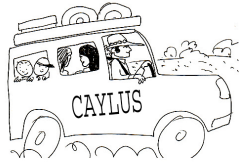


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Central Australian Youth Link-Up Service  
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**SUBMISSION**

**To the Coronial Inquiry into the Deaths of  
Kunmanara Brumby, Kunmanara Coulthard and  
Kumanjayi Presley**

**From  
Central Australian Youth Link Up Service**

**July 2005**

**Statement compiled by Tristan Ray and Blair McFarland**

## About CAYLUS

The Central Australian Youth Link-Up Service is a community development project designed to address petrol sniffing based at Tangentyere Council in Alice Springs.

CAYLUS takes direction from a reference group which includes:

- Central Australian Aboriginal Congress
- Central Australian Aboriginal Alcohol Programs Unit (CAAAPU)
- Papunya Community Council
- Mutitjulu Community Council
- Intjartnama Treatment Outstation
- Drug and Alcohol Services Association (DASA)
- Mt Theo-Yuendumu Substance Misuse Aboriginal Corporation (MYSMAC)
- Alice Springs Youth Accommodation Support Service (ASYASS)
- Tangentyere Council
- NPY Women's Council
- Ilpurla outstation
- Ipolera Outstation
- Waltja Tjutangku Palyapayi

CAYLUS works to address petrol sniffing through supporting community initiatives to improve quality of life for young people.

## About this document

This submission is divided into three sections.

**SECTION ONE** relates to the death of Kunmanara Brumby in Mutitjulu.

**SECTION TWO** relates to the death of Kumanjayi Presley in Willowra.

**SECTION THREE** summarises Recommendations made by CAYLUS and contains additional comments on these Recommendations.

**ATTACHMENT ONE:** Complementary Prevention and Diversionary Programs for Willowra Community Youth.

**ATTACHMENT TWO:** Mt Theo-Yuendumu Substance Misuse Program – Background.

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## **SECTION ONE**

### **Submission relating to the death of Trevor Brumby and Recommendations**

#### **CAYLUS relationship to Trevor Brumby**

##### **DASA Rehabilitation**

Trevor Brumby first came to the attention of CAYLUS staff, including myself (Blair McFarland) when he elected to go into the Drug and Alcohol Services Association ('DASA') Residential Rehabilitation program in Alice Springs to get off the petrol. He was there for three and a half weeks from 24 February 2004 to 19 March 2004. Trev was on remand for an offence and referred to DASA through the NT Department of Corrections. It had been his first time in gaol and he didn't like it. DASA requires a support person to stay with Indigenous clients to help with translation and to provide more support, but no such support person stayed with Trev. His brother was supposed to come but did not stay.

Brumby spoke very little English, and as such the counselling part of his rehabilitation experience was negligible. To address his potential boredom, we arranged to get some Pitjatjantjara language videos for him to watch. CAYLUS paid for Ken Hansen, a linguist and Lutheran Minister. Hansen helped explain the rules of DASA to Brumby in a way that ensured he fully understood. We told DASA to get the Minister in any time they needed to and we would pay.

Tristan Ray, my co-worker and I would drop in on Brumby on occasion and chat as best we could. Once we played soccer in the DASA rec room. He became a lot more responsive after a week or so. We thought he might have a hearing problem and referred this to DASA, who said they would arrange the hospital to look into this on their next visit. Because DASA is in Alice Springs, it is easy for them to get the medical attention that long-term inhalant abusers sometimes require.

##### **Ilpurla Outstation**

On the 17<sup>th</sup> of March, we spoke to Brumby about his post-DASA plans. We had been talking to Barry Abbott, the Manager of Ilpurla, about Brumby going there for a while. Abbott was agreeable, and we put this option to Brumby, who agreed that this would be better than going straight back to Mutitjulu. It has been our experience that it does not take long for sniffing to resume once people return to a sniffing environment, especially when there are a number of other chronic sniffers. We arranged his transport by another Tangentyere program, the Return to Country program, who took him out on 19 March, 2004.

In early May, Brumby asked Barry to get him back to Mutitjulu in order to be around for the distribution of Gate Money, royalties paid by National Parks. This was a lie, as the Gate Money is always distributed in November, but there was no way Abbott could hold Brumby against his will, so he allowed him to return to Mutitjulu.

### **Youth culture and petrol sniffing**

We saw him at his mother's place in Mutitjulu in early May, 2004. He was back into sniffing. We asked him if he wanted to come back to DASA or return to Ilpurla outstation. Some of his relations pressured him to go with us on that occasion as they were worried about him, but he refused. Partly the issue was trying to reason with someone who was high on petrol, but mainly Brumby didn't really want to stop.

In my opinion, without external pressure, Brumby was totally unwilling to stop sniffing. This supports the NT Governments strategy in their Volatile Substance Abuse Prevention Act (VSAP) to make treatment compulsory.

Brumby was in a sense a typical case. Sniffing culture is now a strong part of the youth culture in remote areas. It is seen as a viable lifestyle choice by the young people there. The other option is to work, which is very difficult to find and even harder to hang on to due to cultural pressures. Going to college is an option for people a bit younger than Brumby, but one would have to ask oneself why go to college? Their relations mostly gain access to resources through their relationship to the land rather than an application of whitefella skills. And in any case, Brumby was probably incapable of learning even the most basic literacy skills. He had been sniffing for more than fifteen years, and probably has pretty severe brain damage. S. Carney of Menzies School of Health Research found that there could be a full recovery by the brain after eight years of petrol sniffing, with diminishing recovery potential thereafter.

