isa was built on mining natural resources but has grown to a regional service centre with a population of approximately 20,000.

The Mount Isa area has a high Indigenous population making up 16.6% of district population.⁴⁷² The Kalkadoon are the traditional owners of the land around Mount Isa.

471 Extract from Parker, N. and Pathe, M., *Report on the Review of the Murri Court – Report to the Honourable Kerry Shine MP, Attorney-General and Minister of Justice and Minister Assisting the Premier in Western Queensland*, Queensland Department of Justice and Attorney-General, Brisbane, 2006.

472 Australian Bureau of Statistics, *Quickstats Census 2006 Mount Isa Statistical Area*, available online at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.



The Indigenous population of Mount Isa do not seem to have experienced the same benefits of the mining boom as non-Indigenous people. Indigenous people have a 15% unemployment rate compared to a 4.2% for non-Indigenous people.⁴⁷³ There is a severe shortage of accommodation in Mount Isa, exacerbated by a transient population drifting in from the Northern Territory. Many more people have been arriving from areas like Alice Springs and Lake Nash since the alcohol bans as part of the Northern Territory Emergency Intervention.

Due to this influx of people and accommodation shortage there is a sizable population of Indigenous people that camp on the riverbed with resultant issues of alcohol abuse and family violence.

The *Mount Isa Murri Court* deals with a very high number of family violence offences. Lyn Roughan, *Mount Isa Murri Court* Case Coordinator, estimates that at least 75% of the offences before the Murri Court in Mount Isa are related to family violence. Although the Murri Court is not only aimed at family violence offences, these initiatives all have the dynamics of family violence offending in mind.

All the adult participants in Murri Court are facing potential custodial sentences. However, very serious matters (including family violence offences which have resulted in very serious physical assaults) are not dealt with by the Murri Court and are referred to the general Magistrates Court and District Court. This was a deliberate strategy when setting up the Murri Court in Mt Isa (different elsewhere in Queensland) so that Elders would not be mistakenly perceived as sending community members to prison. As defendants may not appreciate that the Elders have no sentencing role when they sit with the magistrate, it has been less problematic to send matters that are to receive custodial sentences back through the Magistrates Court.

The Murri Court program uses adjournments, with bail conditions to facilitate entry into rehabilitation before sentencing occurs. It is usually 3-6 months but can be longer. Lyn Roughan states that:

We've found that if there is only a short time frame until sentencing no changes are made to address offending causes. If offenders are sentenced shortly after referral to Murri Court any community based order made, like probation, may be breached because the underlying behavioural problems have not been addressed.⁴⁷⁴

Conditions of bail include attendance at men's (or women's) group, drug and alcohol counselling and involvement with the Community Justice Group. These sorts of conditions and use of court processes to supervise progress are consistent with broad shifts towards therapeutic jurisprudence in the legal system, where the Courts use their involvement to improve rehabilitative outcomes for offenders.

The *Mount Isa Murri Court* recognises the cultural need for separate forums for men's and women's business in the court process. Before the sentencing of the defendant separate men's and women's business may be convened with relevant stakeholders in separate rooms. Non-Indigenous court staff leave the Court to maintain cultural integrity for the process.

473 Australian Bureau of Statistics, *Quickstats Census 2006 Mount Isa Indigenous Area*, available online at: <http://www.censusdata.abs.gov.au>, accessed 15 October 2007.

474 Roughan, L., *Communication with Social Justice Commissioner's Office*, 3 October 2007.



This process allows the offenders and partners to open up to the Elders involved in the respective men's and women's business and share their stories. Victims are able to talk about the impact of violence without the fear of speaking in front of the perpetrator. Elders then take this information into account when they are providing advice to the magistrate.

Men's and Women's groups are an integral part of the success of the *Mount Isa Murri Court*. Offenders are usually mandated to attend either the men's or women's group to deal with issues around family violence and past events in their lives which may contribute to offending. Partners and family members are also encouraged to attend the relevant group.

