



Victorian Aboriginal Legal Service Co-operative Ltd.

Head Office:
6 Alexandra Parade,
P.O. Box 218
Fitzroy, Victoria 3065
Phone: (03) 9419 3888 (24 Hrs)
Fax: (03) 9419 6024
Toll Free: 1800 064 865

MEDIA RELEASE

Royal Commission into Aboriginal Deaths in Custody Revisited

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One of the fundamental features of the 1991 Royal Commission into Aboriginal Deaths in Custody was its recognition that Aboriginal people had to be listened to and involved in developing solutions to crime and disadvantage. It is now nearly 40 years since the 1967 referendum which started to roll back some of the effects of the white Australia policy. However it is slowly dawning on Governments that much more needs to be done than legislating and sloganeering if Aboriginal disadvantage is to be reduced.

Sadly many of the policies recommended by the 1991 Royal Commission have been ignored or had only lip service paid to them. One of the fundamental ideas from the Royal Commission was the using a wholistic approach to addressing Aboriginal disadvantage. It took the State and Commonwealth Governments until 1997 to reach agreement that they should have agreements to try to address the issues. Recent comments by criminologist Don Weatherburn and Cape York Aboriginal leader Noel Pearson suggest a new project of dumbing down and tipping the bucket on the Royal Commission's recommendations. (Australian 11/11/06)

Asking Governments to take a wholistic approach is a considerable challenge. In recent years we have seen the spectacularly unsuccessful Commonwealth State COAG trials where generally an attempt to reduce Commonwealth –State bureaucratic log jams produced more bureaucratic log jams.

Also central to the Royal Commission recommendations was an emphasis on Aboriginal people playing a role in developing solutions and a recognition of the importance of self determination for Aboriginal people. This is being slowly adopted by some State and local Governments while ironically at the same time the Commonwealth Government have become self determination sceptics.

The Victorian Government has recently reviewed its performance in relation to implementing the Recommendations of the Royal Commission. Neither the Commonwealth nor any other state or territory government have had the courage, commitment and good sense to do this.

This Victorian review follows and complements the 2001 Victorian Aboriginal Justice Plan which was an attempt to implement some of the Royal Commission's proposed changes and

was largely focused around criminal justice issues. Victoria certainly still has a long way to go in addressing Aboriginal disadvantage and improving access by Aboriginal People to effective decision making but it has attempted to build on the lessons of the Royal Commission rather than ignore them or tip the bucket on the report.

Victoria's age adjusted Indigenous imprisonment rate is the third lowest in the country and almost 40% lower than the Australian average. ABS 4517 Table 4 (2005). The imprisonment rate of Indigenous people is still considerably higher than the non Indigenous rate but in a climate where there seems to be an enthusiasm for throwing the baby out with the bath water it is worth considering a range of facts not just the ones which provide the headline.

If there is one aspect that is widely acknowledged about implementing the Royal Commission recommendations it is the failure to grapple with the recommendations about self determination. Tony Abbot recently blamed the responsibility for Northern Territory reports of violence in communities on the failure of self determination. Respected Aboriginal elder Mick Dodson argued that it was nonsense to say that something which had never been tried had failed.

The recent mutual admiration society between Noel Pearson and NSW criminology academic Don Weatherburn was centred on their proposal for greater use of police to reduce alcohol and drug consumption in Aboriginal communities. In order to create a platform for this idea they both felt it necessary to heap scorn on the Royal Commission into Aboriginal Deaths in Custody recommendations. The irony is that beneath the headline comments both men highlighted the importance of building community support and the need to re-establish positive social norms (in other words important aspects of self determination) immediately after they had finished attacking a report which attempts to promote these things.

The other strange feature of the Pearson- Weatherburn performance is the claim that focusing on alcohol and drugs in some way precludes or excludes being interested in other problems such as economic and social disadvantage. Criminologist Dr Harry Blagg has previously criticised Weatherburn for his habit of creating unhelpful dichotomies and here he is at it again. When you read beyond the headlines Weatherburn does acknowledge the importance of low income and unemployment as factors involved in crime.

There is no doubt that some Aboriginal communities are struggling to reduce and prevent alcohol and drug related crime. There is also no doubt that police are a part of dealing with this problem. Having said that there is no reason and no logic or sense in using this argument to heap scorn on the Royal Commission recommendations and overlook other factors which influence opportunity, community well being and community strength.

The Pearson -Weatherburn pitch is the sort of story that plays well to people who are looking for the silver bullet, the smoking gun and the handy scapegoat. The reality is drug related crime has to be tackled at a range of levels as does the process of giving Aboriginal communities greater opportunity to participate. Dismissing the Royal Commission recommendations is not helpful.