

KIMBERLEY ABORIGINAL LAW AND CULTURE CENTRE

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Senator Nigel Scullion

Chair,

Senate Inquiry in to Regional and Remote Indigenous Communities

30 July 2009

KALACC Submission to the Senate Inquiry – Comments Regarding the Provision of Alcohol and Drug Management Issues in the Kimberley Region

Dear Senator Scullion

Please find attached a submission from the Kimberley Aboriginal Law and Culture Centre. This document relates to the issues of Alcohol Management in the Kimberley Region.

KALACC has previously drawn to the attention of the Senate the work of the Western Australian Parliament's Education and Health Standing Committee. In particular, we have previously drawn the Senate's attention to that Committee's 2008 report on Successful Initiatives in Remote Indigenous Communities. We now also draw your attention to that Committee's current 'Inquiry in to the Adequacy and Appropriateness of Prevention and Treatment Services for Alcohol and Illicit Drug Problems in WA.'

KALACC met yesterday with the Western Australian Minister for Mental Health, the Hon Graham Jacobs. And we have been corresponding since 16 November 2008 with State and Commonwealth Governments in relation to our calls for the development of a Kimberley Regional Alcohol Management Plan – similar to the \$109 million Queensland Indigenous Communities Alcohol Management Plan.

This week is a notable week in the Kimberley Region, with the release yesterday of the Fitzroy Valley alcohol restrictions 12 Month Evaluation Report.

And during all of this week there is a major Blank Page Suicide Prevention Summit, officially launched on Monday by Commonwealth Minister for Indigenous Affairs, the Hon Jenny Macklin.

However, it was very clear from Dr Jacobs comments yesterday that there was a long way to go before the Minister felt that his Department had developed an appropriate plan for the region. I had raised with the Minister comments from Senior Commonwealth officers to the effect that they (the Commonwealth) had not to date been able to effectively engage with the State on these issues. The Minister yesterday confirmed that the State had not to date made approaches to the Commonwealth because the level of State planning to date was insufficient.

KALACC does understand that the wheels of Government move slowly, but we cannot ignore the following timeline :

- 08 May 2001 – The Report by the Aboriginal Suicide Prevention Steering Committee is delivered to the then Minister for Indigenous Affairs ;
- February 2008 – Coroner Hope's First Kimberley Inquest Findings Report ;
- 09 April 2008 – Minister Macklin and Minister Roberts meet with KALACC in Fitzroy Crossing ;
- July 2008 – Coroner Hope's Second Inquest Findings Report ;
- 16 November 2008 – KALACC writes to Commonwealth and State Governments calling for a Kimberley Regional Alcohol Management Plan ;
- March 2009 – KALACC submits to Government a comprehensive Business Case in Support of a Kimberley Regional Youth At Risk Diversion Plan.

And yet it seems that the development of a Kimberley Regional Alcohol Management Plan is still many months away. This is disappointing, but not surprising – since deferral of action seems to be the primary course of action by Government in relation to Indigenous Affairs.

Regards

Wes Morris
Centre Coordinator
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1. Principles for Government to Work With Indigenous Communities

Document Extract/ Copy # 1:

Law Reform Commission of Western Australia, Aboriginal Customary Laws, The interaction of Western Australian law with Aboriginal law and culture FINAL REPORT
Project 94 September 2006

Guiding Principles for Reform

PRINCIPLE ONE

Improve government service provision to Aboriginal people

PRINCIPLE TWO

Collaboration, cooperation and consultation

PRINCIPLE THREE

Voluntariness and consent

PRINCIPLE FOUR

Local focus and recognition of diversity

PRINCIPLE FIVE

Community-based and community-owned initiatives

PRINCIPLE SIX

Respect and empowerment of Aboriginal people

PRINCIPLE SEVEN

Balanced gender and family, social or skin group representation

PRINCIPLE EIGHT

Adequate and ongoing resourcing

PRINCIPLE NINE

Ongoing monitoring and evaluation

KALACC Comment :

Whilst there is evidence of the implementation of principle # Two, there is little or no evidence of the implementation of principles Five and Six.

The State of Western Australia in the 2009/ 2010 will spend a total of \$2.0 billion on the following three agencies : Police, Prisons and Courts. Some of that money will be spent on consulting Aboriginal people but virtually none of that money will be spent on empowering Aboriginal people to develop and implement community – based and community – owned initiatives.

2. WA Indigenous Implementation Board

Document Extract/ Copy # 2:

Alcohol restrictions need to be a part of a broader strategy.

