

Submission to the Senate Committee from Keith Gregory, Elliott, Secretary

Warllamanda Aboriginal Corporation

This Submission is a report on the Intervention and its effects on Elliott, and will consist of three reports. The second report is the "Food supply Document" which has been unpublished. Third is the report to the Liquor Commission submitted on the 13 February 2009 which has not been released except to the committee in its current form. There are also appendices of correspondence between myself and consumer affairs.

The Aboriginal community in Elliott have had a history of an often uphill struggle for fundamental human rights, from the Newcastle strikes to the setting up of what was a "government of self preservation" known as Gurungu Aboriginal Corporation in 1994. Gurungu was set up amidst almost total opposition from the white people in the town at the time.

Gurungu Aboriginal Corporation had many local government functions, and operated alongside the Elliott District Local Government Council. The duplication of services etc though often seen as a wasteful exercise in a town of only 600 people by many in local government as well as Federal funding bodies, was in fact an essential part of keeping an Aboriginal voice at the table that wouldn't otherwise exist .(Winter;2004p.2)

The Gurungu Council took over the Ampol Service Station, part of that companies policy of putting its dealerships and franchises under Aboriginal Control at the time .(Shipway;1989)The shop was taken over by Gurungu in the face of opposition by the other businesses in the town, including a representation from the Member MHR in Parliament at the time.

In 2005 the Councils CEO resigned and did not make arrangements to pay the bills owing to Gurungus creditors. When the councils operations resumed under the new CEO David Donovan, the unpaid invoices kept on coming out the fax for a fortnight. The council was put under Meertens as administrators several months later and a joint EDCGC –Gurungu Council steering Committee formed .

The Gurungu funds were stopped when it came out of administration in September .The funds went to the EDGCG instead. At that stage, what was meant to be a situation where the EDCGC acted as banker and Gurungu continued operations as Gurungu abruptly ended . All equipment was removed from Gurungu and placed under EDCGC. This was despite assurances made that the Gurungu Council was to be left functioning. Service delivery, always slow with poorly trained people under Gurungu, almost collapsed, with the Fencing Crew and others running out of materials by October, and local shops reluctant to give the EDCGC fuel as payments from the council were late. (Gregory ;(2006p.1)(Carter; 2006)(Keogh, 2006)

The demise of Ampol saw the other businesses collude to gain as much from its demise commercially as possible. As mentioned in part two of this report, the ability of anyone without a motor vehicle to get any fresh fruit and vegetables or any other goods from outside without using the towns 3 remaining businesses was practically impossible and has remained so to this day.

The old people who set up Gurungu have mostly passed on and there has been little of the knowledge or the abilities they possessed passed on to the younger leaders. They more often than not have been co-opted into “Collusions of mutual exploitation” (Explained more fully in part 2 of this report) leaving a few leaders on the outside, including those who were taught by the old people the ways they should know. The fact that the expertise was alienated from those who desperately required it made for situations where the Aboriginals on councils such as the school councils becoming “Black faces” who knew next to nothing regards the operations of Acts that governed their councils operations as well as a near total inability of them to seek advice from those who knew . To do so would compromise their position on the council, or whatever body they were elected to.

As access to documents under the *Freedom of Information Act (cth)* is expensive it is not an option to anyone other than a newspaper or other media organisation with the resources to access it.

The research that was undertaken by the Author of this report in 2008 upon his return to University to study law at CDU in Darwin was told to several Aboriginal leaders in the town. Those with offices such as president of the School Council as well as the Librarian who often acted as spokespeople when the government came asking questions as well as others not holding office at the time. The older leaders that held no office took notice;

Another Aboriginal Corporation was started last year called the Kulumindini Aboriginal Corporation.(ICN 7039) It has a white person as its president, secretary and public officer. Its membership is open to anyone who lives in Elliott. Some office bearer were unaware that they were office bearers in the Corporation or aware of their membership. The Corporation was only brought to light as a result of an investigation. It represents an attempt by the non Aboriginal businesspeople of the town to consolidate their take over. Add to that the name is sacred and shouldn't be used in this fashion without consultation with Traditional Owners.

The Ombudsman's visit to Elliott in June 2008 was a case in point. There was 12 people at the EDGCG table and though there was supposed to be full public participation, the rest of the community was locked out. The people from the Safe House attempted to get access but to no avail.

The Safe house Committee was the same with a plan drawn up by the white members of the council that had to be completely revised when the Barkly Shire took over .(This is still a case in question , as clients have to buy their own food at the shelter , this is unique to Elliott or the Barkly and has not existed in either Australia elsewhere nor overseas to the Authors knowledge(Shameem;1998);Gregory;2009);(Ombudsman's meeting;(15/06/08)

In fact the safe house project was marked by an initial reluctance of the community to “engage” in it or take “ownership” in it, as confidence in both the Clinic as well as the police were at a low point . Police as mentioned in Part 3

of this report were seen as merely an extension of the white controlling elite in the town.