Brumby was one of literally hundreds of long term Pitjatjantjara petrol sniffers. The Pitjatjantjara homelands has 222 according to their records. There are about 500 more in the Southern part of the NT according to our records, and a grand total of approx 700 sniffers in cross border Central Australia. Many will die of petrol sniffing related causes over the next ten years. Many have already suffered irreversible brain damage. Unless the situation is addressed with some serious resources, this will be the fate of the youth of those communities. The situation is in crisis, as immediate action is required if the current inhalant abusers are to avoid permanent brain damage.

***Recommendation 1 – Application of royalties to community development***

**That the NT Government enter into negotiations with the CLC regarding a financial partnership in relation to the prompt provision of improved youth services and substance abuse programs in the remote Indigenous communities of the South West region of the NT.**

In “Financial aspects of Aboriginal land rights in the Northern Territory” {Altman and Pollack, CAEPR Discussion Paper 152 (1998) p 45} – a paper about the distribution of royalties paid to Indigenous communities, the authors argued that royalties distribution should “include that the moneys are to ameliorate impacts of resource development projects by providing opportunities for enhanced community development, greater participation in regional economic development, and the creation of opportunity for future generations.”

The Central Land Council (CLC), under the direction of the traditional owners, have gone in this direction through a recent move to cap the amount going to individuals from Gate Money and direct the rest into community development. The CLC commissioned a research process in which CAYLUS and numerous remote communities were consulted and asked for suggestions regarding the development of youth services. This is an excellent response to the situation, but at the same time, it is imperative that the Indigenous community not be expected to pay for services that are the responsibility of the NT and Federal Governments. However, due to the crisis situation currently existing in remote communities, there is much progress that could be made through the NT and Federal governments and the CLC undertaking negotiations regarding the prompt provision of these services and acting in partnership. Consideration could be given to government funding being provided to enhance the communities funding. The CLC has indicated they would also consider arrangements through which some portion of government funding could be repayed with future Gate Money.

The agenda for these negotiations would include funding and support for the provision of culturally appropriate education, training, recreation and youth services, policing issues, substance abuse treatment options and the eventual creation of remote community environments in which substance abuse is not the main lifestyle option.

## ***Recommendation 2 – Support for Ilpurla and Other Outstations***

**That the NT Government provide support for Ilpurla and the other two inhalant oriented outstation programs (Ipolera and Mt Theo) in the form of targeted resources that would allow for the services to develop in the ways suggested by the last coronial. This would include :**

- **a dramatic increase in funding for operational positions to work with the clients – a minimum of ten positions in each service would be more realistic;**
- **provision for administrative services, which would increase accountability and thus provide justification for further resources;**
- **funding for professional caseworkers who would undertake referral and after-care placement support and monitoring;**
- **funding for training and education programs at the outstations.**

The only placement possible for Brumby after DASA was at Barry Abbott's outstation, Ilpurla. Abbott has been looking after other people's kids since the 60s, and in June this year he was awarded the Ted Noff Award by the Prime Minister for his services to the community.

There are two other outstations dealing with inhalant abusers : Ipolera and Mt Theo. Mt Theo is well established, with sound administrative capacity but Ipolera is just starting and has only \$25k recurrent core funding. However, in the following I will focus on Ilpurla, the outstation that Brumby could have stayed at longer if the VSAP legislation had been in place, and which could have done more for him while he was there if it had better funding for this crucial work.

The previous NT coronial into petrol sniffing (E. Mueller) related to a death at Ilpurla outstation. That coronial made recommendations to enhance the service at Ilpurla and the other outstations providing care for inhalant abusers. Although funding bodies have attempted to get Barry to improve his operation and implement the recommendations, they have not provided the resources to do it.

Ilpurla receives \$160k annually from OATSIH, though the amount was \$120k till this year. From this amount, Barry has to pay for a service that provides 24 hour care for an average of ten people in a location hundreds of kilometres from Alice Springs. In reality, it means two salaries and some operational funding, which Barry distributes through his extended family who assist him in this work. Ilpurla has no administrative capacity to call on beyond the assistance which CAYLUS provides. After the coronial, the funding bodies felt they had to try to pressure Abbott into complying with the coroner's suggestions, for example the requirement that all staff have First Aid Certificates, and that all clients receive a full health check before going to the outstation. These are great ideas, but

without funding to support them, they are beyond the capacity of the service to provide.

Abbott does not take the pressure from the funding body too seriously, as he knows he is the only agency providing this crucial service in the region and it would be very unlikely he would be defunded. Especially with the impending VSAP legislation, this would be a serious blow to the NT's capacity to deal with the projected increase in numbers of petrol sniffers requiring treatment.

It should be noted that the NT has committed \$25k recurrent to Ilpurla for the next three years in support of the increased workload anticipated due to the VSAP legislation, which is nearly another half position and in no ways reflects the actual needs of the service.

So, without the resources to match the suggestions, the previous coronial accidentally created more humbug for the outstation, and pushed it one step closer to being driven out of the business, strangled by red tape.



## **SECTION TWO**

### **Submission relating to the death of Kumanjayi Presley and Recommendations**

#### **Executive Summary**

On March 23<sup>rd</sup> 2004 Kumanjayi Presley, possibly a first time sniffer, died in a preventable incident.

On the day that Kumanjayi Presley passed away in Willowra many things that could have happened which would have prevented his sniffing episode did not occur.

For instance, a well functioning local council and governance structure would have been providing youth services. In the absence of strong local government, Territory and Federal governments committed to eliminating petrol sniffing could have ensured that youth services were present.

Undoubtedly people saw Kumanjayi sniffing prior to his death but were resigned to seeing young people sniff in the community and did not move to stop it. At the time of his death in Willowra, people lived without adequate housing, health services, food and shop services, sanitation services, policing, power, water and social security services and did not govern their own community. Under these circumstances it is unreasonable to expect that a community could have moved to stop petrol sniffing.