The Indigenous Implementation Board today released a Position Statement on the use of Alcohol Restrictions in Indigenous communities.

Board Chairperson Lt General Sanderson said “This is a very complex issue for all Western Australians. It is not just an Indigenous problem.”

The Board recognised the need for the State to develop and deliver a comprehensive strategy, on a region by region basis, that includes measures to addresses both the causes and results of alcohol and drug abuse.

The Statement calls for any restrictions and strategies to address alcohol issues to be developed in consultation with the whole community.

The Board has made recommendations to the Aboriginal Affairs Coordinating Committee (AACC) to monitor and evaluate the results of existing restrictions. It has also called on the AACC to provide reports on the performance of programs delivered in locations where restrictions have been imposed.

Position Statement on Alcohol Restrictions in Indigenous communities.

National and international research is unequivocal that liquor restrictions will only be effective if they form part of a broader strategy incorporating supply, demand and harm reduction initiatives. The impacts of alcohol abuse are not just an ‘Indigenous problem’ but rather a problem for the wider Australian community.

Decades of alienation and dispossession are major underlying causes of alcohol abuse in Aboriginal communities. Without addressing these complex issues, the Board believes that progress to address the resultant problems will be limited. However, the Board acknowledges that dealing with these complex issues poses many challenges.

Unfortunately in WA liquor restrictions have usually been implemented without adequate complementary strategies and interventions which help build capacity and resilience in a community. Supply reduction strategies on their own will not achieve sustainable change because they do not address the underlying social determinants of the cycle of alcohol abuse.

The Indigenous Implementation Board supports the use of liquor restrictions as part of an integrated strategy designed to build and maintain sustainable communities. These strategies must be supported by and developed in consultation with the whole community.

KALACC Comment :

There is little evidence to date of a willingness from State or Commonwealth Governments to implement an overarching and coordinated approach to alcohol management issues.

3. COAG, Productivity Commission and Closing the Gap

Document Extract/ Copy # 3, COAG Communique 02 July 2009

1. CLOSING THE GAP IN INDIGENOUS DISADVANTAGE

As agreed at its meeting in Perth last October, COAG focused today on its Closing the Gap commitments in relation to Indigenous disadvantage.

The Chair of the Productivity Commission, Mr Gary Banks AO, gave a presentation to COAG on the findings of the report *Overcoming Indigenous Disadvantage: Key Indicators 2009*. The report shows that while there has been some progress against the Closing the Gap targets, such as infant mortality, employment and home ownership, overall the gap between Indigenous and non-Indigenous Australians remains unacceptable. This presentation coincided with the joint launch of the report by the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP, and Mr Banks.

Given this context, COAG agreed that effective implementation of the existing National Agreements and National Partnership Agreements was vital to close the gap in Indigenous outcomes. As part of COAG's increasing focus on implementation issues, particular effort will be needed on Indigenous outcomes.

This work will be supported by the Coordinator-General for Remote Indigenous Services, Mr Brian Gleeson, who has recently been appointed and will report to Minister Macklin and COAG. The Coordinator-General's role is to cut through bureaucratic blockages and red tape, and to make sure services are delivered in remote communities.

While the Productivity Commission's Report has framed the significant work to be undertaken, each First Minister gave a presentation to COAG on programs that are working within each jurisdiction to demonstrate the critical success factors that underpin Closing the Gap.

In addition, COAG asked the Working Group on Indigenous Reform to prepare a national strategy to improve food security for Indigenous people living in remote Australia before the end of 2009, adopted a National Integrated Strategy for Closing the Gap, agreed to a Closing the Gap: National Indigenous Education Statement, and signed a Closing the Gap: National Partnership Agreement on Remote Indigenous Public Internet Access. COAG also agreed to a Closing the Gap: National Urban and Regional Service Delivery Strategy to address Indigenous disadvantage in urban and regional locations.

Document Extract/ Copy # 4, <http://www.abc.net.au/news/stories/2009/07/03/2615853.htm>

Grog key to Indigenous problems: Macklin

The Federal Government says there will be a renewed focus on reducing alcohol abuse to improve Indigenous living conditions.

A Productivity Commission report released yesterday found little progress for Aboriginal people and some indicators are getting worse, including child abuse and incarceration rates.

The Indigenous Affairs Minister, Jenny Macklin, says alcohol abuse is linked to the high statistics.

"We know that if we redouble our efforts to address alcohol abuse, just as one indication of where we can work to make sure that we reduce the levels of violence, reduce the levels of child abuse, that also will reduce the levels of incarceration."

