



Shoalcoast Community Legal Centre Inc

Legal Advice & Advocacy

ABN 85 989 128 796

30 May 2008

The Committee Secretary
Senate Select Committee on Regional
and Remote Indigenous Communities
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretary

**Re: Submission to Senate Select Committee on Regional & Remote Indigenous Communities
Particularly Terms of Reference No. 1(c) relating to "the health, welfare, education and security of children in regional and remote Indigenous communities"**

Shoalcoast Community Legal Centre provides legal services to disadvantaged people of the Shoalhaven, Eurobodalla and Bega Valley Shires on the South Coast and Far South Coast of NSW (from Nowra to Eden near the Victorian border – a distance of approximately 600kms.)

Shoalcoast CLC also runs a community legal education and access project for Aboriginal communities from Nowra to Eden. The project has a focus on violence prevention with topics such as domestic violence, sexual abuse, victim's compensation claims and Children's Court care and protection matters.

I am an Aboriginal lawyer employed at Shoalcoast CLC since May 2007 and am also a member of the local Aboriginal community. I am a steering committee member of SSCAP (Shoalhaven Safe Communities Aboriginal Partnership) which is an innovative Aboriginal lead forum between the local Aboriginal community and agencies, service providers and State and Federal Government.

It is important to point out that the opinions and views raised in this submission are my personal views only and that I do not speak on behalf of my local Aboriginal community (to do so would be disrespectful to my Elders and community).

50 Junction St ♦ (Po Box 1496) ♦ NOWRA NSW 2541
Ph 02 4422 9529 ♦ Fax 02 4422 7573 ♦ 1800 229 529
www.shoalcoast.org.au ♦ info@shoalcoast.org.au



My submissions come from my own observations and contact I have with various Aboriginal communities on the South Coast and Far South Coast and particularly from views expressed to me by some members of the different Aboriginal communities about services in their area.

I do not intend to make a comprehensive submission but rather propose to simply highlight a few of the more pressing issues having an impact on *“the health, welfare, education and security of children in regional and remote Indigenous communities”*.

Crisis accommodation

One of the first things that I have noticed on my travels down the South Coast and Far South Coast is that there are long distances between existing women's refuges and that the ones that do exist are overstretched. Despite the dedication of committed workers there remain a number of areas where there is a gap in service provision. There appears to me to be a shortage of crisis accommodation for women and children fleeing domestic violence, especially in rural, regional and remote areas and Indigenous communities.

The current stock of available spots in women's refuges and other crisis housing are far from adequate and many women and children are being faced with the choice of either remaining in the current abusive relationship or having to live on the streets, obviously, with neither choice being tolerable, safe or in their best interests.

The shortage in crisis accommodation is further exacerbated by the fact that once the initial crisis is over the women and children are still faced with the hurdle of finding affordable public or private housing.

Due to distance and lack of available services within their communities many women and children (both Indigenous and non-Indigenous) in rural, regional and remote areas are being forced to leave their communities and family support networks in order to find crisis accommodation. In this situation children are uprooted from school, family and friends which only creates further instability in their lives and is disruptive to their schooling.

Besides the obvious human impact of the shortage in crisis accommodation there is also an increased fiscal cost to the health, transport and criminal justice systems of victims remaining in the abusive relationship because of lack of crisis accommodation in their area.

Not only is substantial funding needed to increase the stock of housing for crisis accommodation but better planning and consultation should be made to ensure that all Indigenous communities in rural, regional and remote communities are receiving adequate services.

Unavailability of Rehabilitation (alcohol) and Detoxification (drugs) Facilities

The South Coast and Far South Coast do not have any live in facilities where women and families can go to receive treatment for alcohol or drug addiction. There are currently efforts being made (led from the front by the Aboriginal community and Aboriginal organisations) for the funding and construction of a rehab and detox centre in Nowra for Aboriginal and non-Aboriginal men/women and children. The facility is urgently needed and would cover the whole South Coast and Far South Coast area. Whilst there is an Aboriginal men's rehab in Nowra the area has never had a facility catering for women and children so that families are kept together during treatment.

At the moment if an Aboriginal (or non-Aboriginal) woman needs rehabilitation for alcohol abuse the closest facility is at Cowra (some 4 hours drive away) and if detoxification for drug abuse is needed the closest facilities are either Sydney or Canberra (which is 3 to 4 hours drive away). The Aboriginal working group leading the movement to obtain rehab and detox facilities is currently trying to obtain funds to conduct a feasibility study to show the strong need for the facility and the existing gap in services.