Essential services and adequate governance are related but independent issues. The authorities attitude at the time appears to have been that local people, through Willowra Council, had failed to provide these services therefore they should go without. This attitude is unacceptable and contributed to Presley's death.

#### **Petrol sniffing in Central Australia**

Over 40 sniffers have died from sniffing in Central Australia since 1998. Although there is currently no systematic regional data collection on prevalence of Volatile Substance Abuse in our region CAYLUS collects names of people who have been associated with sniffing as they cross our desks. We currently have approximately 400 names from the Northern Territory. There are approximately 700 sniffers in the cross border region of Central Australia.

## **Background to the death**

### **Introduction**

The majority of Warlpiri families who reside on Warlpiri Lands, NW of Alice Springs in Central Australia live in the communities of Yuendumu (pop. 1000), Lajamanu (pop.1000), Ali Curung (pop.500), Willowra (pop.320), Nyirripi (pop.315). Willowra is a largely Warlpiri Community, with some Anmatjerre people also living there. It is situated on the Lander River approximately 250kms north west of Alice Springs.

Many young people in Willowra have been sniffing petrol over the last 15 years. Over the last 10 years there have been continuous outbreaks of petrol sniffing in Willowra. It is generally held that Willowra youth were introduced to sniffing by visiting Pitjantjatjara and that it caught on because of boredom (3). To understand the context of this activity it is important to understand the recent history of Willowra community, particularly in relation to its governance and services.

### **Recent history of local government in Willowra**

Willowra is surrounded by sites of Massacres from the 1928 Coniston Massacre an event which is in living memory in the community. Willowra has a reputation as being one of the more traditionally oriented Warlpiri communities; it has a strong school and many strong families. It has a growing youth program. Willowra community managed one of the more successful Aboriginal owned cattle enterprises for many years.

The Lander Warlpiri/ Anmatjirra Land Claim to Willowra pastoral lease in 1980 paints a picture of a thriving community based near or on traditional land with intact traditional authority structures.

“The Willowra community is relatively free of the symptoms of social breakdown which are evident in certain other Aboriginal communities in Central Australia. The people of Willowra are recognised by other Warlpiri as being very conservative in their adherence to traditional beliefs and practices and as having a high degree of expertise in Ceremonial life.....The Willowra people have not suffered the effects of institutionalization seen so often in government settlements and missions. They want to make their own decisions about their lives and the lives of their children” (1)

However, Willowra community has been subject to inadequate service delivery and maladministration in numerous key organisations for close to 15 years. The period in which service delivery broke down is strongly associated with the introduction of “local government”, a system which is considered by many to have undermined the traditional structures which had maintained social harmony and good governance in the community until the mid 80’s.

This period of dysfunction has resulted in the recent abolition of the Willowra Community Government Council and the near ceasing of basic municipal service delivery from 1999 to date. We set out the process of disintegration in more detail in the following paragraphs

From 1987-2001 Willowra Community Government Council had over ten Town Clerks. Town clerks are the key administrative position in many Northern Territory remote Indigenous communities. Some are described as being good and some as bad. There is little doubt though that the Willowra Town Clerks had more demands upon them than they had a hope of meeting, were heavily burdened with assisting community members in dealing with urgent basic needs and by and large were under skilled, unequipped, and underpaid for the job. Day to day these Town Clerks have been accountable only to the elected council which was structurally dependent on the Town Clerk for its effectiveness.

“Today they play cunning tricks on us. They are cheaters that’s what they are. They cheat us. A few white people stole our money. They stole and hid our money and made themselves rich with it. They took off with all our money” (2)

In 1986 a key Willowra elder passed away. This person had been able to walk “two ways”, communicating effectively with government, with agencies and with employed workers from outside the community, but also having the clear respect and mandate of his community. He was a key part of a group of elders who mediated community disputes and kept grog out of the community.

From 1987- 2001 the Willowra Community Government Council ran poorly. By the late 90’s it was widely known that funding for essential services was not being used for its intended purpose. This was common knowledge in the community and in the region. In 2001 Willowra was stripped of its Community government status by the Minister on the recommendation of the then Office of Local Government. It was reported that the act was the result of the council in 1997/98 under the management of a previous Town Clerk diverting funds intended for housing development to purchase a restaurant in Alice Springs. The Town Clerk at the time (who had now left the community) was regarded as having a personal stake in the restaurant.

By the time the Willowra Community Government Council was stripped of its status it had already experienced several years of drip-fed funding from ATSIC and NT Government sources as a result of maladministration preceding 1998. This period from 1998- 2001 had already been characterized by the nearly nil service delivery from the Council. The previously successful Cattle Company had shut down, its profits were missing and the store was in crisis.

In Willowra, as in many remote communities today the Council only meets if the Town Clerk organizes the meeting, it will only have governance training if the town clerk brings it in and will only have proper recruitment processes and elections if the Town Clerk facilitates them. Willowra, like most NT local councils, was responsible for the delivery of a wide range of services these included:

- rubbish collection
- sewerage
- electricity
- water
- Maintenance of roads and airstrip
- Housing construction and maintenance
- Aged care
- Women's centre services
- Night patrol
- Sport and recreation
- Provision of social security (centrelink) services
- Organizing funerals
- Development of outstations
- Youth services
- Banking services
- Environmental health initiatives such e.g.: dust control to prevent trachoma
- Maintenance and development of television and radio retransmission facilities
- Liaison with government departments
- Adult education and training

When the Council stopped functioning and when it was defunded these services ceased, including at times both power and water.

