





Governments have grappled for years with the problems afflicting Aboriginal and Torres Strait Islander communities. Our quests for solutions have almost invariably failed.

By the start of the 21st century, after a term in Government, it had become clear to us that action was needed to secure the future of Indigenous children born into remote communities. As a Government we could not afford to continue down the established policy road, knowing these children would probably experience violence and addiction, risk imprisonment, and die 20 years younger than their non-Indigenous peers.

We had to say enough is enough - and resolve to change direction.

In July 2001 Justice Tony Fitzgerald was asked to lead a review which became the Cape York Justice Study. The three-volume report, released in November 2001, gives an uncompromising picture of life in Cape York Peninsula communities. It concludes that alcohol scars lives, families and entire communities.

After the completion of the report, the Government undertook three months of consultation. Up to 700 people took part in public meetings in Aboriginal and Torres Strait Islander communities. They sought practical responses yielding tangible results.

Their views have been considered by the Government. While we adopted the bulk of the Justice Study recommendations, a number have been modified following consideration of community responses.

Justice Fitzgerald's focus was on Cape York Peninsula, but the issue goes beyond the Cape and the Government's response recognises that some issues affect Aboriginal communities throughout the state.

The Government's new approach will include an intensified campaign against the causes and effects of alcohol abuse, and its malevolent hold on some communities.

Among other reforms, the Government will:

- Transfer liquor licences from councils to community-based boards, called Community Canteen Management Boards
- Impose strict conditions on hotels and road houses near Indigenous communities
- Strengthen and expand Community Justice Groups and give them, for the first time, legislative backing and protection, and
- Create exciting economic development and employment opportunities in Indigenous communities

There are many positive actions and practical steps that can be taken - some immediate, some long term - to help the children grow old in a healthy and safe environment. There is also a wealth of good will towards Indigenous Queenslanders in government and amongst non-Indigenous people.

But as a government we can only do so much. There are many people in the communities who want to make a difference. We extend the hand of partnership to them. Let's work together.

We know some of our reforms will be controversial. Implementation will be a challenge, and opponents will exercise their right to voice dissent. But we cannot acquiesce in a lifestyle for children, mothers, grandmas and aunties that is governed by fear and despair for the future.

If the answers were easy, we would have found them long ago.

The Government is prepared to be judged on how we handle troubling issues in Indigenous communities. Our response to the Cape York Justice Study says we will not turn our backs on the children. We will work with Queensland's Indigenous communities to pave the way for a better future.

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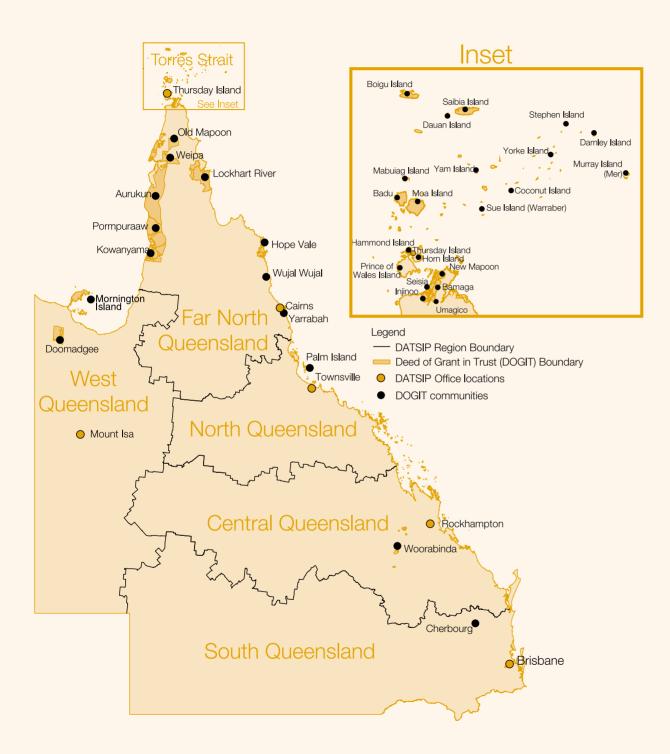
Peter Beattie MP

Premier of Queensland

Gudy Spence

Judy Spence MP

Minister for Families, Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services



Levels of health, education, life expectancy and employment for Indigenous people are significantly lower than for other Queensland communities.