The Murri Men's Support Group is currently held once a week, although there are plans to expand it to three times a week. It has been facilitated for two and half years by Tim Shaw, a local man who also has significant ties with Indigenous communities in the Northern Territory as well. This is significant given the transient nature of the population before the Murri Court.

Compared to the Northern Territory *Indigenous Family Violence Offender Program (IFVOP)*, the men's group is quite informal. There is no strict program outline, instead it is an opportunity for men to 'come together and talk about some deep issues in a safe place'.⁴⁷⁵ However, there is an overlap with the content covered by *IFVOP*, with the group talking about drinking, violence and pressures from family, ways to manage anger and general anti-violence messages, without women present.

Not all of the participants of the Men's group are mandated. Older Indigenous men attend to mentor and offer support to participants from court. These men and the facilitator offer stories, experiences and solutions from their own lives 'which mean more than anything from a white counsellor, out of a text book'.⁴⁷⁶ This informal 'yarning style' of the group is responsive to the needs of the group and despite the lack of formal structure, seems to be very effective in engaging men.

The Murri Men's Support Group aims to be holistic and works in partnership with other services. For instance, Aboriginal health workers attend the group from time to time to provide health checks and health education. Local alcohol and drug services also attend to promote their program and provide information about harm minimisation.

The Murri Women's Support Group also meets once a week although it has a more general focus than the men's group. The women's group is more activity focused, with a range of life skills programs around cooking, nutrition, caring for your children, arts and crafts, budgeting and support and mediation with tenancy issues. However, female Elders from the Murri Court attend the group and the issue of family violence often comes up informally as the women are in a comfortable, safe environment.

The local Community Justice Group is the third component of how the Murri Court works with family violence offenders. The Community Justice Group is funded through the Queensland Department of Justice and Attorney-General. Presently,

475 Roughan, L., *Communication with Social Justice Commissioner's Office*, 3 October 2007.

476 Shaw, T., *Communication with Social Justice Commissioner's Office*, 16 October 2007.



all Elders who sit in the Murri Court come through the Community Justice Group membership and are the 'eyes and ears of the court in the community'.⁴⁷⁷

The Community Justice Group has an important role in supporting and maintaining the Murri Court. Offenders on the bail component of the Murri Court program are not supervised by the local Probation and Parole Services as they do not supervise bail programs in Queensland. Instead, under the authority of the magistrate:

The (Indigenous) community, especially the community justice group members supervise the men and women.⁴⁷⁸

This supports the authority of the Community Justice Group and hands some control of justice and safety to the community.

Offenders are monitored by the Community Justice Group and offenders report back to Murri Court every two to three months. This is an opportunity for the offender's progress to be reported to the court, including whether or not they are attending the Murri Men's or Women's Support Group as required.

If participants are not complying with their conditions they are sent back to mainstream court, with a strong likelihood of a custodial sentence. However, intervention usually occurs before this, with Tim Shaw, Men's Group Facilitator or the Community Justice Group 'reading them the riot act'.⁴⁷⁹ Participants can also be sent to mainstream court if they are disrespectful to Elders during the Court or supervision process.

If the participant completes the period of bail without incident and has made substantial changes to their lives they are usually sentenced to a community based order, such as probation and/or community service.

Impact of the Murri Court Family Violence Initiatives

The Murri Court has been reviewed by the Queensland Department of Justice and Attorney-General with strong recommendations to retain the existing objectives and expand funding.⁴⁸⁰

The way individual courts like the *Mount Isa Murri Court* are operating through innovative partnerships to address family violence, have not yet been evaluated. However, the stories from workers on the ground indicate that there has been success in addressing the behaviour of some family violence offenders. One such story can be found below in Text Box 18 below.

477 Roughan, L., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

478 Roughan, L., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

479 Roughan, L., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

480 Parker, N. and Pathe, M., *Report on the Review of the Murri Court – Report to the Honourable Kerry Shine MP, Attorney-General and Minister of Justice and Minister Assisting the Premier in Western Queensland*, Queensland Department of Justice and Attorney-General, Brisbane, 2006.