The Ombudsman was given a report that was critical of the NTER as far as Elliott was concerned but did not mention the fact that 11 new jobs and fresh training to bring the CDEP gangs into line with market expectations as far as skills were concerned had commenced. The safe house was also a product of it as was a review of the shops in the town that has resulted in measures being taken to improve food delivery in the town (see report 2)

One practise that is unconscionable that stands out was the one from outside the community. Companies offering paid subscription television services regularly do offers on TV saying 10 dollars per month for their services. Often people see the big print and not the fine print. They phone up and often are subjected to a sales pitch that even a well educated person would find hard to either understand or attempt to battle their way through. Soon, practically the entire community is signed up to Pay TV.

With most of the community having a grade 3 primary education at best, they have no access to those who really understand the contracts and soon find themselves completely out smarted into a contract they can't sustain. Soon they find large bites of their welfare payments are being deducted from Austar and their ability to feed themselves is affected.

In conclusion; the impact of NTER has been positive with 11 jobs created directly and a major review of the town's needs as well as the liquor situation. The "gate keeping" has been largely bypassed and one is now able to get the right story from most of the towns Aboriginal inhabitants.

Note; the reason why a Fiji example has been used is in order to demonstrate the fact that the situation re; safe house in Elliott must be unique.

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Gregory's; Email to minister of local government sent 30 Sept.2006

Gregory; K; Report to Consumer Affairs re secondary boycotts as well as price fixing in Elliott (see app.3)

Keogh; A ;(2007) Letter dated 12/04/07 re; fuel invoices; EDCGC Elliott.

Winter;E;(1994) Report to ORAC regards Gurungu Council Aboriginal Corporation; Gurungu Council; Elliott.

PART TWO , FOOD SUPPLY IN ELLIOTT.

In this part of the submission the food situation will be looked at in detail. The food supply in Elliott is more typical of a “command” system of supply similar to a communist state rather than a free market system typical of Australian economics. The fact that there is a captive market as well as a stable market means that all facets of store management is more tuned to a protectionist mode rather than a free market system as the shops don’t really have to rely on the tourist trade . Attempts to get one shop to do a market survey in the town have failed. Another demonstration of the command economy nature of shops in the town is that all 4 shops stock almost the same goods, and at almost the same price as each other. Food is sourced almost entirely from out of the Territory. When the Barkly Highway was cut earlier in the year, the shops here ran dry of many goods.

Food quality varies; often damaged stock is sold to customers and stock that is out of date. Some stores sell good fresh produce, such as Midland Caravan Park, but these are often high priced. The quality of food here might be acceptable if Elliott was a community in a remote area where no road goes, but we are on the Stuart Highway, therefore our prices and quality should reflect that in Tennant or Darwin.

Cost of food varies. I do a price survey myself every couple of weeks. At Christmas a ham that sold for 45.00 in Tennant Creek sold for 120 dollars here. Soft drinks are another area. A 2 litre bottle of juice that costs 4.00 in Darwin costs 9.00 here a two litre bottle of Coke costs 7.00 here vs. 2.80 for the same bottle in Woolworths or Coles in Darwin , where these shops often order from .There is price fixing and items such as fuel are often high priced way after the price has declined. (Price is 1.60 a litre of unleaded at Midland and 1.45 at United Elliott vs. 1.29 in Tennant Creek and 1.45 in Highway Inn about 150 kms North of Elliott.)

There is no competition and there is no wish to have competition. Shops in Elliott are not competitive, making any attempt to get supplies outside town as expensive as possible via such methods as imposing a 25.00 charge just to get a pallet off a truck. This is in spite of the fact that all the shops as well as other white people in the town order their food separate from their stocks and stores from either Darwin or Alice Springs. Attempts to get Consumer Affairs involved in what are secondary boycotts and non competitive behaviour has met with “It’s not our jurisdiction” Recently, though, as mentioned earlier, Consumer Affairs has been involved but only after approaches to the Minister.

The effectiveness of the Outback Stores model elsewhere might have a favourable outcome for Aboriginal employment in the town. However, the very substantial Aboriginal skills base in Elliott is so used to being overlooked they have simply given up on the whole and few are willing to attempt to do anything other than CDEP type work.