For example, Indigenous people on Cape York have some of the poorest health profiles in Australia:

- Mortality rates 2-3 times higher than that of Queensland's population over all
- Median age at death at least 20 years below that of non-Indigenous people
- Suicide rates among Aboriginal males in remote communities over six times higher than that of Queensland's population over all
- The highest prevalence of sexually transmitted diseases in Queensland
- Alcohol-related death rates are over 21 times the general Queensland rate, and for homicide and violence (much of it alcohol-related) 18 times higher

Meeting Challenges, Making Choices

In July 2001, Queensland Premier Peter Beattie asked Justice Tony Fitzgerald to examine the extent of social problems in Cape York and to recommend strategies to support the ongoing development of partnerships between the Beattie Government and Indigenous communities.

The three-volume Cape York Justice Study Report, presented to Cabinet in November 2001, contained key recommendations and a framework for action.

The Queensland Government acted immediately by setting up a Cape York Justice Strategy team to conduct consultations, analyse the report and to coordinate a whole-of-government response to the recommendations. The Minister for Aboriginal and Torres Strait Islander Policy, Judy Spence, embarked on what was to become the first of many visits to remote Cape York communities during the consultation stage, talking to people and listening to their concerns.

The Cape York Justice Strategy consultation team travelled to remote Indigenous communities on Cape York Peninsula and other Indigenous communities throughout the state, talked to up to 700 people – family and community groups, community police, health workers, community councillors and teachers – listened to their concerns, and personally recorded their responses to the Fitzgerald recommendations. The responses have been publicly released, in keeping with a promise made by the Premier at the outset of the consultation process.

While the consultation team was on the ground in Cape York seeking grass roots responses, a Cape York Chief Executive Officers' Steering Committee – a core group of Directors-General, chaired by Minister for Transport and Minister for Main Roads and Member for Cook Steve Bredhauer – was meeting in Brisbane. Community concerns were fed directly into these and other deliberations across relevant government agencies to enable key recommendations to be shaped into workable policies and actions.

Meeting Challenges, Making Choices identifies a range of reforms – some immediate, some long-term – to address the alcohol and violence issues afflicting Indigenous communities in Queensland.

It is going to take a lot of courage and compassion for some Indigenous communities to change a lifestyle dominated by alcohol and violence.

The Queensland Government is prepared to meet the challenges in its response to the Cape York Justice Study. It is up to the people of Cape York and beyond to exercise their own power to make the choices that will lead to change.

The Queensland Government's response takes into account ground-breaking work already undertaken – by Tony Fitzgerald, and previously by the Aboriginal and Torres Strait Islander Women's Task Force on Violence, the Cape York Partnerships Plan, and the Aboriginal and Torres Strait Islander Ten Year Partnership Plan.

The Queensland Government's response also reflects the issues and concerns raised at the grass roots by Indigenous people who took part in the consultation process.

The Queensland Government hopes to work closely with the Commonwealth to align the efforts and resources of all levels of government.

A Cabinet Committee, chaired by the Premier, and including Deputy Premier Terry Mackenroth, Minister Spence and Minister Bredhauer, will oversee the implementation of the Queensland Government's response.

The Minister for Aboriginal and Torres Strait Islander Policy will provide a progress report on the immediate reforms to State Cabinet.

The Cape York Justice Study identified **priority areas for** immediate reform

However there was an overwhelming call from communities for law and order reform as a starting point for further improvements in all other areas of community and family life.

The Queensland Government will introduce legislation, the *Indigenous Communities Liquor Licensing Bill 2002*. It will also amend the *Community Services Acts* to bring about substantial changes in the management of alcohol and its impact on communities.