Text Box 18: Men's and Women's business in a family violence situation⁴⁸¹

A couple was referred to the Murri Court. Both were facing violence charges against each other. The couple were accepted onto to Murri Court and men's and women's business processes were put in place to make each of the offenders feel more comfortable and able to speak with the Elders about any issues.

Both were mandated to attend the respective men's and women's group whilst they were on bail to discuss their issues with Elders and gain support. During the process it was revealed that the couple had lost a child and were blaming each other. This was the root cause of the family violence. Circumstances had not permitted proper cultural practices and sorry business to be followed. Neither of the partners felt like their grief could be resolved and were taking it out on each other.

It is unlikely that this story would have come out during mainstream processes but it has been crucial in understanding why the couple were being violent towards each other, and then addressing this in a culturally appropriate way. Elders helped the couple come to terms with loss and have helped them move forward. The violence has now stopped and their relationship has improved.

Tim Shaw, facilitator of the Murri Men's Support Group says that he has observed family violence drop significantly amongst men who have worked with his group and the Murri Court and estimated that 90% of the men have not reoffended again.

Preventing recidivism is not the only indicator of success. Tim Shaw views the problems of men holistically with issues around family violence:

hand in hand with alcohol, unemployment, not feeling good enough and low self esteem. If you can't get a job, you don't feel good about yourself and you can't move on until you feel good about yourself.⁴⁸²

The men's support group had built confidence and self esteem through culture and connection with other men. It has also helped in practical ways, with Tim Shaw assisting some of the men to go on and find employment in mining, local clubs and council. Many of these men have never worked before but:

I have seen big changes in them. They feel pride. For them, they have got back to culture, got wiser and take more responsibility.⁴⁸³

The *Mount Isa Murri Court* has become recognised as a tough but fair way to deal with family violence offences. It is not a 'soft option' and Lyn Roughan reports that some men 'would rather take their chances with mainstream court and custody' rather than go before the Elders in the Murri Court, where the push to take responsibility for their behaviour is so great.

The position of the Murri Court is becoming recognised and established. However, the Murri Men's Support Group which provides such a crucial service to the Court is more precarious. The Murri Men's Support Group has been run over the last two and half years on a voluntary basis by Tim Shaw with no specific funding.

481 Roughan, L., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

482 Shaw, T., *Communication with Social Justice Commissioner's Office*, 16 October 2007.

483 Shaw, T., *Communication with Social Justice Commissioner's Office*, 16 October 2007.



Tim Shaw has recently committed himself to providing a service for the Murri Men's Support Group full time and is currently seeking funding. He hopes to extend the service to three nights a week as well as establish a drop in centre where men can 'cool off' and receive support and counselling. A Department of Housing property has been made available for this purpose so the plans are looking promising.

However, like so many programs that are a product of extraordinary individual commitment and passion there is a real need to provide some long term support. Funding is essential to sustaining the program but it also needs to recognise the organic, community developed nature of the group and maintain flexibility.

Lessons from the Murri Court Family Violence Initiatives

Culturally appropriate

The modified Court process takes into account the cultural needs of the local community. Like all Murri Courts, Elders have an important role to play in the Court process, but the use of men's and women's business adds an extra layer of responsivity. Elders have also helped inform the Court about how to communicate effectively with Indigenous people and the circumstances which impact on their lives. For instance, the Murri Court recognises sorry business and where possible makes allowances for non-attendance at court as they are aware:

obligations to family come before any piece of paper that you can give to someone about being at court.⁴⁸⁴

These sorts of practices reduce the number of the Indigenous people being breached and then sent to custody.

Partnership approach

The success of the Murri Court is based on the strong partnership with the local Indigenous community through Elders, the Community Justice Group and the men's and women's groups. Without the Murri Men's Support Group in particular, the Murri Court can only provide half the solution to the problem of domestic violence. As important as culturally appropriate court processes are, it is additional support of the Murri Men's Support Group that makes the difference in challenging family violence. The Murri Men's Support Group shows that challenges are more successful when they are generated by the community, for the community.