KALACC Comment :

If Grog is the Key, then why does the COAG Communique issued just two days earlier contain no references to drug and alcohol abuse in Aboriginal Communities?

4. *Kimberley Coronial Inquest Report (2008)*

Document Extract/ Copy # 5: 2008 Coroner's Report

Page 11

Alcohol abuse is both a cause and a result of many other problems for Aboriginal people living in the Kimberley. Of the many problems faced by Kimberley Aboriginal people, the problems associated with alcohol abuse are the most obvious and most pervasive.

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Another striking feature of the examination of the files was the fact that there appeared to be a very high correlation between death by self-harm and alcohol or cannabis abuse. Of the Aboriginal self-inflicted deaths in 2006 there were only two cases in which alcohol or cannabis was not detected by toxicological examination of the blood.

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The association between alcohol and suicide has been established by a number of population and clinical studies. Studies have also established an increase in the risk of suicide attempt in cases of individuals whose levels of alcohol consumption are consistent with alcohol abuse. Even in the absence of abuse and alcohol dependence, alcohol is a significant risk factor for impulsive, spur-of-the-moment suicide attempts.

Page 20

While the plight of Aboriginal people in Western Australia has been the subject of many previous investigations and reports, the coronial perspective places a somewhat different emphasis on investigation to that of any prior investigations. It is also self-evident from the continuing appalling death rates of Aboriginal people in the Kimberley that the problems which are causing these deaths have not been adequately addressed in spite of these investigations and reports.

KALACC Comment :

We simply concur with the findings of the Coroner, ie

“It is also self-evident from the continuing appalling death rates of Aboriginal people in the Kimberley that the problems which are causing these deaths have not been adequately addressed in spite of these investigations and reports.”

5. Working Together Report (2001)

Document Extract/ Copy # 6: 2001 *Working Together* Report

A briefing paper prepared for the Hon. Alan Carpenter, MLA, Minister for Aboriginal Affairs
by the Aboriginal Suicide Prevention Steering Committee, 8 May 2001

Page Three

Proposed strategic objectives

The strategic actions necessary to achieve the long-term objective of reducing self-harm and suicide through the enhancement of well-being and developmental health include:

1. Developing partnerships within and across Aboriginal services, communities and government, which foster effective development and implementation of prevention initiatives;
2. Establishing an agreed framework for joint-planning across Departments and sectors to promote children's developmental health and community well-being;
3. Creating purchasing frameworks which are accountable but flexible in accommodating local need, and that achieve responsive, coordinated service provision at a local level
4. Engaging in a process of community mobilization that actively engages and supports key community leaders and significant stakeholders at the local level
5. Investing in the development of culturally appropriate and evidence-based prevention resources which can be implemented systematically on a population wide basis.
6. Supporting all prevention responses through continuing advancement of knowledge and provision of service infrastructure for implementation and evaluation of state-wide prevention responses;
7. Ensuring ongoing training and development of Aboriginal personnel to ensure sustainability of prevention approaches in the long term.

Page Five

These findings together suggest that the number of Aboriginal people affected by self-harm and suicide can be expected to increase further unless there is concerted Statewide action to address their immediate and underlying causes.

KALACC Comment :

This report was shelved by the State Labor Government. The prescient prediction contained on page five of the report has – sadly – come to fruition in the form of about 60 suicide deaths in the Kimberley in the last 60 months. A copy of the 2001 *Working Together* Report was provided to Minister Macklin and to Minister Roberts in their joint visit to KALACC on 09 April 2008. If the Ministers were interested in the matter then it was far from apparent. A copy of the 2001 *Working Together* Report was provided to the current Minister for Mental Health earlier this year and has again been handed to him in person during his visit to KALACC on 29 July 2009.

6. Education and Health Standing Committee Report (2008)

Document Extract/ Copy # 7:

EDUCATION AND HEALTH STANDING COMMITTEE

WAYS FORWARD BEYOND THE BLAME GAME:

SOME SUCCESSFUL INITIATIVES IN REMOTE INDIGENOUS COMMUNITIES IN WA

Presented by: **Hon T.G. Stephens, MLA**

Laid on the Table of the Legislative Assembly on 15 May 2008

Report No. 13 in the 37th Parliament 2008

Finding 1

In light of the seriousness of the health and social conditions identified by the Hope Inquest into 22 Indigenous deaths in the Kimberley, the Committee believes that an urgent Government response to the Inquiry's recommendations is required with sufficient resources to adequately address the identified needs.