“No maintenance and repairs were being conducted, live wires were hanging from the ceilings and walls and water often sewerage on the floor. Doors and windows were non-existent, houses couldn't be locked. There was no rubbish collection and rubbish piled up on the streets; we are talking years of unreliable essential services.” (5)

During the years of Council dysfunction prior to the withdrawal of services it was common knowledge amongst public servants, external agencies and amongst politicians that things were drastically wrong in Willowra. Stories of gun toting Town Clerks, mislaid funds and payola were common

“We had senior women from the community coming regularly into our office over two years to bring attention to the maladministration in Willowra. We took it to the funding bodies and local government authorities constantly, meetings were held and nothing changed in Willowra” (6)

Despite this, little was done to assist the people of Willowra in getting service delivery back on track.

“The problems in Willowra were seen as a community problem by funding bodies and local and federal government authorities. Despite the community seeking outside intervention and support from funding bodies none was forthcoming. When government agencies finally did act it was to blame the community and withdraw all services” (7)

In 2002 Yuendumu Community Government Council located in Yuendumu, a Warlpiri Community 130kms south west of Willowra, agreed to auspice some municipal and other funds for Willowra. From 2003 to date a series of Yuendumu council staff members have been based in Willowra. This is a situation that nearly everybody expresses discontent with. In May 2005 the Yuendumu Town Clerk, several weeks prior to leaving the Yuendumu community, sacked the Yuendumu Council and declared that the body was trading insolvent. The sacking was based on constitutional provision that individual members having missed a number of recurrent meetings were no longer able to sit on council. As a result, the minimal funds which were available for Willowra under Yuendumu’s auspices have become even less accessible through this process.

To date people in Willowra still have no formal mechanism through which they can have input into the running of their community. Essential and municipal services are still not present in any reliable form in Willowra, there are still stagnant pools of water around town from broken down plumbing and housing in the community is still substandard. It is within this context that petrol sniffing, alcohol, marijuana use and police issues in Willowra must be understood, and that the death of Kumanjayi is directly related to the state of his community must also be clearly understood.

“Over the last few years petrol sniffing has become an area of major concern to the community. Although it is a minority of youth who sniff, the fact that any one sniffs at all is regarded as problematic. Willowra adults recall earlier days when the community was cohesive and positive, petrol sniffing was non-existent and other forms of substance misuse relatively non-problematic. ... Boredom is perceived to be a result of a lack of facilities and activities/opportunities for youth at Willowra.

The community morale is extremely low as a result of lack of administrative autonomy, resources, and maintenance of aboriginal housing and apart from the school and clinic the general lack of functional community facilities.” (8)

Under the current circumstances in Willowra, is not reasonable to expect that the events leading up to Kumanjayi's death would be any different if they happened today and we address this topic further in this submission.

## **Petrol Sniffing, Alcohol and Marijuana use in Willowra**

### **Petrol sniffing**

Over the last 10 years there have been continuous outbreaks of petrol sniffing in Willowra. It is generally held that Willowra youth were introduced to sniffing by visiting Pitjantjatjara and that it caught on because of boredom (3). Over the last year 6 months the youth program has identified 19 individuals who sniff at some level.

Also relevant as background is the situation with sniffing on the Warlpiri Lands as a whole. As mentioned above, roughly the majority of Warlpiri families live in the communities of Yuendumu, Willowra, Nyirripi, Lajamanu and Ali Curung.

At the time of writing Ali Curung, Yuendumu, and Lajamanu all occasionally have some form of an outbreak but are able to contain it. In Ali Curung and Lajamanu this is largely through a zero tolerance approach. Roughly “zero tolerance” means that visitors who sniff have to leave and the community simply does not accept sniffing, it is not considered acceptable and families and organisations have acted successfully to date to stop outbreaks.

In Yuendumu it is through the community acting through its Mt Theo Yuendumu Substance Misuse Aboriginal Corporation (‘MYSMAC’ but usually referred to as ‘Mt Theo Program’). The Mt Theo Program is clearly the most successful petrol sniffing prevention program in remote Australia. Mt Theo staff emphasise that they use a whole community approach though, which includes the council, church, police and other organisations. Nyirripi, at the time of writing, has had recent outbreaks of up to 9 local youth sniffing, this follows years of successful zero tolerance.

Willowra, being a Warlpiri community, has been able access limited services from Mt Theo Program. Over the years sniffers from Willowra have been taken to Mt Theo Outstation, a remote outstation, to dry out before being returned to the community. In more recent years Mt Theo organised for some sniffers to reside in Yuendumu as a non-sniffing community after their time at Mt Theo.

At times Willowra's use of the Mt Theo program has been troubled due to families in Willowra concern at handing care for their children over to a program operated by distant family largely in another community. At times families in Willowra became worried about their children being away and went and collected their children from the outstation prior to their completion of the program. The Mt Theo program however is well regarded in Willowra as it is in many communities.

From 1998 to date the Willowra School has arguably been the most functional organisation in the community. During this time the school maintained one of the strongest Two-way learning programs in the region, retained staff comparatively well and maintained strong community participation and direction of the school through the school council. For a number of years it provided the single consistent youth recreational activity, a band room which was open at nights when equipment was available.

In November 2003 Willowra School Council (by then the only functioning governance structure in Willowra) asked CAYLUS to assist it implementing a program to address petrol sniffing and other young peoples' issues in the community. CAYLUS worked with Willowra school, Mt Theo and Yuendumu Council over the next year to source funding and develop a program. This program is now running, funding has been directed through the Mt Theo program. The program has met with some success and is described in detail in Attachment 1.

### **Alcohol use**

Nugget Coombs describes management of grog at Willowra in his 1993 discussion paper as follows

“Antagonism to grog is almost universal in the community and is strongly felt and expressed. Those of the community who offend may be, and usually are, forgiven, but if the offence is repeated the offender is likely to be summoned before a special community meeting where he or she is shamed and reminded that:

This is not a settlement, we are on Warlpiri land and we respect and live by the law.