Building on existing community strengths

The Murri Court has not had to start from scratch. The strong base of the Community Justice Group has provided a pool of respected and dedicated Elders to work with the Court and the necessary power and authority to support these initiatives in the community. There is a genuine role for the community in providing advice, input and monitoring of the offenders.

484 Roughan, L., *Communication with Social Justice Commissioner's Office*, October 16 2007.



The examples of offender programs provided here also share common elements for success. These include:

- *A Holistic approach:* Offender programs should look at offenders holistically and address all their needs. This also means looking at the offender's relationship with the victim. Some *Indigenous Family Violence Offender Programs* include the victim, recognising that family violence is a community problem, not just an individual problem. This is in stark contrast to non-Indigenous domestic violence paradigms, which locate the source of problem solely within the man.
- *Community-based:* Given the Royal Commission into Aboriginal Deaths in Custody and the continued over representation of Indigenous people in custody, community based options for rehabilitation are preferred *where the safety of the victim can be assured*. According to Blagg:

Breaking the cycle of violence in Aboriginal communities must include breaking the cycle of enmeshment in the criminal justice system.⁴⁸⁵

Custody is seen as a destructive force in Indigenous communities, with little rehabilitative impact.
- *Connection to culture:* Programs need to recognise and strengthen culture. There is a role for cultural recognition as well as expressions of customary law. According to a Yolngu Elder:

Jail is a resting place, a luxury and a place of no discipline. They come out and their course has not been changed, they cause more trouble and go back again. Traditional law is all about discipline and changing that person's course. That way they then set a good example to others.⁴⁸⁶
- *Indigenous staffing:* Indigenous workers are in a unique position to provide programs that are culturally secure as well as challenging. In cases where culture is used to justify violence, Indigenous workers, particularly men, are able to powerfully challenge these myths.⁴⁸⁷

485 Blagg, H., 'Restorative Justice and Aboriginal Family Violence: Opening a Space for Healing' in Strang, H. and Braithwaite, J., (eds), *Restorative Justice and Family Violence*, Cambridge, UK: Cambridge University Press, 2002, p193.

486 Anderson, P. and Wild, R., *Ampe Akelyernemane Meke Mekarle 'Little Children are Sacred'*, Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, Northern Territory Government, Darwin, 2007, p132.

487 Blagg, H., *Pilot Counselling programs for Mandated and non-Mandated Indigenous Men*, Domestic Violence Prevention Unit, Perth, 2001, p9.



Part 3: Learning from 'promising practices' to address family violence and abuse in Indigenous communities

This collection of case studies is about recognising and celebrating the outstanding successes in our Indigenous communities to tackle and prevent family violence and abuse. I have chosen these case studies to encourage individuals in communities by showing what can be achieved, often through the dedication of one person having a good idea; to inspire service providers to think critically about how effectively they are delivering these services; and challenge governments to be responsive and flexible to innovative programs and responses to family violence and abuse.

As the research has demonstrated, family violence and abuse are complex problems that require intervention in a range of different areas. The case studies deal with the diversity of responses to family violence and abuse, organised around the themes of:

- Community education and community development;
- Healing;
- Alcohol management;
- Men's groups;
- Family support and child protection;
- Safe houses; and
- Offender programs.

There are a number of commonalities between the case studies. In particular, all of the case study programs engage with the causes (and not just the consequences) of violence (as described by Paul Memmott, Rachael Stacy, Catherine Chambers and Catherine Keys, in their comprehensive report, *Violence in Indigenous Communities*).⁴⁸⁸ They argue that causes should be categorised as *underlying factors*; *situational factors*; and *precipitating causes*.⁴⁸⁹

Underlying factors relate to the historical experience of Indigenous people. All of the case study programs work within an awareness of past experiences, in particular those that deal with healing, men's groups, family support and child protection, and offender programs. Importantly, they recognise trans-generational trauma but also help individuals and communities make positive steps to break the destructive cycle of violence and abuse.

