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Committee Secretary
Inquiry into the high level of involvement of Indigenous juveniles and young adults in the criminal justice system
Standing Committee on Aboriginal and Torres Strait Islander Affairs
House of Representatives,
PO Box 6021,
Parliament House,
Canberra ACT 2600.

Dear Sir/Madam

This brief submission seeks to identify a small number of examples of early interventions in NSW which are working to keep young people out of the criminal justice system. This is based on research which I have carried out during 2009 for the NSW Department of Climate Change and Water, into the socio-economic benefits of Aboriginal people managing 'country' in NSW.

The first example relates to a specially developed NSW program to take "at risk" youth and provide access to a culturally-based residential program out on a property in rural NSW (Tirkandi Inaburra).

The second is Banbai Business Enterprises (BBE) running Wattleridge Indigenous Protected Area. Among the benefits I have identified is a reduction in crime which appears to have been related to BBE's successful efforts to engage young Aboriginal people positively in looking after country..

I focus on these two because I have become aware of them, although I know that there are other examples around which I have not discovered. In particular there are a number of Aboriginal "Green Teams" across the state, some of which are providing opportunities for young Aboriginal men to gain work and skills and engage with the 'country' and culture in a meaningful way. It is too early in my research to comment authoritatively on their benefits as they relate to your Terms of Reference.

I will mainly address your first term of reference: 'How the development of social norms and behaviours for Indigenous juveniles and young adults can lead to better social engagement'.

However, I would rather turn that around to suggest that better social engagement of "at risk" Aboriginal young people will enable them to develop norms and behaviours more acceptable to society and hence avoid socially disruptive behaviour which can lead to their involvement in the criminal justice system.

The key is to find ways to socially engage young Aboriginal people, especially young men, in ways that build their self-esteem and confidence, develop or enhance their skills and gain marketable qualifications, and provide them with opportunities to continue learning and contribute to society in ways which are valued.

Example 1.

Tirkandi Inaburra is the Wiradjuri phrase for for ‘to learn to dream’. Tirkandi Inaburra Cultural and Development Centre near Coleambally was established and began operating in 2005, following years of work by Riverina Aboriginal people to gain land, facilities and funding. This was their response to the fact that Indigenous young people made up over 40 per cent of juveniles in detention in 1990, when the initiative to establish the organisation began. The Centre runs a culturally-based residential program for Aboriginal boys aged 12-15 at risk of becoming involved in the criminal justice system, from the region located between the Lachlan and Murray Rivers, and between Balranald and the western side of the Blue Mountains. It operates on a 780 hectare purpose-built property and the program is funded by the NSW Attorney-General’s Department. Boys live there for 3-6 months, and are engaged in educational, recreational and cultural programs, including natural resource management. The ‘power of the transformation of the boys who graduate’ was one of the comments by panel members for the Indigenous Governance Awards 2008, when the Tirkandi Inaburra Cultural and Development Centre was a finalist. I would urge your committee to investigate this model of early intervention and explore how similar programs can be developed elsewhere. I have not carried out fieldwork at this location so cannot provide a great deal more information about it.

Example 2

Banbai Business Enterprises and the Wattleridge IPA

This example illustrates what can be done when land is returned to Aboriginal people and they are able to develop employment and training initiatives around it. It also illustrates how flexibility in a local Central School and a TAFE enables collaboration between the school and the Aboriginal organisation so that students are encouraged to stay in school with a program of learning that they value, linked to training and work in land management. **Crime rates have dropped, drug and alcohol use has reduced and young people “at risk” are being given opportunities to contribute, learn and gain longer-term opportunities for further education or employment.** I have conducted field work in this location so am able to provide more detail about this case.

Wattleridge is a botanically diverse bushland with high biodiversity values on outcropping granite country on the Northern Tablelands near the small town of Guyra. It has evidence of long Aboriginal occupation, including sacred sites, axe grinding groove sites, art sites and scarred trees. The land was purchased by the Indigenous Land Corporation (ILC) in 1998 to enable Banbai people to return to a part of their land and reclaim their cultural heritage. Three years after this purchase the land was declared an IPA, and in February 2008 the ILC divested ownership to Banbai Land Enterprises ; it is managed by a related but independent entity, Banbai Business Enterprises.

The IPA has at least 15 rare or endangered plant species and 12 rare or threatened fauna. It is managed by the traditional owners, who are undertaking major pest management and fire management strategies, and managing the cultural heritage sites on it. The community is also developing a native plant propagation nursery, training people in horticulture, and establishing seed banks and restoring degraded land through revegetation.

The owners are aiming to make the property educationally and financially viable, and are developing small businesses to help promote culturally significant employment and generate additional funds for conservation. They are upgrading cabins, building walking tracks, viewing platforms, and developing interpretation signage to foster eco-tourism. They plan for this tourism venture to grow and provide income, employment and further infrastructure development.