Changes to the law will include:

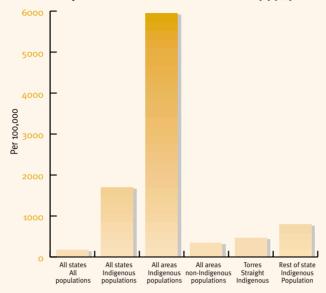
- The transfer of licences from councils to community-based boards called Community Canteen Management Boards
- Giving Community Justice Groups, for the first time, the legislative backing to bring about positive change at a community level
- Both groups being given legislative protection.

The Queensland Government has taken a whole-of-government approach to reform in the following key areas:

Alcohol Intervention

The Cape York Justice Study and other studies that preceded it, notably the Aboriginal and Torres Strait Islander Women's Task Force on Violence, present compelling reasons for Government to take urgent action in relation to alcohol abuse and to break its malevolent hold over Indigenous communities.

Hospitalisation Rates for Assault 1997/98



Analysis of available data indicates that the levels of alcohol abuse and alcohol related violence in remote Indigenous communities are significantly higher than in other parts of Queensland.

The data also indicates that while Torres Strait Islander communities have higher levels of alcohol-related violence than the Queensland average, their levels of alcohol-related violence are significantly lower than Aboriginal communities, with the exception of Bamaga.

The statistics paint a picture of a lifestyle dominated by alcoholism and substance abuse. The evidence is out on the table.

Governments alone cannot turn the statistics around, however the Queensland Government can make practical responses, and take responsibility for working in partnership with Indigenous people to help undo the damage that sits on their shoulders every day.

The reforms to address alcohol and violence will not be implemented without difficulty.

The issue of council-run canteens has generated considerable interest, particularly in relation to canteen profits which provide substantial revenue for some councils.

Council-run canteens are the main source of alcohol supply in many Cape York Peninsula communities. Aboriginal and Torres Strait Islander councils are the only local authorities in Queensland that hold liquor licences of this type under legislation.

In his report, Tony Fitzgerald said: "There are major contradictions between the commercial imperatives of running a liquor outlet, and the responsibilities of the councils relating to welfare and to law and order".

In light of Tony Fitzgerald's study and by drawing on available data, State Cabinet has decided that the legislation will apply to the following communities:

| COMMUNITY COUNCIL | ESTABLISHMENT | EFFECT |
|----------------------|--|---|
| Aurukun | Community Canteen | Transfer to Community Canteen Management Board |
| Bamaga | Community Canteen | Transfer to Community Canteen Management Board |
| | Bamaga Resort | Not Affected |
| Injinoo | Community Canteen - Not Currently Trading | If trading resumes, will be transferred to Community Canteen Management Board |
| Kowanyama | Community Canteen | Transfer to Community Canteen Management Board |
| Lockhart River | Community Canteen | Transfer to Community Canteen Management Board |
| Napranum | Community Canteen | Transfer to Community Canteen Management Board |
| Pormpuraaw | Community Canteen | Transfer to Community Canteen Management Board |
| Mornington Island | Community Canteen | Transfer to Community Canteen Management Board |
| Palm Island | Community Canteen | Transfer to Community Canteen Management Board |
| Woorabinda | Community Canteen - Not Currently Trading | If trading resumes, will be transferred to Community Canteen Management Board |
| Yarrabah | Community Canteen | Transfer to Community Canteen Management Board |

The State Government will change legislation to enable it to **transfer canteen licences** from the control of Aboriginal and Torres Strait Islander Councils and Shires to a community-based board if it is considered necessary for the safety and well-being of the community.

The licence transfer will end the potential for a conflict of interest between councils running and managing canteens and their responsibilities relating to welfare and law and order.

Any profits from the sale of alcohol will stay with the council to be used for the benefit of the community. Canteen profits will be audited separately from councils' consolidated revenue.

Canteens will be subject to **strict new licensing conditions**. If they comply with these conditions no one but the community will make the decision to close them down.

A **Community Canteen Management Board** will be the canteen licence holder and the board will appoint a canteen manager who will be responsible for the day-to-day running of the canteen, and the board will oversee its administration.