Situational factors contribute rather than cause violence. Many of the case study programs work with one or more of these situational factors at either an individual or community level. For example, alcohol management strategies reduce the likelihood and intensity of violence and abuse by regulating access to alcohol, whilst healing and offender programs work with individuals to help them manage their own alcohol and drug use. The community education case studies relate closely with the situational factor of a subculture that tolerates violence, or is not knowledgeable, about what child abuse entails.

488 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p11.

489 Memmott, P., Stacy, R., Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p11.



Precipitating causes are the triggers to violence and can be almost anything, but commonly jealousy⁴⁹⁰ and other affronts which can lead to conflict. There is no way that individuals can be insulated from the everyday events which can lead to disagreement, but they can be equipped with better skills for dealing with conflict. For instance, the men's groups help men work through anger management issues and the offender programs help men and women deal with jealous feelings through better communication skills.

This framework shows that interventions need to target all of the causes and factors holistically, from dealing with the trivial triggers through to history and entrenched social issues. Some of the case studies do address all of these factors and all certainly go beyond the superficial, band-aid approaches to family violence and abuse that seldom deliver long term results.

The case studies can all be placed along a continuum of intervention that incorporates:

- *Primary prevention*: preventing violence before it occurs through education and addressing the underlying factors that lead to family violence and abuse.⁴⁹¹
- *Early intervention*: targeting the early signs of violence and abuse by targeting support, skills development and behaviour change programs towards those at risk of violent or abusive behaviour.⁴⁹²
- *Intervention*: providing support and services to victims and offenders of violence after violence or abuse has occurred.⁴⁹³

So while community education may be the key to preventing family violence and abuse in Indigenous communities into the longer term, it is just as important that we have services at the other end of spectrum, such as offender programs, healing services and safe houses, that deal with consequences of violence and prevent further offending or victimisation.

It has been a hard road to develop the services and programs profiled in the case studies. There is an uncertain journey ahead for many as they still require long term, stable funding to continue their work. Even in the very few case studies where funding is secured, it is often not enough to meet the program objectives, doesn't allow for 'extras' like staff development, training and evaluation and comes with significant bureaucratic reporting requirements. Government funding agencies often seem to struggle to work with these programs in ways that are supportive, yet flexible.

490 Memmott, P, Stacy, R, Chambers, C., and Keys, C., *Violence in Indigenous Communities*, Attorney General's Department, Canberra, 2001, p21.

491 VicHealth, *A Public Health Model for the Prevention of Violence Against Women*, 2005, available online at: https://www.vichealth.vic.gov.au/assets/contentFiles/publichealthmodel%20VAW%20for%20campaign%20review_updated%20.pdf, accessed 11 January 2008.

492 VicHealth, *A Public Health Model for the Prevention of Violence Against Women*, 2005, available online at: https://www.vichealth.vic.gov.au/assets/contentFiles/publichealthmodel%20VAW%20for%20campaign%20review_updated%20.pdf, accessed 11 January 2008.

493 VicHealth, *A Public Health Model for the Prevention of Violence Against Women*, 2005, available online at: https://www.vichealth.vic.gov.au/assets/contentFiles/publichealthmodel%20VAW%20for%20campaign%20review_updated%20.pdf, accessed 11 January 2008.



It is of concern that very few programs incorporate formal evaluation and monitoring mechanisms. Evaluation helps ensure that outcomes and targets are being met; increases accountability to funders; and provides opportunities to learn from the experience of program implementation. This information can be shared with other Indigenous and non-Indigenous service providers to increase capacity across the sector. Evaluation and monitoring mechanisms need to be put in place from the very outset of program design and development, so that they are an integral part of how the program runs and data can be consistently collected over an extended period of time.

Although some of the programs have used community education models to good effect, it is not part of all family violence and abuse responses. Community education, particularly around human rights, needs to be part of a strategic approach to addressing family violence and abuse that will have outcomes beyond the reduction of family violence and abuse. Community education will help communities grow and develop capacity, creating safer environments for women and children.