SSCAP initiatives

The current movement for a rehabilitation and detox centre has been a direct result of the SSCAP forum (Shoalhaven Safe Community Aboriginal Partnership). SSCAP is an important non-political and impartial Aboriginal led collaborative/forum between Aboriginal communities and organisations, and non-Aboriginal communities, organisations and agencies (including State and Federal governments and members of the public and private sector). Whilst membership is open to all persons and interested stakeholders within the Shoalhaven Local Government area, SSCAP is governed by an Aboriginal steering committee. The aim of SSCAP is to promote social equality, social determination, health and safety for Aboriginal communities within our area.

The SSCAP forum is held monthly. There are various working groups which report back to SSCAP, these being:-

- the rehab/detox working group – whose work has been outlined earlier;
- an Aboriginal child sexual assault task force working group;
- an Aboriginal child youth and family strategy working group;
- the Nimal working group – which is made up of police, youth and other services with the aim of keeping children away from the criminal justice system and in school.

I do not propose to outline all the initiatives taking place, but wish to simply point out that the SSCAP partnership model allows local Aboriginal communities to participate, monitor, direct, shape and guide services and agencies (Government and non-Government) in their service delivery to Aboriginal communities. It is still early days yet but there have been some good achievements. A glimpse of the full potential of what can be achieved will be seen over the next few years. You will no doubt discover (as part of your inquiry) that the most successful programs with positive long term outcomes for Aboriginal people come from projects that have originated from the local Aboriginal communities themselves. Should the inquiry wish to meet with the SSCAP Aboriginal steering committee approaches could be made.

Difficulties in Wreck Bay receiving services

Wreck Bay is a strong and proud regional and remote Aboriginal community which is within our area but which is a community which forms part of the Jervis Bay Territory which is totally surrounded by NSW governance. For many many years the Wreck Bay community has struggled to overcome bureaucratic obstacles to receiving adequate services from State, Territory and Federal agencies/departments. Whilst some efforts have been made to overcome some of the obstacles it has generally been left in the too hard basket by local, State and Federal agencies. Anecdotally, I have been told that members of the Wreck Bay community have not been able to access certain NSW services because their address is not within NSW; and that many government and non-government services are not able to cross Territory boundaries because of restraints related to receiving only State funding. The Attorney General's Department chairs the Justice Issues Group (JIG) which has been successful in overcoming some problems, however, more staffing, resources and funding need to be made available to tackle a difficult and complex problem that has existed for a long time.

Other issues

Other issues which are of equal importance to those already outlined include:-

- Transport difficulties to and from town for many Indigenous communities - either they don't exist at all or the only public transport available is the daily school bus; and transport to and from bigger regional towns (where there can be more services available eg domestic violence workers or Aboriginal Police Liaison workers).
- Whilst it is good that various Indigenous Family Violence Prevention Legal Services have been set up in the western parts of the NSW there has been no sign of any such service being established on the South Coast or Far South Coast. Our understanding is that statistically there is no need for such a service (based on hospital attendances by victims, AVOs taken out etc). Unfortunately, statistics tends to dictate policy. There are many valid reasons why statistical information should not be the main dictator of policy - the primary two reasons being that matters are generally NOT being reported and even when they are the Aboriginality of a client is not being volunteered or it's not being recorded correctly. We believe there is a need for an Indigenous Family Violence Prevention Legal Service on the South Coast or Far South Coast but we are unable to provide the statistical evidence required to support the need.
- The closest JIRT is either in Canberra or Wollongong (which is a generally a 3 or 4 hour drive from most communities).

- Many of the Aboriginal community members I have spoken to (up and down the coast) have indicated to me that our children are in need of help. As I indicated earlier these submissions are my views only (and are not to be taken as being the view of the local Aboriginal communities) but from what I'm hearing and seeing is that many of our kids are losing hope – we need to find ways of keeping our kids at school; we need to find jobs and activities to keep them occupied and give them some direction; and we need to encourage our kids to participate more in cultural activities and learning.

We hope that these submissions have been of assistance to you.

Yours faithfully
Shoalcoast Community Legal Centre Inc.

Per:

Lyn Larkins (nee Carriage)
Solicitor