An Aboriginal youth who returned to Willowra carrying a party of drunken youths and supplies of grog, found a welcoming party waiting at the entrance and had his tires destroyed beyond redemption.” (4)

During the years that Willowra was unfunded a good deal of the community relocated to live elsewhere. In particular a number of young people moved to Alice Springs and engaged in regular alcohol abuse. In the community, conflict between families escalated as quality of life for the whole community decreased. The nearest police are at Yuendumu 130kms and Ti Tree 120kms and no Night Patrol operated, so alcohol freely entered the community and abuse by young people in the community grew. Families and agencies in the community increasingly have had to deal with harmful effects of alcohol abuse by young people including several recent road accidents, domestic violence and various forms of assault.

### **Marijuana use**

Marijuana is a widely acknowledged as significant problem in the community. It is strongly associated with depression and suicide in remote Central Australia. Use of Marijuana in Willowra like most Central Australian remote communities is on the rise.

However, marijuana and alcohol are less available than petrol which is free in every car.

### **Services in Willowra**

Young people in Central Australia sniff petrol because it is the best thing on offer. They sniff because their friends do, because their family is drinking or dead, because petrol is readily available, because they are hungry and they sniff to get away from pain.

Undoubtedly people saw Kumanjayi sniffing prior to his death but were resigned to seeing young people sniff in the community and did not move to stop it. At the time of this death in Willowra people lived without adequate housing, health services, food and shop services, sanitation services, policing, power and water and social security services and did not govern their own community. Under these circumstances it is unreasonable to expect that the community could have moved to stop petrol sniffing.

On the day that Kumanjayi Presley passed away in Willowra many things that could have happened which would have prevented his sniffing episode did not occur. A well functioning local council and governance structure would have been providing youth services. In the absence of this, Territory and Federal Governments committed to eliminating petrol sniffing would have ensured that youth and other services were present. But little was done to assist the people of Willowra in getting service delivery back on track.



Essential services and adequate governance are related but independent issues. The authorities attitude at the time appears to have been that local people through Willowra Council had failed to provide these services therefore they should go without. This attitude is unacceptable and contributed to Kumanjayi Presley's death.

Local government authorities should have done more to ensure that the people of Willowra received delivery of essential services including a youth program. The freeze of essential services and the lack of provision of appropriate governance and accountability to the community of Willowra was a major contributing factor to the breakdown of traditional structures in Willowra. Until the late 80's these structures kept Willowra community largely free of the substance abuse epidemic which has overtaken much of remote Central Australia.

CAYLUS works with 20 remote communities in Central Australia on petrol sniffing and in our experience there is a strong correlation between quality administration and governance and a community's ability to deal with petrol sniffing. Much of the work of CAYLUS has been about assisting councils and other community operated bodies in meeting paperwork requirements and in recruiting staff and facilitating meetings in order to get youth programs off the ground.

To date people in Willowra still have no formal mechanism through which they can have input into the running of their community. As described above, essential and municipal services are still not present in any reliable form in Willowra. Any assumption that Willowra community lacks capacity to self govern strongly contradicted by the success of the school which has maintained a strong level of community direction and involvement and is one of the more successful schools in Central Australia. The new Youth program (set up with the assistance of CAYLUS) has a reference group that is broadly representative of the community and other stakeholders, this has worked well.

### ***Recommendation 3 – Self governance for Willowra***

**That self governance is a basic human right is recognised. That the Northern Territory Government meaningfully engage with local agencies and community members in Willowra to develop and support a governing body for Willowra.**

An external agency should be adequately resourced through Local Government funds to work with Yuendumu council and staff, CDSCA and Willowra community members to develop a formal mechanism through which Willowra community members can have input into the management of affairs at Willowra. The support of the external agency should be long term and should include governance training and support.

#### ***Recommendation 4 – Essential services delivery for Willowra***

**That essential service delivery reliably resumes to Willowra. This should be adequately funded through Local Government the ICC and other relevant agencies.**

Adequate funding should include additional investment in the administrative capacity of Yuendumu council, so that dedicated Willowra workers with decision making ability, preferably based at Willowra are working full time developing service delivery to Willowra. Staged independent evaluations of service delivery are funded and that if services do not improve within 6 months, alternate funding arrangements are made to replace the current auspice arrangements with a functioning system.

#### ***Recommendation 5 – Role of NT Ombudsman***

**That the role of the NT Ombudsman in relation to local government is adequately funded, developed and promoted.**

The ombudsman has power to act in relation to provision of adequate governance and essential services, however it would appear that this aspect of their role is only minimally resourced and rarely used. The role of the ombudsman in relation to local government should be actively promoted amongst remote communities in relevant indigenous languages. In particular use should be made of Aboriginal Media Associations such as Warlpiri Media who cover Willowra.

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This best practice should include reference checking and police checking and include independent scrutiny of process in relation to all appointments. LGANT currently assist in some recruitment processes and by all accounts do very well. However we do not consider them adequately independent to be the third scrutinizing party. A number of town clerks involved in mismanagement of Willowra reportedly had police records and poor work histories. They arguably would not have been appointed by a proper process.

## **Role of Youth Services**

The Mt Theo Yuendumu Substance Misuse Aboriginal Corporation is widely recognised as having stopped petrol sniffing in Yuendumu. Mt Theo itself is a remote outstation 170kms north west of Yuendumu where a few Warlpiri families have looked after petrol sniffers and kids in trouble for a number of years. Kids who sniff in Yuendumu (and less systematically Willowra, Nyirripi and Lajamanu) are forced to go and stay at Mt Theo, where there is no petrol and they receive care, counseling and support. Kids then go back to community and if they sniff again are returned to Mt Theo.