The board will be small in size, with its membership approved by the Minister for Aboriginal and Torres Strait Islander Policy. The canteen manager and a government officer will be appointed as ex officio members to the board.

Community Canteen Management Boards will have the following responsibilities:

 Set licence conditions in consultation with the Community Justice Group

- Oversee canteen management to ensure licence conditions are met
- Appoint a canteen manager
- Establish a performance agreement for canteen managers
- Oversee the financial management of the canteen

A key to the success of any alcohol intervention measures lies in the establishment of **Community Justice Groups.**

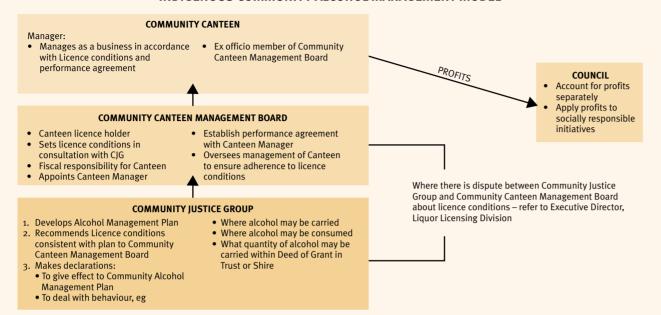
While a number of Community Justice Groups currently operate in Cape York communities, they will be progressively established in all Indigenous communities.

They serve the community in many ways - make recommendations to government departments on justice matters, help the community deal more effectively with social and justice issues, take action to prevent law and order problems and work closely with council to put appropriate by-laws in place and help councils make the community a more peaceful place.

Community Justice Groups will be enhanced, empowered and protected. For the first time they will have the **backing of legislation** to work with councils to rebuild communities from their traditional bases to create safer and better places and lasting change.

Their role is vital to the social fabric of a community. They can restore authority and respect for traditional values, apply those traditional values to contemporary problems, encourage respect for individuals, families and communities and instil in young people an understanding of customary roles and responsibilities.

INDIGENOUS COMMUNITY ALCOHOL MANAGEMENT MODEL



Community Justice Groups will be given legislative powers to make declarations on where and when alcohol may be carried and consumed in their community, and in what quantities.

Members of the group will work with their community to develop their own **Alcohol Management Plans** that meet the specific cultural and social needs of their own community.

Communities such as Doomadgee, Hope Vale and Wujal Wujal which do not have canteens will also develop Alcohol Management plans through their Community Justice Groups.

Queensland Police and the Liquor Licensing Division will support Community Justice Group activities through increased "sly grog" surveillance and the enforcement of "dry/safe place" declarations and tougher licensing conditions on liquor supply outlets in and around communities.

Zones will be declared around Indigenous communities and restrictions will apply to the quantity and type of alcohol allowed to be carried into the community to stem the "sly grog" trade in Indigenous communities.

Conditions will also be imposed on licensed premises near communities to clamp down on alcohol abuse:

- No alcohol sales to taxi drivers
- No licensee to hold a patron's bank access cards
- A ban on liquor sold in 4 litre (or larger) containers; and
- Restrictions on the time of day that take-away liquor can be sold

The initiatives introduced to control liquor supply from nearby hotels and roadhouses will complement the new measures to control alcohol supply within Indigenous communities.

There will be a **crack down on the "sly grog" trade**. Police and liquor licensing officers will join forces in an intensified campaign. There will be an immediate injection of \$50,000 on an education and awareness campaign focusing on "sly grog" and promoting responsible drinking.

All communities will be required to meet new **alcohol performance measures** developed by Community Justice Groups in consultation with the local community.

Government agencies will use their collective data to help determine whether the State Government's new strategies are working, or whether there is a need for intervention in the running of canteens.

The Queensland Government will provide support to the Northern Peninsula Area Councils to establish a pilot alcohol rehabilitation service for residents in the Northern Peninsula Area.

Funding will be provided to the Apunipima Cape York Health Council to undertake vital research into foetal alcohol syndrome.