When Banbai Business Enterprises began in the late 1990s, only a handful of Banbai people had jobs and there were a number of social problems evident. A review of the people who have worked with BBE since its inception reveals that the organisation has employed 43 people over the ten year period. Only one was non-Indigenous. In 2006 BBE took over the local CDEP program, following the closure of another organisation which had previously managed it. BBE was able to use CDEP funding to employ an additional 13 people until the program ceased at the end of June 2009. As a result, at its employment height, almost 30 people were working at BBE, although due to funding reductions, that number had to subsequently fall, causing some difficult decisions to be made and implemented. Fourteen people are currently employed and half of the current employees are under 25 years old.

BBE has thus provided employment for between a quarter and a half of all Aboriginal people available to be in the labour force in Guyra at different times. They are particularly recognised for their ability to engage people who have been unemployed for long periods, or who perhaps have never had a job for several years after leaving school, and to help them develop and make a positive contribution to BBE's work. Over the years, BBE has employed a total of 27 Aboriginal people who were *previously* on CDEP and of these, 5 are still employed at BBE in non-CDEP positions, 8 now have other jobs or traineeships, one has completed her first year of university, 5 are not seeking work and receive relevant pensions/payments (aged, disability, child care), 6 are receiving unemployment benefits (and another is unemployed but not registered) and 2 have moved away and their situation is unknown. Thus, of the 25 former CDEP participants for whom BBE provided a job and whose circumstances are known, all but seven have either moved on to jobs or study or are now receiving other payments. Only seven have returned to unemployment at this point.

The IPA work has stimulated a considerable amount of training—community members have undertaken certificate courses in building and construction, and a diverse range of natural resource management and related areas, and several have already completed Cert IV level accreditation. Almost all current staff are involved in Conservation and Land Management Cert IV training which is provided on their land by a local TAFE teacher. This enables the course to be made highly relevant to the work they need to do on their land and the learning occurs in a context with which they are familiar and in which they are comfortable. The training supports their goals and visions in their own space. Their confidence, knowledge and skill development is extremely evident.

Banbai has established good relationships with local schools, particularly the Guyra Central School, which has 49 Aboriginal students (17.5% of the total school population). The school has reintroduced Aboriginal studies and expressed an interest in teaching the Banbai language. The children are very excited about getting out onto the land, and learning about the relationships between land and culture. The Central School allows two of its Aboriginal students, one in Year 11 and the other in Year 9, to spend time each week with BBE doing the Conservation and Land Management Cert IV course as an incentive to stay at school and complete Year 12 and Year 10 respectively. These two young men clearly enjoy participating in the work and study. The Year 11 student spends two days per week with BBE and apart from the CALM course, he has also gained his Learner Driver's licence through a course organised by BBE this year. The younger student initially came to BBE on work experience but enjoyed it so much that he now spends one day per week doing the CALM course as part of his education. This flexible and innovative approach to encouraging young men to

complete their schooling depends on the Banbai people making the commitment to making space for these young people who are “at risk”, and having the capacity to supervise them and mentor them through – a result of their having the land and the environmental funding which supports their work. This arrangement is working well for the students and BBE.

The benefits of this close relationship between the school and BBE are that it strengthens the educational opportunities available to all students, and for the two students who are training at Banbai as part of their school experience, it provides them with something of significance and something to aim for in the future. For the younger student in particular it has helped raise his self esteem. The school principal believes that it is important for all students to have an awareness of Aboriginal issues and to see this Banbai enterprise in a positive light. For Aboriginal students in the school it is also positive, as they can see their people and culture valued.

Although in the past, there was a history of a low retention rate of Aboriginal students to complete Year 10 at Guyra Central School, this is gradually changing. Suspensions of Aboriginal students from school have also dropped markedly, and generally there is a more positive attitude towards school among these students as a result of these developments. And even when a student may leave school, for example in Year 11, BBE has been able to offer a traineeship, enabling that student to work and continue training. This often means that BBE can offer something of greater significance than the school is able to for particular young people. Such support affirms local Aboriginal culture, and the opportunity for employment at BBE provides an incentive for certain young people to stay at school and complete their education.

These developments have transformed the Aboriginal community of 300 people, which had largely isolated themselves from the racism they experienced in the surrounding non-Indigenous community, to enable themselves to build their community up slowly. Now, they are experiencing much more respect from the non-Indigenous community, because they have demonstrated their ability to operate their enterprise responsibly and successfully. Previously only three BBE staff had a car and a driver’s licence; now many more have licenses and cars (due in part to the IPA collaborating with the Job Agency to provide licence training and support to obtain birth certificates for nine people). **Drug and alcohol use has declined**, particularly during the week when people are working. **The high crime rate has dropped**, and there are instances of improved health, and pride in the achievements of the group.

While the above are small examples, they are very significant in that both are real, practical illustrations of activities which keep young people socially and educationally engaged and provide them with opportunities to make something of their lives. They redirect some young people’s energies away from socially disruptive or possibly criminal behaviours into activities which give them recognition, respect, self esteem, qualifications and employment.

Thus, flexibility of educational authorities to work closely with Aboriginal communities to provide educational and training experiences which support their visions and goals in locations and arrangements which work for them, and greater opportunity for Aboriginal communities to engage in land and natural resource management and to engage young people through these activities could play a significant role in keeping young Indigenous people out of the criminal justice system altogether. This must be the goal.

Thank you for considering this submission

Yours sincerely

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