Mt Theo is rehabilitation but importantly it is also a deterrent/ punishment mechanism. The Mount Theo program has been able, over its 12 years, to systematically improve youth services by providing activities such as discos, pool tables, art and cultural programs within Yuendumu and, in addition, provide aftercare to clients returning to the community from the Mt Theo Outstation. This model of using deterrents as well as providing positive alternatives to sniffing is sometimes called the carrot and stick approach. For many years and at the time of Kumanjayi Presley's death Willowra's carrots were missing. The carrots now in place through the new Willowra youth program are young and without proper resourcing and support, may only be temporary.

Although it is often not recognized, youth services are an essential service in remote communities. It is a national shame that despite a youth suicide and substance abuse epidemic in Central Australia a majority of communities still do not have even the most basic youth program. Where there are youth programs they are under-resourced, poorly coordinated and subject to the vagaries of local councils, uninformed bureaucracy and unreliable funding.

CAYLUS, Willowra School, The Mt Theo Program, Yuendumu Council and NT Family and Community Services ('FACS') have worked together to develop a youth program in Willowra. The program centres around a youth worker and a group of unpaid young people and community members who are developing and conducting activities for young people in Willowra. The program has a reference group made up largely of local people with a range of organisations local and external also sitting on the group. Unsurprisingly given the strong skills and commitment of local families the program is working well. The reference group model however diversifies the programs interests and ensures that no one organisation or individual can misdirect the program.

There are a number of factors which could lead to the program ceasing at any point. The program is highly dependent on skilled staff. Currently Alison Gillies is the sole employee of the program. She is a particularly skilled and committed worker, she has her own housing in the community as her partner manages Willowra clinic. A group of highly committed community members support her and contribute to the program, this is in part because she has facilitated and supported that.

Alison works long hours, late at night sometimes with substance-affected people in potentially dangerous situations. She is under constant demand as there is constant need. Under these circumstances a likely scenario is that Alison works until she can work no more, and leaves the community at short notice, after suffering the recognized condition of “burn out”.

There is no dedicated housing in Willowra for the youth worker position so it cannot be recruited based on merit, instead it will be recruited based on who is already living in the community, if it is recruited at all. If a new recruit is found, it is unlikely that any handover happens so most of the work goes back to square one. In the likely gap between Alison’s hypothetical departure and the commencement of her replacement there has been a long gap in service delivery and the local people involved in the program will fall away.

CAYLUS works to support communities similar to Willowra across the region. In particular we work with communities who have petrol sniffing problems. ‘Youth program’ is a broad term but it refers to having paid staff living in communities who work with families, local organisations and external agencies to identify ways to improve things for young people and then to take action. This action is often in the form of provision of recreational options such as discos, sports and music. In other cases it is provision of training and employment opportunities, health information and advocacy. A number of successful youth programs are actively working with young people to involve them in broader governance and direction of the community.

At the time of writing there are a number of successful local programs in Northern Territory communities but only one, Mt Theo Program, which is separately incorporated and could be said to have a solid future. While many excellent youth programs are happening, they are all subject to a range of factors, which could mean they are extremely vulnerable and could cease at any time.

These factors include:

- high turnover of staff
- ability to recruit appropriate staff
- housing
- orientation and support of new workers
- continuity of funding
- workforce development
- systematic training and recruitment of indigenous workers.

Recently the Southern NT Region Juvenile Diversionary Unit program based in Yulara and servicing 3 communities ran out of money and a 2 year old youth initiative ceased operation. Key workers were give minimal notice that the program was to cease. The same NT funding agency's program based in Papunya seems to near to a similar end. The combined programs will have cost over \$1 million, when they end it is hard to say whether any of the work they were doing will continue. The factors involved in the failure of this major project are all of the above.

As mentioned above youth services should not be seen as optional extras in remote Aboriginal communities, they are essential and should be delivered well. To those ends it is worth looking at other essential service delivery models to see how things could be improved.

One which CAYLUS has learnt from is the Remote Health Workforce Development Strategy. There are number of things that could be done in our region based on this model that would improve youth service delivery. These could include:

- centralised coordination and support for recruitment processes
- building links with university social work youth work anthropology and other related programs to coordinate and resource placement of short and long term volunteers in remote communities
- organising professional development activities, staff supports such as relief workers, mentoring programs and a crisis line for youth workers in remote communities
- remote supervision and management of workers where local agencies do not have the capacity.

At CAYLUS we attempt to provide these types of service in addition to our ongoing work. The Commonwealth Government has been clear, however, in saying that they do not want to continue funding CAYLUS beyond its current three year life. We believe the best way to continue and to develop this type of service would be in the creation of a centralised service based at Aboriginal organization such as Tangentyere Council, NPY Women's Council, Waltja Tjutanku Palyapayi or similar organisations.

As there is almost no secondary school curricula or resources in remote communities there are a very large number of young people with nothing to do all day. Children drop out of school very early, particularly after initiation. A time of high risk for substance abuse, self harm and suicide in remote communities is during school holidays. Remote community schools rarely provide or promote holiday activities for their students. In Central Australia, the long holidays include mid year, one month, and over Christmas more than 6 weeks.

During Christmas in particular, food is often short, days can be hot and very boring and services are few. Over Christmas in many communities it is also characterized by ceremonial business which can tie up many the key family resources. In this context in many communities additional resources are required in order to ensure in the absence of school some good activities happen for young people. CAYLUS has provided external assistance in doing this to communities in our region. Our work has been limited by lack of funds.