Alcohol and drug education awareness programs will specifically target children and young people to give them every opportunity to grow old in a safe and healthy environment.

"The communities also produce gifted artists, musicians, athletes and intellectuals, and include close-knit families, industrious workers, and resilient people with beautiful children who deserve to participate fully in the opportunities in this, their country."

Tony Fitzgerald

Children, Youth and Families

The Aboriginal and Torres Strait Islander Women's Task Force on Violence Report gave a powerful portrayal of the levels of violence and the impact on individuals and families.

The people of Queensland have also been shown the human face of statistics through a series of articles by *The Courier Mail's* Tony Koch who felt compelled to write them.

"These are the real victims – the ones deprived of education, sleep, nutrition, health and innocence – because of the curse of alcohol on their homes and loved ones." – Tony Koch, The Courier Mail, 24th November 2001.

Noel Pearson has also heightened awareness of the human cost of alcoholism and lack of purpose in some Cape York communities.

The Queensland Government will take immediate steps to protect children, women and Elders from sickness, suffering and fear.

Stronger links will be forged between local health workers, schools and police to further strengthen child protection strategies.

Child protection teams will work closely with the community to ensure the safety and well being of women and children.

Links will be strengthened between Remote Area Aboriginal and Torres Strait Island Child Care (RAATSIC) workers, schools and police.



Hunting and having fun in the wetlands western Cape York Peninsula



The State Government will expand and develop innovative youth programs such as State Emergency Service Cadets, the Croc Eisteddfod and alternative Indigenous festivals to instil in young people, a sense of pride, leadership and community spirit.

A range of sporting and recreational programs will be tailored specifically for young people:

- An Indigenous Community Development Program for sport and recreation activities and education and training courses
- Funding for state sporting organisations such as the Queensland Australian Football League, Basketball Queensland, Hockey Queensland and the Queensland Rugby League to conduct activities in Indigenous communities
- Better access to Queensland Academy of Sport (QAS) programs and activities in Indigenous communities
- Funding for sport and recreation organisations and community councils to develop sports facilities and infrastructure in Indigenous communities

Women's groups, men's groups and Elders will be encouraged and supported to work together on strategies to strengthen family and social structures in their communities and to restore the traditional respect for the moral authority of Elders.

Sport and recreation officers will be employed through the Indigenous Community Development Program to work with young people and help them in their sporting endeayours.

Crime and Justice

Queensland Police will work with Community Justice Groups, councils and other government agencies to develop a **Safer Communities Strategy** which will include night patrols and an improved police response to emergencies.

A SCAN (Suspected Child Abuse and Neglect) **child protection team** will be established in every community to work with communities to ensure their safety and well-being.

The Indigenous Justice of the Peace Program and Local Justice Initiatives Program will be strengthened and expanded.

Community policing will be enhanced and expanded in a number of Indigenous communities across the state through the Queensland Aboriginal and Torres Strait Islander Police project.

Additional training will be offered to Community Justice Groups to support their expanded role in diversionary initiatives. Police will assess existing policing practices, and the Government will explore **innovative alternatives** to sentencing, such as using out-stations as diversionary measures and community-based corrections.

A framework for the future

The Cape York Justice Study made a number of key recommendations in relation to community and public sector governance.

The Government is committed to a simple, more streamlined system of governance.

A new Cairns-based Cape York Partnership Unit will provide support to communities in facilitating negotiating tables. It will be able to directly respond to community needs through the concept of regional budgeting.

This unit will **cut through red tape** by allowing communities to directly negotiate with government to redirect resources to those areas of greatest need.

The Cape York Partnership Unit will work closely with Indigenous partners as well as individual communities.

The work of the Cape York Partnership Unit will be closely monitored at the highest level by Government Departments both State and Commonwealth in a partnership with ATSIC and peak Indigenous bodies.

For communities outside the Cape, Regional Managers Forums will perform this function.

Change will be driven from the grass roots through the development of Community Action Plans. They will be one of the greatest challenges for local communities and will underpin the success of the reforms proposed by Government.