All of the program successes have come at a high personal toll, be it through the immense burden that individuals have shouldered to get the programs off the ground with little or no formal support, or the consequent role of being one of a few Indigenous helping professionals available in a community. Working in the areas of family violence and child abuse is difficult work for anyone, but when the worker is Indigenous and part of a small community, it is a 24 hour job complicated by family and community ties.

The fact that these case studies have achieved success against all odds demonstrates the tenacity and commitment of individuals and communities. But it shouldn't be that hard. The lessons from the case studies provide guidance about what can be done to support innovation. Although funding seems to be the perennial issue, with a real need for flexible, needs based and long term funding, there are other important lessons we can learn. These relate to the process, necessary relationships and dynamics for successful family violence and abuse interventions.

The following characteristics run through the case studies and summarise lessons from the promising practices profiled.

- *Community generated:* The most successful programs are those that are developed by and for the community, as they promote self determination and respond to individual community needs. Sometimes they are developed in response to horrific incidents of violence, such as the *Cherbourg Critical Incident Group* and the *Blackout Violence* campaign. They also involve communities setting their own agendas. For instance, the *Aboriginal Healing Project* allows individual communities to describe healing in their own ways and run projects that reflect these needs. Community generated programs still require significant support. Unfortunately we see many programs start with a fantastic idea from the community but fail to thrive due to lack of support.
- *The importance of community engagement:* This means consulting the community through out the process of program development, especially when the initiative has come from a government department, rather than the community itself. Community engagement is more than just



consultation. Communities should be given real power to make decisions and have input into the program development and implementation.

- This can take time and requires flexibility and patience but ultimately reaps long term rewards. For instance, the 20 year process leading to the *Umbakumba Alcohol Management Plan* is an example of sustained community engagement leading to dramatic improvements in the quality of life of residents. On a smaller scale, the *Mildura Family Violence and Sexual Assault Awareness Campaign*, was a perfect example of allowing the community to 'take over the program and run it', creating a real sense of ownership and greater traction in the community.
- *Community development*: Community development and capacity building often needs to take place before communities are able to take ownership of family violence initiatives. For instance, men's groups and other ways Indigenous men come together can help build leadership capacity in communities and facilitate the spreading of a strong anti-violence norm. Community development should also run alongside therapeutic healing services recognising that not all problems can be solved through counselling alone.
- *A partnership approach*: All of the successful case studies were built on partnerships, be it with government departments or other agencies. Partnership can be seen in cooperation and accountability between parties. Often this is based on individual relationships, although it can be formalised. For example, the *Lakidjeka Aboriginal Child Specialist Advice and Support Service* has a formal protocol with the Department of Human Services that sets out how the partnership is to work.
- *Holistic*: The underlying, situational and precipitating factors of violence and abuse all need to be tackled, often simultaneously. So while a person participating in a healing program, might present with issues around alcohol or drug use, a whole range of practical, cultural, psychological and emotional needs might need to be dealt with as well. Working holistically also means involving more than just the offender. As seen in the *Indigenous Family Violence Offender Program*, working with partners looks at the circumstances of family violence systematically and helps keep families together.
- *Culturally appropriate*: This is demonstrated in a variety of different ways in the case studies, from the use of traditional values and communication strategies in counselling methods, incorporating traditional stories, to storytelling and yarning in education and men's groups.
- *Connection to culture*: Strong culture and respect for traditional law reinforces anti-violence messages and builds positive community identity. Men's groups, offender programs and family support services and community education programs involve Elders and respected community members to create a bridge between the past, cultural knowledge and solutions to family violence and abuse.

Family is a crucial part of Indigenous culture. Successful programs, especially in the realm of child protection, keep close and extended family involved wherever possible. So, for *Safe Families*, this might take the form



of weekend trips out bush with extended family members to get bush tucker to instil a 'sense of pride in country and self'.