Over a number of years, prior to the death of Kumanjayi Presley, the Yuendumu council workers in Willowra attempted to secure NT Sport and Recreation funding. Like many communities, however they found the process to cumbersome, without enough likely benefits. Current NT Sport and Recreation funds are minimal, they are hard to apply for, difficult to achieve grant success, and tied to inappropriate outcomes. CAYLUS and numerous other agencies have attempted to engage with various Ministers and the Department over this with little result or improvement.

#### ***Recommendation 7 – Provision of youth services and infrastructure***

**That the NT and Australian Federal Governments recognise youth services such as recreation, leadership and community development programs are essential services and commit to a timeframe by which at least one territory funded youth worker position will be available in every remote community. That this roll out off youth services is complimented by a roll out of relevant infrastructure, i.e. housing and youth centres.**

#### ***Recommendation 8 – Regional coordinating body for youth services***

**That this provision of youth services is supported by a regional coordinating body. Where there is not local capacity to deliver and manage a program that an outside service agency facilitates the program.**

#### ***Recommendation 9 – Youth workforce development service***

**That 3 year funding is provided for a Central Australian youth workforce development service.**

Startup funding could be minimal with a position based in an existing regional youth program and a brokerage to support initiatives.

***Recommendation 10 – Review of NT Sport and Recreation***

**That an independent review of the NT Office of Sport and Recreation and its programs is conducted involving Central Australian stakeholders including remote communities and regional agencies.**

The review should recommend methods by which Sport and Recreation funds and initiatives can be better used regionally and better and more easily accessed by communities that need them.

***Recommendation 11 – Youth services in Willowra***

**11 (a) That Commonwealth agencies such as OATSIH, and NT Government agencies including FACS, NT Sport and Recreation, Alcohol and Other Drugs, DBIRD and CDSCA work together with the youth program reference group to allocate additional operational funds to the Willowra youth program through the auspices of the Mt Theo Program.**

Operational funds should be sufficient to recruit and employ at least one more experienced youth worker and a pool of local casual workers.

**11 (b) That Commonwealth agencies such as OATSIH, and NT Government agencies including FACS, NT Sport and Recreation, Alcohol and Other Drugs, DBIRD and CDSCA work together with the youth program reference group to allocate funds to erect dedicated duplex youth program housing in Willowra in order that 2 positions can be permanently housed.**

As the attached youth program report (Attachment 1) indicates, employment and business creation is a key aim of the program making it an ideal program for DBIRD and CDSCA to meaningfully engage with.

**11 (c) That the NT Government prioritise the Willowra Youth Program for a quality troop carrier vehicle under the NT government gifting scheme.**

If the car cannot be gifted by Dec 05 that the car is direct funded through NT Sport and Recreation or other funds.

## **Petrol, AvGas and Opal issues**

### **Availability of petrol**

A large part of CAYLUS work in the Central Australian region has been in supporting communities to implement the use of non-sniffable fuels. These fuels have included Av Gas and Opal. These fuels are subsidized to achieve price parity with sniffable fuels through a commonwealth government excise refund scheme. The scheme is currently under resourced, meaning that remote communities with current sniffing problems are on a waiting list. They are unlikely to be added to the scheme in the next few years and thereby are unable to use non-sniffable fuel. The current subsidy scheme also will not support regional centres and roadhouses in using non-sniffable fuel.

Although not a stand-alone solution to petrol sniffing, use of non-sniffable fuels has had very positive results in a number of communities. The most pronounced of these in our region has been Areyonga a community that was not a part of the Commonwealth Subsidy Scheme for Av Gas, but subsidized its own use of the fuel, with a drop in numbers of known sniffers from 15 to 2-5 consistently since the introduction of the fuel in 2003.

The commonwealth funded Comgas evaluation also found positive results:

“Avgas was found to be safe, effective and popular in reducing petrol sniffing....

Av Gas is effective in reducing levels of petrol sniffing in a range of situations defined in terms of

- Distance to the nearest outlet for unleaded petrol
- Length of time Avgas has been used; and
- Types of other interventions for reducing petrol sniffing

While these factors do impact on the degree to which Avgas is effective this study has shown that it has some positive impact in every situation”.

(9)

Use of non-sniffable fuels has led to a situation where Petrol is now trafficked to remote communities and sold to and exchanged with sniffers, however it has still dramatically impacted on the availability of sniffable petrol. Instead of petrol being readily available at any time and in nearly every car, supply for sniffers is sporadic particularly to the more remote communities. In CAYLUS experience there has been a marked decrease in availability of petrol to very young kids as they have less access to money and can not participate as readily in the black market.



In the NT since 1985 there has also been legislation under the Misuse of Drugs Act, which prohibits this supply of fuel, and we have had some success in promoting dobbing in and prosecution of dealers. Kintore community particularly has used this legislation actively as some of the only legislation currently available in relation to petrol sniffing. (see NT VSAP legislation in a later section).

In another part of the West MacDonnells, Papunya a community which also uses Av Gas, the supply issues are greater. Papunya is 40 kilometers away from Ikuntji a community which uses sniffable unleaded fuel and approximately 100 kilometres from Tilmouth Well Roadhouse another source of petrol. Papunya is also relatively close to Alice Springs. There is reported to be a number of active dealers in Papunya and many cars a go to and from Ikuntji and Alice Springs every day. As a result the impact of non sniffable fuels is far less evident in Papunya. In addition, a number of chronic sniffers from Kintore and Mt Liebig (Av Gas/Opal communities) who have moved to Papunya because of its ready fuel sources. There are recent stories from Ikuntji of groups of sniffers from Papunya raiding the community in search of sniffable fuel.