Community Action Plans will be negotiated at a local level and will be designed to meet the immediate needs of the community particularly in relation to alcohol and substance abuse, rehabilitation, crime and justice.

They will recognise the rights of the local community – their rights to country, culture, safety and security, education and health. The Government will not impose its will on the communities, but will support their choices.

There will be an integration of State Government resources, policies and programs to deliver an holistic approach to community needs.

The State Government will negotiate with the Commonwealth, Aboriginal and Torres Strait Islander Commission (ATSIC) and non-government organisations to align resources and efforts to directly respond to Indigenous communities.

Another significant recommendation to emerge from the Cape York Justice Study was the need to reform community councils.

The need for reform was strongly reflected in the community consultation rounds throughout the Cape with many residents recording concerns about council accountability and a general dissatisfaction in relation to the link between canteen profits, service delivery and a lack of transparency in council decision-making processes.

A Community Governance Improvement Strategy will be led by the Department of Aboriginal and Torres Strait Islander Policy with other government agencies, community, professional and private sector involvement.





The Strategy will help and support councils address financial management, administration, accountability, corruption prevention, and build better community awareness and understanding of community governance.

A **Green Paper** outlining options for a preferred model of community governance to best meet the social, economic and cultural needs of each community will be developed and acted upon with urgency.

Much of the community feedback on the Cape York Justice Study recommendations centred on the need for reform in governance and to this end the Queensland Government recognises the need to remove obstacles and provide **better-coordinated services** to Indigenous communities throughout the state.

In addition, the Government will support an Indigenous Leadership Centre based in Cairns that will create opportunities for Queensland Indigenous leaders of the future.

The State Government will also devise joint leadership and professional development and orientation programs for health workers, education staff, police officers and other staff in Indigenous communities. The Government will work with public sector unions to encourage innovation in service delivery, better administrative practices and the improved use of resources.

Economic Development

A desire for strong economic development and jobs was one of the constant and recurring themes to emerge from the community consultations on Cape York and elsewhere.

A number of people stressed that Indigenous communities must take an assertive economic role in building a capital base that was not driven by government and dependent on government.

The Cape York Justice Study recommendations centred on breaking the welfare cycle and enhancing economic security in Indigenous communities.

Community Action Plans are seen as a way to harness whole-of-government and community support for a diverse range of economic development initiatives.

The Queensland Government will work with communities to help them reach their full economic potential and has provided funding and support for the following initiatives:

- Community Business Hubs at Weipa, Cooktown and Coen-Lockhart River to drive local business enterprises
- An Indigenous business planning service for Balkanu – the Cape York Development Corporation
- A bakery at Hopevale with training and business support – in one of the first community-based businesses established through Cape York Partnerships
- Planning and implementing the Cape York Digital Network – a multi million dollar broadband system for the Cape with an opportunity for Indigenous enterprise and employment

The Queensland Government will also explore opportunities to support a number of other economic development initiatives that have been identified through the Premier's Weipa Business Summit in August 2000 and ongoing consultations with Indigenous communities and groups.

Current economic development projects identified through the Cape York Partnerships economic development strategy include community bakeries, nurseries, eco-tourism and cultural tourism ventures. art projects and forest-related industries.

There are also a number of exciting economic development initiatives in Indigenous communities in Queensland that are supported by Government. They include a sponge farm on Palm Island, Indigenous tourism projects, an organic tea-tree industry in Central Oueensland, cattle mustering in the North West, a retail outlet for Indigenous art and craft, an aquaculture project and a meat processing plant at Cherbourg.

The Queensland Government will draw on the flexibility of its State Purchasing Policy to give Indigenous businesses the opportunity to successfully bid for tenders for infrastructure work to be carried out in their communities.

Healthier People

Queensland Health provides a range of specialist services to remote Indigenous communities including paediatrics, psychiatry, thoracic and general medicine. obstetrics and gynaecology, and sexual health.