Finding 9

The alcohol restrictions put in place on a trial basis in Fitzroy Crossing have been an obvious success, as measured by various social and economic factors. A key to this success was that the alcohol restrictions came in response to a call from the Indigenous leadership of the Fitzroy Valley, without whose voice these restrictions were unlikely to have had any real prospect of successful enforcement.

Finding 10

The Yiriman Project is a successful project in the west Kimberley region and has brought together various state and local government as well as academic and Indigenous organisations. It has provided a unique mix of positive social and economic outcomes.

Finding 19

In Western Australia the negative employment impacts of over representation in the criminal justice system by Indigenous peoples' are yet to be addressed. This includes measures to keep people out of the criminal justice system, or when they are incarcerated, providing opportunities that equip them for labour force participation when they return to their communities.

Recommendation 1

This Committee recommends that, in light of the further recent deaths of youths in the Kimberley and the findings contained in this Report, the WA Government response to the recommendations made by the Coroner in the Inquest into 22 Indigenous deaths in the Kimberley must include a detailed program of social and economic initiatives.

Recommendation 11

The Committee believes that the moratorium on the sale of full-strength and mid-strength take away alcohol in Fitzroy Crossing be continued. The Committee believes that opportunities to expand strategies for alcohol management plans to other towns and communities will be greatly enhanced by securing real opportunities for Indigenous representatives to give voice and input to the policy formulation that guides further implementation.

Recommendation 13

The Yiriman Project should be supported by government and used as a model for similar projects in Indigenous communities in other remote regions of Western Australia.

Recommendation 18

That WA Treasury is requested to report annually to the WA Parliament on the levels of Indigenous access and equity to Government programs delivered by all relevant WA agencies.

MINISTERIAL RESPONSE

In accordance with Standing Order 277(1) of the Standing Orders of the Legislative Assembly, the Committee directs that Ministers report to the Assembly as to the action, if any, proposed to be taken by the Government with respect to the recommendations of the Committee.

KALACC Comment :

It is KALACC's understanding that there never was any Government or Ministerial Response to this Parliamentary Report and the reason for this was due to the Labor (Carpenter) Government calling an early election. That is true in a formal sense. But more broadly, neither the previous Labor Government nor the current Liberal Government has responded in meaningful fashion to most of the Findings and Recommendations in this report.

7. Letters from Premier Barnett, Minister Hames, Minister Jacobs and Commonwealth Minister Macklin.

Document Extract/ Copy # 8, Letter from Office of Jenny Macklin:



**Office of the Hon Jenny Macklin MP
Minister for Families, Housing, Community Services
and Indigenous Affairs**

Parliament House
CANBERRA ACT 2600

Telephone: (02) 6277 7560
Facsimile: (02) 6273 4122

MC08-036948

21 APR 2009

Mr Wes Morris
Centre Coordinator
Kimberley Aboriginal Law and Culture Centre
PO Box 110
FITZROY CROSSING WA 6765

Dear Mr Morris

Thank you for your email of 19 November 2008 to the Prime Minister, the Hon Kevin Rudd MP, and 4 December 2008 to the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP about your proposal for a Kimberley Regional Alcohol Management Plan. Your letter to the Prime Minister was referred to Minister Macklin as the matter falls within this portfolio. The Minister has asked me to reply to you on her behalf. I apologise for the lengthy delay in responding.

The Commonwealth Government is deeply concerned about the tragedies endured by too many communities as a result of alcohol abuse, and is greatly encouraged by the positive outcomes being reported following the introduction of alcohol bans in Fitzroy Crossing.

In Minister Macklin's address to the National Press Club in February 2008, she indicated her support for the expansion of alcohol restrictions across the Kimberley, and she has welcomed the recent announcement by the Western Australian Director of Liquor Licensing imposing restrictions from the end of March 2009. Implementation of the restrictions will provide an important breathing space for those whose lives have been ravaged by alcohol abuse.

Following receipt of your letter the Minister instructed the Western Australian office of her Department to work with the relevant State and Commonwealth agencies to develop a joint response to the issue of alcohol management in the Kimberley. I am advised that the various agencies have now all agreed to be part of the process, and that they will be meeting in the very near future to consider a comprehensive and collaborative response to the issue. The Minister has asked the FaHCSIA State Manager to liaise with you directly as part of this process.

Thank you again for writing.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'M. C. Dillon'.