- *Involving men in the solutions to family violence:* Initially, most services and responses to family violence were created by and for women, leaving some men feeling alienated and powerless. Men need to be brought back into the process and recognised as an integral part of the solution. Men's groups facilitate this process by connecting up men to break down social isolation, promoting traditional male culture and building pride.
- *Empowering women:* Likewise, women need to be actively involved and encouraged to generate their own solutions to family violence and abuse. Women's traditional culture and authority in the community needs to be recognised and promoted. An example of this is the *Balgo Women's Law Camp*, which blended traditional women's law and discussion to create an agenda for change in Balgo.
- *Building on existing community strengths:* There are often significant resources, networks and knowledge in communities. This means that programs start from a solid foundation and there is no need to reinvent the wheel. For example, part of the *Yuendumu Safe House* success comes from the strong leadership of senior women who have a tradition of successfully identifying issues affecting their community and addressing them in innovative ways. Formal networks like the Community Justice Groups in the *Mount Isa Murri Court* case study provided linkages between Elders and the Court.
- *Indigenous staff expertise and networks* – Indigenous staff make the crucial difference in successful services due to their connection with community and culture and ability to engage with clients. As seen in *Safe Families* and *Lakidjeka Aboriginal Child Specialist Advice and Support Service*, they are also in a unique position to use their networks to find placements in accordance with the Aboriginal Child Placement Principle. In the context of offender programs and men's groups, Indigenous workers are able to powerfully challenge myths that justify violence and abuse.

Successful programs recognise what a valuable resource their Indigenous staff are and provide appropriate support which includes training, career development and flexibility to meet cultural and family commitments.

- *Sustainability:* Successful programs are often the programs that have the necessary skills, commitment and resources to keep operating over a period of time. There might be other programs that are operating in areas of greater need but good governance, accountability and the ability to provide evaluation data to funder's leads to sustainability over the longer term.
- *Flexibility:* Because culturally appropriate services are usually few and far between, successful programs need to be flexible enough to deal with clients and situations that may be outside of their core business, as they may practically be the only option available. Flexibility is also required to meet the needs of the community. This can involve outreach services rather than expecting clients to attend an office, or at least help with transport.



- *Community – based rehabilitation options for offending:* Given the Royal Commission into Aboriginal Deaths in Custody and the continued over representation of Indigenous people in custody, community based options for rehabilitation are preferred *where the safety of the victim can be assured*. Custody is seen as a destructive force in Indigenous communities, with little rehabilitative impact. Based on the experience of the *Indigenous Family Violence Offender Program*, women seem more comfortable reporting violence if they think their men will remain in the community.

Although none of these lessons are necessarily new, taken together they provide a framework for developing good family violence interventions.

They also provide practical examples that reflect the key elements of a human rights based approach to program design and delivery. Table 5 below distils a number of principles and indicators from the case studies which outline what the human rights principles look like in practice.

Table 5: Key indicators of a human rights approach in programs addressing violence and abuse in Indigenous communities	
Principle	Indicators for programs addressing violence and abuse in Indigenous communities.
<p>Full and effective participation <i>Participatory processes are built into program planning, implementation and evaluation.</i></p>	<p>Does the program or service explicitly encourage participation from Indigenous people? Does the program have community consultation mechanisms?</p> <p>Are the participatory mechanisms accessible to all intended beneficiaries?</p> <p>Are Indigenous people involved in program planning, design and monitoring and evaluation? For example, with the program or service having an advisory committee with Indigenous community representation</p> <p>Does the program or service have feedback mechanisms for people using the service?</p> <p>Does the program or service use community volunteers?</p> <p>Does the organisation or service participate in local community events?</p>