Queensland Health also employs registered nurses and Indigenous health workers in each community. Doctors based in Weipa and Bamaga provide outreach services and the Royal Flying Doctor Service has full time medical officers in Aurukun and Kowanyama as well as fly-in, fly-out services to other communities.

There are community groups in each community that run

specific projects dealing with men's health, and drug and alcohol abuse that are funded on a project basis by a range of state and commonwealth departments.

The Queensland Government recognises the need to do much more and to work more closely with the community to develop innovative new ways to help meet the health needs of the people of Cape York and beyond.

The Oueensland Government will provide better and more specialised training for health workers especially in relation to alcohol and drug rehabilitation and prevention programs.

Health workers will be given more support in their efforts to prevent and reduce the incidence of alcohol abuse and violence, through awareness raising and educational programs.

A new rehabilitation service hub will be established for residents of the Northern Peninsula. The Government will work with community groups to develop a comprehensive rehabilitation strategy for the whole of the Cape and for other Indigenous communities.

The Government will establish protocols for health workers who deal with child abuse and sexual assaults. Health workers will liaise closely with Community Justice Groups, women's groups and Elders on ways to provide the best possible care for women and children in need, and in crisis.

The State Government will also focus on environmental **health** issues such as water quality, waste disposal, dust, sewage treatment and roaming animals, all of which pose a health risk to communities.

Additional funding of \$500,000 will be used to pilot a new



initiative based on the *Aboriginal and Torres Strait Islander Environmental Health Strategy 2001-2006* developed by Queensland Health.

Under the initiative, community councils will employ environmental health workers overseen by Queensland Health, to identify and manage environmental health needs, particularly those associated with housing, water quality, mosquitoes, refuse, food safety and sewage.

Community Action Plans will be the cornerstone of health reform in Indigenous communities. They will receive strong support from a State Government that recognises the importance of health reform at a grass roots level.

Education and Training

The Cape York Justice Study recommendations highlighted the need to improve school attendance levels, literacy levels, early childhood and parenting services, and to raise community awareness of the value of education.

Education Queensland and the Department of Employment and Training have a number of excellent programs and initiatives, including *Partners to Success*, the *New Basics*, the *Cape York Training Strategy* and *Indigenous Employment and Training Officers* that specifically target many of the Cape York Justice Study recommendations.

The State Government supports the thrust of the recommendations and will deliver a range of initiatives to address education and training issues in Cape York and other Indigenous communities throughout Queensland.

The State Government will act immediately to improve school attendance rates and will:

- Work with Community Justice Groups and Community Councils to develop attendance and truancy strategies
- Launch public awareness campaigns that target parents and students
- Where appropriate, provide healthy and nutritious meals at schools
- Link attendance strategies with drug and alcohol reduction strategies
- Address major health issues that impact on attendance rates

"If this report is saying that we need to get our kids to school and gives us a chance for training and jobs, then I agree for all of that."

(Young woman – at a public meeting in Aurukun 5/12/2001)

Education Queensland and the Department of Employment and Training have programs and initiatives that specifically target many of the Cape York Justice Study recommendations. Education Queensland will develop and deliver a curriculum that meets the social and cultural needs of Indigenous students.

There will be a focus on programs that foster more effective links between schools, TAFE and skills-based development.

Young people will be given better access to sport and recreational opportunities.

The Queensland Government will match training to community needs and combine training revenue from all government sources to create flexible and more effective programs.

Land and Sustainable Natural Resource Management

The State Government acknowledges the importance of land to sustainable economic development of Indigenous communities.

The State Government reaffirms its commitment to the Cape York Heads of Agreement as a framework to progress land tenure resolution.

Formal links will be established between the Cape York Heads of Agreement Implementation Group and any institutional structures that are created in response to the Cape York Justice Study.

Through Meeting Challenges, Making Choices the Queensland Government is demonstrating a willingness to move forward in partnership with Aboriginal and Torres Strait Islander people, to develop policies, deliver services and to help build communities which will stand up to the scrutiny of future generations.

For more information visit our website at: www.thepremier.qld.gov.au