M. C. Dillon
Senior Adviser

KALACC Comment :

KALACC has received letters, similar to the one copied in here, from the Premier and Ministers Jacobs and Hames. These are all responses to KALACC Correspondence of 19 November 2008 calling for a Kimberley Regional Alcohol Management Plan akin to the \$109 million Queensland Indigenous Communities Alcohol Management Plan announced on 07 November 2008. But eight months after we wrote to State and Commonwealth Governments we have letters but we have no tangible plan and no tangible funding commitments.

8. Letters from Deputy Premier and Minister for Indigenous Affairs, Kim Hames.

Document Extract/ Copy # 9, Kim Hames 21 July:

The State Government highlighted some of the early outcomes in community law and order, safety, security and health as a result of implementing alcohol bans and restrictions in the Kimberley. It was emphasised that these strategies need to be ongoing and complemented with enhanced support, treatment services and other community assistance.

To this end, the Department of Indigenous Affairs is continuing discussions with the Drug and Alcohol Office and relevant Commonwealth officials following the implementation of the alcohol bans and restrictions in the Kimberley.

KALACC Comment :

KALACC showed this letter to Dr Jacobs during his visit to KALACC on 29 July. KALACC also commented to Dr Jacobs that Commonwealth Government officers had as recently as 28 July indicated that there had to date been minimal discussion between State and Commonwealth Governments regarding this matter. Dr Jacobs indicated that this was correct and would remain the case until such time as he and the State Government had developed an advanced plan of a Kimberley Regional Alcohol Management Plan.

9. Blank Page Suicide Summit

Document Extract/ Copy # 10: <http://www.blankpagesummit.com.au/what/index.cfm?loadref=1>

When is the Blank Page Summit on Suicide? The Summit will run for three days and four nights:

- From Monday 27 July 2009 (*Opening ceremony at 2.00pm*)
- To Friday 31 July 2009 (*Closing ceremony at 8.00am*)

The theme - **getting together for life** – will form the basis for the discussions and action planning throughout the Summit.

Where did the idea of a Blank Page Summit on Suicide come from?

In March 2008 - one month after the findings were handed down by Coroner Hope – the *West Australian* newspaper published the following report: “*The DIA DG Takes the Lead on Coronial Recommendations*”

On 8 April 2008, Stephen Victor Snr wrote to Ms Jackie Tang – Acting Director-General - to ask her for more information concerning the Department of Indigenous Affairs (DIA)’s proposed plans. On the same day (8 April 2008) the WA Government issued a public response to the Coroner’s report - WA State Government Response to Hope Report.

As of 6 October 2008, Stephen Victor Snr had not received any reply from Ms Tang despite a follow-up reminder to the DIA staff in the Broome office. He was advised that Ms Tang had apparently left her position in the department.

The coronial inquests, the remarks by the WA Government and its lack of response to the letters made the Victor family determined to do what they could to tackle the issue of suicide in the Kimberleys.

KALACC Comment :

Minister Macklin has given an undertaking to seriously consider whatever is on the page or canvass arising from the Blank Page Summit. We believe that she is genuine in this undertaking. However, how many times does meaningful action have to be deferred?

There is a very good **Working Together** Report dating back to 2001. The recommendations in that report have not been implemented. If the Blank Page Summit achieves nothing other than galvanising some meaningful political will then it will have been a very worthwhile event, because political will has been in desperately short supply between 2001 and now.

KALACC met on 29 July with the WA Minister for Mental Health, Dr Jacobs. He indicated that the WA State Suicide Prevention Strategy would be released on 10 September 2009. We understand that it has \$13 million funding over three years. This is woefully inadequate. And until 10 September we won’t know what is funded.

10. The \$109 Million Queensland Indigenous Communities Alcohol Management Plan

Document Extract/ Copy # 11: Queensland Department of Communities Media Statement 09 November 2008

**Minister for Communities, Disability Services, ATSIP, Multicultural Affairs, Seniors and Youth
The Honourable Lindy Nelson-Carr**

Friday, November 07, 2008

Government committed to alcohol reform in discrete Indigenous communities

Minister for Aboriginal and Torres Strait Islander Partnerships Lindy Nelson-Carr today announced revised alcohol restrictions will apply in discrete Indigenous communities from next year.

“Across the State we have backed this with an allocation of \$66 million over four years, with an additional \$43 million coming from the Commonwealth over the same period.

“Over \$100 million will be spent on over 100 new services to assist communities in the next four years.

“Alcohol-related health treatment, sport and recreation and diversionary services are being implemented to coincide with tighter restrictions or the closure of canteens and new services.

