



LARRAKIA NATION ABORIGINAL CORPORATION

Background

This is a joint submission between the North Australian Aboriginal Justice Agency (NAAJA) and the Larrakia Nation Aboriginal Corporation (LNAC).

NAAJA is a non-profit private company established on 1 February 2006. It involved the merger of three existing Aboriginal Legal Services in Darwin, Nhulunbuy and Katherine from community council based organisations into a single entity company called NAAJA. We have offices in Darwin, Katherine and Nhulunbuy and employ a staff of 71 including 38 lawyers, with 46 per cent of our staff being Aboriginal. We provide high quality and culturally appropriate legal aid services for Aboriginal people in the Northern region of the Northern Territory in the areas of criminal, civil and family Law.

Our company has a dynamic and talented team of lawyers and staff that aim to work towards gaining justice for Aboriginal people and keeping their culture, tradition and law strong. We frequently have clients who are living in the Long Grass. Our priority is the provision of legal representation and advice to Aboriginal people and, in providing this service, we are also fully engaged in pursuing the rights of Aboriginal people through law and policy reform. NAAJA also has a separately funded advocacy program, community legal education program, research project and mediation project.

The Larrakia Nation is the peak body that represents the Larrakia people; the traditional owners of the greater Darwin land and sea area. The Larrakia have a responsibility to care for visitors when they are on country. They expect that visitors will meet their obligations of respect to the cultural authority when on country. This expectation has become increasingly difficult for Indigenous visitors to meet. The capacity of the Larrakia to take responsibility for the care of visitors on country has also been stretched, particularly over the past 12 months.

The Larrakia Nation has a suite of critical care frontline programs, funded by the Northern Territory Government, which are provided to Indigenous visitors who staying on country (without shelter). This is known locally as living in the Long Grass although this type of habitation has been categorised as primary homelessness by the Australian government. Key programs and services include: Proof of Identification; Return to Country; Connect to Country; Personal Support Program; Outreach and Case Management; Larrakia Intervention Transport Service (LITS); and the newly established Night Patrol; and the Healthy Engagement in the Long Grass Program (HEAL). The LNAC also have an active Research Division with specialist expertise on 'being houseless and homeless in Darwin'.

Qualification to this Submission

This submission is prefaced with a statement that both NAAJA and Larrakia Nation only learned of this inquiry by chance and only a matter of days before the close of submissions. We therefore sought an extension and were given until 21 August 2009 to make our submission. However, this time frame necessarily means that our submission has been substantially reduced in both content and depth.

We state and wish to put on the record our deep concern that in relation to an Inquiry of this significance, the main organisations assisting Aboriginal people suffering homelessness and assisting Aboriginal people with legal problems intersecting with homelessness were not advised or notified of the Inquiry.

Submission to the Inquiry

Northern Territory Context

Statistics from the 2006 Census of Population and Housing¹ show that the Northern Territory has by far the highest rate of homelessness in the country (248 per 10,000 of the population). This rate is staggering when compared with the rate of homelessness in the southern states, which is around 40 to 50 per 10,000 of the population.

Making matters significantly worse, the Northern Territory has a massive proportion of its homeless population who sleep rough, or in the 'Long Grass' as it is colloquially known in the Top End. In 2006, the percentage of homeless people in the NT living in the Long Grass was 33%. This was almost double that of the state with the closest percentage to this, which was Queensland with 19%.

Other Preliminary Matters

As noted in Larrakia Nation's submission to the Northern Territory Emergency Response Review², "In the Long Grass, individual's health and life quality rapidly

¹ See at

[http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/57393A13387C425DCA2574B900162DF0/\\$FILE/20500-2008Reissue.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/57393A13387C425DCA2574B900162DF0/$FILE/20500-2008Reissue.pdf)

² See at

http://www.terreview.gov.au/subs/nter_review_report/135_larrakia_nation/135_Larrakia_Nation_1.htm

declines as they move into chronic homelessness and many will experience periods of crisis within this context.”

Larrakia Nation undertook a research study in 2007³ considering the impact of the Northern Territory Emergency Response on the Long Grass population in Darwin. This inquiry confirmed an increase in primary homelessness in Darwin between July and August, 2007. A conservative estimate revealed that the new Indigenous population staying in the Long Grass exceeded 150 people, increasing the base-line population by around 40%. Given that the Northern Territory already had the highest rates of homelessness in the country, the extent of growth of abject poverty, in such a short period, concentrated in Darwin was (and remains) deplorable. An increase in Darwin’s Long Grass population signals a proliferation of new informal camps that without thoughtful action will likely become highly dysfunctional.

In the 2007 study, participants experienced problems, stressors and worries in the Long Grass. In addition to a perceived loss or violation of rights, access to water, food and blankets were consistently raised as being problematic and few individuals had used the services set up to assist this population. This study concluded that the Government’s interventions have inadvertently displaced Aboriginal peoples. In doing so, the socio-cultural and poverty issues for many had only deepened and shifted location, while the challenges for service providers in Darwin had escalated.