In the case of AMPOL CDEP workers were used as staff. This would simply not be done in any main stream community, as there would be legal problems with the wages etc .This facet of thinking would have to go if outback stores came here. The way CDEP has been used and other factors too numerous to

mention in this brief report has had the effect of locking in everybody in a pact of mutual exploitation between the Aboriginal community and the whites who own the shops and services.

The Aboriginal community does not like or trust the whites in this town at all, but they have this compact and it has functioned for years, becoming set in concrete.

That said there has to be a change from the institutionalisation that welfare colonialism has given the Aboriginal people of Elliott. I argue that we can have full employment if the stations and the businesses in town cooperate within 10 years. However, the culture of getting outsiders to do often inferior work and run the shops has to go.

In conclusion; I regard the relationship between the shops in Elliott and the population as a parasitic one where the shops simply juice the community and collude to prevent any competition. When AMPOL was open you had 4 stores one of which had a stranglehold on the CDEP money. The fact that they were all doing well makes a mockery out of the argument that there would be too many stores in the town.

To conclude this submission I will summarise whets been stated already in the last question asked.

The impact of these factors on the health are that Elliott , thanks to the high price of many healthy foods as well as Alcohol abuse has a life expectancy at birth of 47 years There is 75 Foetal Alcohol Syndrome kids here out of a total population of 500. The Life Expectancy in Elliott compares to Sierra Leone according to the WHO.

To bring healthy reasonably priced goods in is a must if one is to attempt to reverse this life expectancy. The shops here have little or no community concern and do not employ people from the community; in fact Midland employs people from the Philippines rather than locals. United relies on family as does the Elliott Hotel. This is in spite of the fact that one has quite a few people here with the skills required to run a shop.

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Signed Keith Gregory
Date 14/02/0

PART THREE

**SUBMISSION TO LIQUOR COMMISSION DATED 12/02/09 FROM KEITH
GREGORY, ELLIOTT.**

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REPRODUCED WITHOUT MY EXPRESS PERMISSION.

This submission is in response to the Liquor Commission calling for submissions regards problems relating to alcohol in Elliott. In answering this in as accurate a fashion as possible, there must be several points addressed. Firstly, how many liquor outlets are in the town and its environs? Secondly, what restrictions are there to the selling of liquor in Elliott and what are the licences abiding by the conditions of their licences and behaving in a conscionable fashion? Finally there is the question of what are the health and law and order problems within the town, and how alcohol contributes to them.

Firstly, there are two liquor outlets in the town and 2 more within 100km of the town and another just 150km north of town at Highway Inn. The licensees are United Roadhouse, which is owned by the Keogh family, and Elliott Hotel, which is operated by Peter Mullin and his family. The two others within 100km are the Dunmore Roadhouse and Renner Springs. All roadhouses are directly responsible for about 70 percent of the liquor in the town as residents often drive to those locations and load up their cars , with the liquor often being illegally sold on in North and South Camps as well as Marling , all prescribed areas under NTER .

The two liquor outlets in town, unlike the roadhouses mentioned are restricted to selling a six pack per person as takeaway and none selling of spirits. The restrictions are observed in a somewhat haphazard way.

Often there are children begging for food outside both premises while the parents are drinking either in the park next door to United or in the pub on a Thursday or Friday when payments come due.

Finally, Health, family and law and order problems are often multiplied where Alcohol is freely available. Often, as with other power relationships involving a supplier or provider and the population there is a Contract of mutual exploitation. This is when the liquor provider and certain members of the community come to an arrangement to back each other up politically and economically. They may be hostile to each other but as one maintains a hold on a good that is wanted by the community and the other can facilitate the supply and popular support the supplier needs , then those parties to the arrangement can often have a stranglehold on the communities affairs . With Alcohol, this is only in direct proportion to the percentage of the population that drinks. Another indication of a major alcohol problem is the family welfare of the community. Before NTER and income quarantining, there was a situation where children were often going without the basic rights of food and parental care as alcohol was consuming a large portion of the family budget. It was not uncommon to see children in the streets in front of both licence premises begging for food or going from house to house.

The philosophy of allowing people to consume alcohol in their homes and therefore the situation of alcoholism and the problems that stem from it will be managed is not borne up by the fact that often the homes of these children are disorderly with either fighting , swearing or loud music often until 5am in the morning . This happens in about 5 houses in North Camp on a regular basis and there was made threats made of noise abatement orders against several of the tenants of these residences. As the home life in many houses in Elliott suffers because of alcohol, the school life also suffers with poor attendance and poor learning. In short the kids are learning a replacement culture of swearing drinking and fighting at home at the almost total exclusion of all else, including the Aboriginal culture, and little else at school, either the replacement culture is re in forced at school via peers or both the learning and the ability to engage in a non disruptive manner in the classroom is diminished.