“These services are scheduled to be in place by 31 December 2008, prior to revised restrictions starting in some communities on 2 January 2009.”

KALACC Comment :

This is an exemplar of what an appropriate Indigenous Communities Alcohol Management Plan should look like. It is properly resourced through a bilateral funding arrangement and it invests in a wide range of support programs. It is probably such a good program precisely because it was not developed by either State or Commonwealth Health Departments but was instead developed by the Queensland Department of Communities.

Unfortunately, the WA Coroner has found what everyone else already knew to be the case. The W.A Department of Indigenous Affairs (the WA equivalent of the Department of Communities), has never been intended by Government to be an agency that provided any leadership or direction.

The WA Government is developing a regional Alcohol Management Plan but it is doing so through the Department of Health. This certainly gives rise to considerable reason for concern.

11. Refining and Implementing the Queensland Indigenous Communities Alcohol Management Plan

Document Extract/ Copy # 12: Queensland Department of Communities Internal Document July 2009

Summary of Alcohol Management in Queensland

Key Learnings

Legislated alcohol management has been in place in Queensland since 2002, when the first alcohol restrictions were introduced. Since then reviews of the strategy, alcohol restrictions, policies, services and programs have taken place.

The key findings from these reviews indicate that for alcohol restrictions to have a positive and sustained impact the reduced supply of alcohol has to be supported by increased access to health and social services and community participation in the decision making process. In addition, the alcohol restrictions and services need to be given adequate time to take effect prior to Government or community initiating change.

Implementation of the Alcohol Reform Agenda

In April and August 2008 Senior Government Officers visited every community to consult with community representatives and seek submissions. Consultations undertaken were to review the existing carriage limit and to identify the services required to assist each community to 'go drier'.

From 1 July 2008, services have been rolled out across the communities and some communities' alcohol restrictions tightened.

As indicated through each of the reviews, the services are a critical component in addressing alcohol-related concerns. The types of services being implemented or enhanced include:

- detoxification services
- residential rehabilitation services
- development of Well-Being Centres and Community-based Alcohol and Drug Service Hubs
- additional community support workers to work on community-based programs
- increased access to counsellors and psychologists
- increased recreational programs, particularly for young people (for example: Police-Citizens Youth Club - Community Activity Programs)
- Men's Support Groups
- Women's Support Groups
- community patrols
- sobering-up shelters
- increased police officers in each community.

While the services have not been operating for long enough to ascertain a positive statistical impact, feedback from service providers and community members is indicating that the services are effective.

Each quarter the Aboriginal and Torres Strait Islander Partnerships, Department of Communities produces the *Quarterly report on key indicators in Queensland's discrete Indigenous communities*. This report is available on the Department's website.

KALACC Comment :

The Queensland Experience is precisely that alcohol restrictions and controls of themselves are not a sufficient response to alcohol issues in Indigenous communities. The experiences and programs in Queensland are seemingly light years ahead of the West Australian experiences.

12. Alcohol and the Justice System

Document Extract/ Copy # 13: Commonwealth Media Statement Welcoming the Release of the Bridges and Barriers Report.

THE HON WARREN SNOWDON MP

Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery

THE HON BRENDAN O'CONNOR MP

Minister for Home Affairs

25 June 2009

Indigenous Drug and Alcohol Committee Paper Welcomed

A report calling for new efforts to improve Indigenous health, and thereby reduce Indigenous incarceration was launched today by the Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery, Warren Snowdon, and the Minister for Home Affairs, Brendan O'Connor.

The paper, *Bridges and Barriers: Addressing Indigenous Incarceration and Health* was prepared by the expert National Indigenous Drug and Alcohol Committee (NIDAC), which is a sub-committee of the Australian National Council on Drugs.

Mr Snowdon said the report reinforced the link between poor health and substance abuse, and incarceration.

"This Government has taken historic steps to address Indigenous disadvantage and the social and environmental factors effecting health," Mr Snowdon said.

"The commitment to *Closing the Gap* aims to address many of the socio-economic risk factors highlighted by the report and which lead too often to incarceration.

"Through COAG we have joined with the States and Territories, and committed \$4.6 billion to closing the gap in Indigenous disadvantage in life expectancy, health, early childhood, education and employment.

"The recommendations of the 'Bridges and Barriers' paper are broad-ranging, whole of Government, and across all levels of government and I welcome the informative and useful paper as a guide to future policymaking."