<p>Accountability</p> <p><i>Program builds capacity of workers to respect, protect and fulfil rights.</i></p> <p><i>Program includes stakeholders in program delivery and evaluation.</i></p> <p><i>Program communicates evaluation results and outcomes to intended beneficiaries.</i></p>	<p>Does the program or service makes its decision making processes (minutes, annual reports) available to the community?</p> <p>Does the program or service have child protection and workplace harassment policies and procedures?</p> <p>Do the staff receive ongoing cultural awareness training and development with specific reference to Indigenous communities?</p> <p>Are program decisions and changes communicated to the community?</p> <p>Does the program or service have partnerships and links with local organisations?</p>
<p>Non discrimination and equity</p> <p><i>Program is accessible to its intended target group.</i></p> <p><i>Program explicitly targets most vulnerable and marginalised.</i></p>	<p>Is the physical environment culturally appropriate?</p> <p>Does the location of the service enable access by the intended beneficiaries?</p> <p>Do the service users reflect the intended beneficiaries of the service?</p> <p>Is the service or program affordable?</p> <p>Does the program have outreach strategies to target people who are marginalised?</p> <p>Does the program provide materials that are accessible and culturally appropriate?</p>
<p>Empowerment</p> <p><i>The participatory processes of the program builds the skills, knowledge and resources of the intended target group to exercise and claim rights.</i></p>	<p>Does the program allow the intended beneficiaries to make decisions about their own care?</p> <p>Does the program have culturally appropriate procedures for explaining confidentiality and consent processes?</p> <p>Does the program have accessible and culturally appropriate resources available to explain relevant rights?</p>
<p>Express linkage to human rights standards</p> <p><i>Program acknowledges the immediate and underlying causes of the non realisation of rights.</i></p> <p><i>Program assesses its impact on the realisation of rights.</i></p> <p><i>Program contributes to the progressive realisation of human rights for its intended beneficiaries.</i></p> <p><i>Program should at the very least protect existing rights and prevent any set backs within the control of the program.</i></p>	<p>Are the stated aims and objectives of the program consistent with human rights standards?</p> <p>Does the program have solid referral pathways and partnerships to provide a 'holistic' service?</p> <p>Does the service participate in local inter-agencies?</p>



The promising practices profiled here reveal practical lessons that can assist in responding more effectively to family violence and abuse in Indigenous communities. It has been heartening to share these stories of success, often achieved against great adversity. It has been encouraging as well, because it shows what can be achieved. I am optimistic that these lessons can help shape better policies and programs, and consequently build safer and more cohesive families and communities. The lessons from these case studies are also discussed further in the next chapter in considering how the Northern Territory intervention process might be remodelled so that it builds on community capacity and is more sustainable into the longer term.

I make the following recommendations to build on the lessons learnt in this chapter.

Recommendation 1: Prioritising funding for initiatives that address family violence and child abuse

a) That the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) develop, on a whole of government basis, a simplified single submission process to fund community initiatives to address Indigenous family violence and child abuse issues. The funding of such initiatives should receive priority funding through existing programs such as the Shared Responsibility Agreement flexible funding pool.

Indigenous Coordination Centres should operate as the contact point for applications, as well as for assisting Indigenous people and community organisations in developing initiatives and in coordinating funding sources from different mainstream and Indigenous specific programs as relevant.

b) That the Office of Indigenous Policy Coordination and FaHCSIA's relevant program areas prepare and disseminate a plain English guide for Indigenous communities advising them of funding available through all Australian government programs for such initiatives.

c) That this simplified submission process should aim to build Indigenous community capacity. Funding should be provided on a triennial basis, recognise the challenges of establishing programs and be sufficiently flexible to accommodate the varying needs of communities. Options for state and territory governments to co-fund such initiatives should also be explored.

d) That all funded projects should include a funding and technical assistance component for monitoring and evaluation of the project at agreed milestones.

**Recommendation 2:**

That FaHCSIA fund and coordinate (on a whole of government level) the development of an information sharing mechanism such as a clearinghouse to facilitate the sharing of knowledge and successes in Indigenous family violence and child abuse initiatives. The Attorney-General's Department, as well as agencies such as the Australian Institute of Criminology, Australia Institute of Health and Welfare, DOHA and other relevant agencies and Indigenous community and specialist NGO representatives should be consulted in the development of this clearinghouse.