Elliott also has a high percentage of Foetal Alcohol Syndrome babies, with 74 children out of a total population of about 500 born in the past three years displaying

symptoms of FAS .This as well as a major proportion of injuries presented at the clinic as well as a major percentage of the crime and offences with motor vehicles are alcohol related. Recent child abuse allegations in Elliott (in the past 3 years) have been covered in the media, including programmes such as 4 corners on ABC, the Bulletin as well as the NT News indicates that alcohol is often a major factor in all cases, with children sometimes given to the offender in exchange for alcohol, or the offender using alcohol in a relationship of mutual exploitation with the parents. Again this indicates a strong alcohol problem in the community that needs to be addressed.

How to address the problem is the question that is often not asked. To simply "bring back the carton" and make spirits available again is not the solution, though a sizable percentage of the town's population that is bound by alcohol addiction would prefer that. The concept of "Drinking Rights" needs to be redressed through education.

Though the supposed "right to drink" is seen as a major stepping stone from welfare to full citizenship by many Aboriginal people in the town, there is no such thing as the "right to drink" set in concrete in any human rights treaties or the Constitution any more than the Right to drive a motor vehicle is a fundamental human right. Both are privileges to anyone of any race.

De Creation is what is required. Dominant Society has spent the last 30 years to create a situation where Aboriginal people have been institutionalised into a welfare trap that de values them and their abilities and educates them in a self fulfilling prophesy type method where each programme delivers less return therefore less is done as less is expected . "Bantu Education" in South Africa might actually be a fair comparison for the education in Elliott, but that system permitted elite to emerge in South Africa that knew its roots as well as being able to live in the modern world. The system in the NT permits only a replication of the situation in Elliott that has existed for 20 years.

First is to deal with the supply side of the ledger. To preach against drinking and driving and then permit all roadhouses near the community as well as within it to sell liquor is self defeating to say the least. There is enough of an argument in this paper to warrant the suspension of liquor licences wherever fuel is sold in the vicinity, and this should be undertaken. Elliott hotel should have its licence revoked and the liquor licence given to an Aboriginal social club. The Football teams would be a good place to start. Elliott Hawks and Marla Power both have a good reputation historically and could manage the club jointly via both becoming Aboriginal Corporations under ORAC. This would not only make them and other sports groups self supporting , but also make programs that support responsible drinking and health possible that can't be implemented under the current system . This would also give the community a sense of ownership in the projects that are funded and operated by the club.

The earlier point that drinking alcohol is a privilege not a fundamental human right means that where that privilege infringes on fundamental rights that are in law , that the privilege should be suspended in the way one suspends a licence that permits the privilege of driving a motor vehicle or holding a firearm is a possible way to enforce behaviour and ensure that pregnant women and others who are vulnerable to either the affects of alcohol or from those people who when intoxicated are a risk to themselves and others do the right thing. The Social Club could be a positive way that this could be enforced as a team effort between the police, FACS, and other agencies.

Diversionary programs are often heard about in a law and order context but rarely in this area. Alcohol abuse is a symptom of too

many unemployed and too many devalued hands being in one place and perpetuating a cycle of dependency that destroys all customary morals and knowledge and replaces those with those that come with an alcohol based sub culture as mentioned earlier. This must be combated simultaneously.

Step three would be to recognise the skilled people in the community in their own right. This would reverse the devaluation effect that has resulted from being either overlooked or ignored for many years. The businesses employ very few of the local workforce, relying on outside labour and contractors for all the jobs in Elliott. Elliott has a large skills base of mechanics, professional carvers, artists and slaughterman and jackeroos, and many more skills represented in the Aboriginal population .If these were utilised there would be recognised in their own right, and programmes there would be no need to contract out all the work to non Aboriginal contractors from out of town other than to employ and train Aboriginal people in their work.

Often these people only require a certificate to do the work they are already well capable of doing. All need to be recognised in their own right and the skills developed and marketed. There is no support from any business in the town to do this and no initiative from the CDEP coordinator to support this type of programme at this current time. An employed and busy community is often a sober one as well.

Recommendation; that a programme of getting wood etc for the carvers is initiated as well as "bush tucker" type programmes to involve both men and women in traditional activities that should be marketed and supported.

Recommendation; that the school programmes are made more relevant without degrading their learning content and that the children are thought up to the same level as they would in any other school in any major town in the NT. This is their right. Both recommendations can be fed into each other.

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Recommendation; that all skills that are in Elliott should be utilised. **Any importation of skills should not be permitted. All employment should start with the community members first and all initiatives to set up businesses run by Aboriginal tradespeople encouraged rather than discouraged which is now the case.**