Mr O'Connor said this report is very valuable in drawing attention to the significant rates of Indigenous incarceration in Australia.

"If inroads are to be made into closing the life expectancy gap between Indigenous and non-Indigenous Australians it is plain that reducing the rates of incarceration and recidivism must be addressed by all levels of Government," Mr O'Connor said.

"I will refer the report to State and Territory Corrections Ministers, as well as Ministers on the Standing Committee for Attorneys-General and the Ministerial Council for Drug Strategy."

Minister Snowdon: Kate Sieper 0488 484 689. Minister O'Connor: Christian Taubenschlag 0438 595 567

KALACC Comment :

What a lot of twaddle and nonsense. Minister O'Connor's Agency does not provide \$4.6 billion to redress these issues, it has an annual investment of \$7.5 million for the entire Australian Nation. The State Government situation is even worse, at close to nil investment in these issues despite an investment of \$2.0 billion annually in Police, Prisons and Courts.

13. Commonwealth Health Department

Document Extract/ Copy # 14: Letter from Health Department



Australian Government
Department of Health and Ageing

Mr Wes Morris
Kimberley Aboriginal Law and Culture Centre
kalacc.wes@bigpond.com.au
PO Box 110
Fitzroy Crossing WA 6765

Dear Mr Morris

Thank you for your email of 19 February 2008 to the Minister for Health and Ageing, the Hon Nicola Roxon MP, concerning the allocation of funding resulting from the Council of Australian Governments' (COAG) Complementary Measure: Reducing Alcohol and Substance Abuse and its Impact on Families, Safety and Community Wellbeing. The Minister has asked me to reply on her behalf.

At the COAG meeting on 20 December 2007, the Australian Government committed \$50 million nationwide over four years for substance and alcohol rehabilitation and treatment services across Australia, particularly in remote areas.

This commitment builds on COAG's investment of \$49.3 million over four years announced in July 2006 and is specifically directed to addressing alcohol and substance treatment and rehabilitation in remote Indigenous communities.

The allocation of funding under each COAG initiative takes into account the identified need for additional drug and alcohol services in these communities. Funding from the 2007 COAG measure covers treatment and rehabilitation services only and does not apply to youth diversionary projects at this time.

I understand that you have applied for ongoing funding for your program from the Attorney General's Department and the Department of Families, Housing, Community Services and Indigenous Affairs who have funding for youth diversionary activities.

I congratulate you and your colleagues on the success of the 'Yiriman' youth diversionary project in achieving a Silver Medal at the 2007 National Drug and Alcohol Awards and I agree that it is pleasing to see the success of this initiative.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Rajan Martin'.

Rajan Martin
Assistant Secretary (Acting)
Health Strategies Branch
OATSIH
20 March 2008

GPO Box 9848 Canberra ACT 2601
Telephone: (02) 6289 1555 Fax: (02) 6289 3736

KALACC Comment :

Warren Snowdon and Brendon O'Connor refer in their Media Statement of 25 June 2009 to a sum of \$4.6 billion. However, the letter of 20 March 2008 from Nicola Roxon gives a clearer picture of what is really happening. This sum of \$49.3 million is in fact just one of three similar announcements (including under the Howard Government) which in total amount to about \$150 million. But as the letter of 20 March 2008 makes abundantly clear, the investment is all in to substance abuse and treatment programs and there is no investment in to youth programs or preventative measures.

14. State Health Department

Document Extract/ Copy 15: Agenda for Meeting 29 July 2009 with Dr Graham Jacobs

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Meeting with the W.A. Minister for Mental Health 29 July 2009, Fitzroy Crossing

Agenda

1. Suicide Prevention

- Coroner's Reports February and July 2008 ;
- 2001 Working Together Report ;
- State Suicide Strategy ;
- Blank Page Summit

2. Regional Alcohol Management Plan

- Benefits of Restrictions ;
- Queensland Experience ;
- Support Programs – Range of programs ;
- Support Programs – Youth Diversion and the March 2009 Business Case in Support of a Kimberley Youth At Risk Diversion Program ;
- Commonwealth officers said to us yesterday that there was a long way to go before Commonwealth and State reached an Agreement

3. Alcohol and its Correlation with Suicide and Incarceration

- NIDAC Report ;
- DOTAG In- Session Newsletter, May 2009

Enclosed/ Attached :

- 2001 *Working Together Report* – Indigenous Suicide Prevention Steering Group Recommendations ;
- July 2009 NIDAC Report, *Bridges and Barriers* and Media Statement from Minister Snowdon ;
- March 2009 *KALACC Business Case* In Support of a Kimberley Youth At Risk Diversion Program ;
- July 2009 *Learnings from the Queensland Alcohol Management Plans*

KALACC Comment :

The Minister acknowledged that there had been minimal bilateral discussion with the Commonwealth in relation to a Kimberley Regional Alcohol Management Plan. And in relation to the March 2009 KALACC Business Case in Support of a Kimberley Regional Youth At Risk Diversion Program the Minister's Office had lost this document and had only in the last week found it. As such, it had not yet been considered in any way.