Following from the 2007 study, Larrakia Nation developed a more detailed study,⁴ asking *What do Indigenous people staying in Darwin’s Long Grass require to attain an acceptable level of health and life quality and to be law abiding citizens?*

This study has been completed and is shortly to be published. However, key preliminary findings reported to the NTER Review Board included:

- There has been a doubling of service delivery across Larrakia Nation programs and services provided to Indigenous people who are experiencing primary homelessness in Darwin and Palmerston.
- The unmet demand for Larrakia services has grown exponentially over the past 12 months. This indicates there is a significant population who has stopped asking for assistance, particularly in seeking accommodation support.
- The number of Proof of Identity cards issued by Larrakia Nation has seen a dramatic growth since July, 2007. A significant number of cards have been issued to new clients. This suggests many clients are coming to Darwin for the first time in their adult lives or are staying for significantly longer than they have previously needed to. This data confirms a steady growth in displaced peoples from home communities to Darwin’s Long Grass.
- More than 70% of study participants were over 40 years of age. (Our recruitment strategy has meant that we had a representative sample in our study of the whole population). This finding points to an aged homeless population (in terms of Indigenous mortality) and has significant implications

³ *Preliminary Inquiry into the Recent Influx of Indigenous Visitors to Darwin from Remote Communities*, Holmes C, Ahmat S, Henry A, Manhire J, Mow M, Shepherd J and Williams G, 2007, Larrakia National Aboriginal Corporation, Darwin, Northern Territory.

⁴ *Being Undesirable: Law, Health and Life in Darwin’s Long Grass*, Holmes C, McRae-Williams E, In press, National Drug Law Enforcement Research Fund Tasmania.

for the type of service needs of this population that extend beyond crisis services. Further, it raises the question of the appropriateness of the eligibility criteria for this population in terms of access to the aged pension and other aged-care services.

- The above finding also raises the imperative of appropriate aged care support and services within communities. This study has found that many participants chose to be homeless in Darwin's Long Grass rather than continue to endure abuse, violent attacks and theft of income perpetrated by youth in their community. This behaviour was most commonly associated with youth wanting and using marijuana. Some individuals had in fact been displaced in their community before coming to Darwin.
- In home communities, escalating violence and family problems were identified by participants as the key reason for study participants leaving home.
- Unlike the study undertaken in 2007, the majority of the participants in this study did not specifically attribute their move to Darwin to the Government's intervention. The reason/s for this is unclear. It may be because participants in this study were disenfranchised in their home community and were not part of community discussions relating to the intervention. It may be because of low English literacy rates or lack of access to radio, TV or newspaper by this population. It appears that this particular population are 'rolling with the policy punches'.
- In the Long Grass, violence was a concern for nearly all study participants. People had left home to escape violence and were highly frustrated that they had to continue to negotiate it in Darwin.
- The experience of people in the Long Grass was that the perpetrators of violence were both within family groups and people external to their family. Many people reported violent attacks from 'cheeky' teenagers (believed to be generally non-Indigenous).
- Study participants reported that violence within families had led to family breakdown in Darwin, with larger groups dividing into smaller, sometimes more vulnerable groups. People were concerned about the pressure placed on the cultural fabric of their society when in the Long Grass.
- Violence in the Long Grass was a catalyst for localised mobility as participants attempted to avoid trouble.
- While violence may have been experienced on a regular basis by this population, the overwhelming majority of participants considered it undesirable.
- Study participants were forced into localised mobility by police and council. (The new First Response program has added to this mobility in a significant way).
- High levels of forced mobility meant that it was increasingly difficult for individuals to use critical care services effectively. The evidence tells us that these barriers to services reinforce social distance and cause individuals to accept poor physical and mental health. Individuals feel powerless and turn to self-medication, typically using alcohol and marijuana. Self-medication results in an increased sense of control in individuals' lives.
- The majority of the study participants used the Larrakia services, in particular the Larrakia Intervention Transport Service. To a lesser extent, Vinnies was used. Rarely was the use of other services mentioned.

- The vast majority of participants indicated they wanted to stop drinking. There was a preference for doing this at home, out bush or at an outstation.
- The vast majority of participants understood 'stop drinking' as a temporary break or rest. Generally, individuals wanted to get fat or strong enough so that they could return to drinking. This has implications for discourse around rehabilitation. More than half of participants had been to rehabilitation in Darwin previously and had used the services for respite or to recover from drinking related illness.
- In addition to violence, key problems in the Long Grass identified by participants included loss of rights and autonomy (related to police and council harassment), the need for a blanket and a lack of food and water. This finding is consistent with those reported in the 2007 study.
- Participants consistently raised their concern for family they had left behind in their home community.
- Participants did come to Darwin to access alcohol. However, as noted, the primary reason was to escape violence and family trouble. Alcohol was often used as part of grief and pain management. About 25% of participants had left home to be with family already in the Long Grass.
- Other reasons for leaving home included a lack of housing and the need to access medical services.

The widespread incidence of trauma and trauma-related illness in this homeless Long Grass context has not yet been integrated into social and health policy. Nor has it been specifically addressed through service provision.

Terms of Reference

1. The principles that should underpin the provision of services to Australians who are homeless or at risk of homelessness

(a) A Paradigm Shift

Before considering the applicable principles, we consider that this Inquiry must re-consider the 'problem'. The problem about homelessness for housed Australians appears to be the foundation for this Inquiry. This may lead to solutions that have little meaning or impact and which do little to bring about the desired changes sought by the individuals and families concerned. Re-conceptualising the problem will provide opportunities for creative new solutions. The 'problem' must be explored from a range of perspectives. And the perspectives heard must include homeless people themselves if real solutions can be developed.

Exploring what 'home' is in its many facets may assist policy makers to begin to understand what has been lost. Returning individuals home (for example those who have been the victims of violence) may not be such a good idea after all.

It is also critical that when considering applicable principles, the experience of multiple and profound traumatic events must be highlighted. While this experience is common among Indigenous and non-Indigenous homeless and houseless Australians,