15. State Department of the Attorney General and Department of Corrective Services

Document Extract/ Copy# 16: email to Minister Christian Porter,

'Minister.Porter@dpc.wa.gov.au' 23 July 2009

Dear Minister Porter,

Thank you again for your letter of 01 April, being a confirmation of your willingness to meet with KALACC to discuss Youth Justice Diversion Initiatives in the Kimberley. [as attached]

As instructed in your letter, we have been in correspondence with your appointments Secretary and also with Departmental Officers in order to arrange a time for the meeting. But despite our several attempts to arrange a meeting, we still today have no response despite your letter dated 01 April 2009.

Meanwhile, today marks the first anniversary of sending electronically to the department our Business Case for youth justice diversion initiatives. It is 52 weeks to the day since this was submitted.

The Business Case was in fact presented to Minister Quirk [and DCS officers] in a meeting with her circa 15 April 2009. When we received no response on that occasion, we then followed up by sending the same documents to her and to the Department on 23 July 2008 ie one year ago today.

We have sent to your office and to the Department documents detailing the KALACC Justice Diversion initiatives in Fitzroy Crossing earlier this year and the Department of the Attorney General seemed so pleased with them that they prominently featured the pilot program on the front cover of the DOTAG Departmental journal ie 'In Session, Volume Nine, Issue Four, May 2009.'

Yet despite this prominent coverage, we have no response or follow up to your letter to us of 01 April 2009 and no response to our Business Case presented to Margaret Quirk circa 15 April 2008 and to the Department on 23 July 2008.

There is of course a major Suicide Prevention Summit in the Kimberley next week. And on 25 June 2009 your Commonwealth Counterparts Ministers Snowden and O'Connor issued a Media Statement in which they welcome the release of the NIDAC Report Bridges and Barriers.

There is obviously a lot of interest at present in the issues of alcohol management and how that relates to Indigenous suicide and Indigenous incarceration. Which makes the utter lack of engagement from the Government somewhat perplexing.

KALACC Comment :

An entire year can disappear without any meaningful response from either the State Department of the Attorney General or State Department of Corrective Services.

If the question arises as to how this relates back to the adequacy of alcohol and drug services, we refer you again to the recent NIDAC report *Bridges and Barriers*.



**Deputy Premier of Western Australia
Minister for Health; Indigenous Affairs**

Our Ref: 25-06316

Mr Wes Morris
Centre Coordinator
Kimberley Aboriginal Law and Culture Centre
PO Box 110
FITZROY CROSSING WA 6765

Dear Mr Morris

Thank you for your email dated 25 June 2009 regarding the Kimberley Regional Alcohol Management Plan (the Plan).

In my correspondence to you dated 14 May 2009, I indicated that the State Government is currently considering a draft Alcohol Management Plan for the Kimberley region and that funding for the Plan is being deliberated as part of the Council of Australian Governments' (COAG) Indigenous reform negotiations.

The Plan was not an agenda item at the 2 July 2009 COAG meeting held in Darwin. The meeting agreed on further concrete steps to help close the gap between Indigenous and non-Indigenous Australians, including:

- moving towards national licensing arrangements for stores in remote Indigenous communities;
- strict reporting requirements and timelines for States and Territories to measure progress towards closing the gap; and
- targeted investments in funding towards improving educational outcomes for Indigenous Australians.

Additionally the meeting provided an important opportunity for Premiers and Chief Ministers to make a presentation on those State and Territory initiatives that are working best to minimise Indigenous disadvantage.

The State Government highlighted some of the early outcomes in community law and order, safety, security and health as a result of implementing alcohol bans and restrictions in the Kimberley. It was emphasised that these strategies need to be ongoing and complemented with enhanced support, treatment services and other community assistance.

To this end, the Department of Indigenous Affairs is continuing discussions with the Drug and Alcohol Office and relevant Commonwealth officials following the implementation of the alcohol bans and restrictions in the Kimberley.