### **Availability of Av Gas and Opal**

Av Gas was not always a popular intervention as the fuel damaged engines. The damage to vehicles was minor but permanent. Many communities with sniffing problems chose not to use the fuel. In Ntaria, (Hermannsburg) for instance, it was considered that the fuel would impact on the profits made from supplying petrol to tourists coming through the community. In 2005 however the formula of Av Gas is being changed to reduce harmful engine emissions. This will increase hydrocarbon levels and make the fuel sniffable. So the use of AvGas will not longer be a preventative measure for remote communities.

In the response to this the Federal Government, BP and the Petroleum Manufacturers Association have developed a new non-sniffable fuel Opal. The new fuel may be used universally in the region as it does not damage cars. Opal offers an enormous potential for a serious reduction in petrol sniffing right across the cross border Central Australian region. However this potential is not able to be utilized due to current limitations on the rebate scheme.

Both Av Gas and Opal cost more due to manufacturing and government excise, this means that in order to make them available to the consumer at the pump at price parity with unleaded petrol the Commonwealth Government has had to provide an excise refund system. This system is managed at the Office of Aboriginal and Torres Strait Islander Health and is known as the Comgas Scheme. The Commonwealth Government Dept of Health and Ageing Comgas Evaluation found that the bigger a petrol free area the greater impact of non-sniffable fuels on sniffing, levels of mortality and fitting.

The use of non-sniffable fuel in Willowra and other communities would reduce the likelihood of such deaths happening again. Willowra has applied to use Opal, as have many neighboring communities and Alice Springs Town Council. But Willowra is unlikely to be granted access to the fuel which would cost approximately \$36,000 per annum (12). The Commonwealth Government has indicated it is unwilling to allocate sufficient funds to the scheme to encompass all of the communities which want to join and the adjacent non-community fuel outlets such as roadhouses. The Government has only committed to minor extension of the old Comgas program which will not include all of the other communities that would like to use the new fuel.

At a recent community meeting in Willowra and later on the ABC TV 7.30 report the Yuendumu council appointee in Willowra, John Bennett, stated that it was such a priority in the community that the community would subsidise the fuel out of store profits. This is a major commitment given that at the time of writing the store is reported to be recovering from being left \$190,000 in debt by previous managers.

Universal roll out of Opal Fuel across the Central deserts region is a practical but not final solution to inhalant abuse in Central Australia. It does not address the causes of inhalant abuse, but if non-sniffable fuel is less available it will create a window of opportunity in which the root causes can be addressed.

Every year that passes sees a larger number of the youth of the Indigenous communities in the region suffering brain damage. Without serious changes to the environments in which the Indigenous communities live, there will be 700 dead or permanently brain damaged sniffers within the next decade, and another generation taking up sniffing in their shadow.

***Recommendation 12 – Roll out of Opal fuel***

**12 (a) That the Commonwealth Government subsidise the comprehensive regional roll out of Opal fuel in the Central Australian Cross Border region.**

**12 (b) That the NT Government ensure the implementation of the proposed Opal package, being the replacement of sniffable fuel in the region with Opal fuel in the area from just north of Coober Pedy to just west of Mt Isa, to just south of Tennant Creek to Laverton - a geographic area that contains the largest cluster of sniffers in Australia.**

**12 (c ) Where there are feasibility and supply issues that the Federal Government meaningfully engages with State and Territory governments, community organisations and corporate stakeholders in order to resolve these issues.**

## **Policing issues**

Policing in Willowra comes from Ti Tree approximately 120kms away. As in many remote communities response to flashpoint situations can be days away. There is little in the way of routine patrolling. One community member described visits as unproductive.

“Something major happens and the police are called, half a day later they arrive and drive around for five minutes and then head back.” (13)

This experience is unsurprising given the size and nature of the region the Ti Tree police are expected to service 9 communities across 45,000 sq km, with only two officers. The police on have reportedly been instructed that safety on the Stuart Highway is their priority. It is not reasonable to expect that programs move forward and that social outcomes are improved in Willowra unless based on a foundation of law and order, and available policing services.

Recent experience reported by Mt Theo and Willowra youth program staff is that Ti Tree police are not as experienced as Yuendumu police in working with the Mt Theo program to take sniffers from the community to the outstation. This police support is essential in dealing with chronic and violent sniffers in Willowra and police must be trained to deal with such situations and to support youth workers.

### ***Recommendation 13 – Police training and support***

**13 (a) That Ti Tree police routinely patrol Willowra community.**

**13 (b) That Ti Tree police collaborate with the school clinic and youth program in pursuit of health and social outcomes.**

**13 (c) That a police post be committed to Willowra community.**

This could be stationed at Ti Tree where a station is in place or supported by additional resources at Willowra. The other outcomes should not be dependent on this happening.

**13 (d) That peer support/training is conducted between Yuendumu and Ti Tree Police.**

That on several occasions Yuendumu police support Ti Tree police in working with Mt Theo and sniffers in Willowra in order to pass on skills and info that will assist the Ti Tree Police in developing this role

## **NT Volatile Substance Abuse Prevention Act**

This legislation is the first of its kind in Australia. The Act and its proposed Regulations empowers police and communities to take legally supported steps to deal with petrol sniffing. The legislation is a major step and could support communities in declaring legally enforceable sniffable-fuel free areas, forcing sniffers into treatment and taking petrol and other sniffable substances away from sniffers.

The legislation is backed up by some significant resource commitments, but further resources will be required in order to provide people with treatment and assistance in getting to treatment programs.

The legislation should also be externally evaluated after it has been implemented for some time, say one year. Critical lessons will be learned in early experiences and it is important that resources be directed in the most effective way. External evaluation will also maximize the body of research available to other governments and all communities in taking action against petrol sniffing.

### ***Recommendation 14 – Legislation implementation review***

**That an external evaluation of the implementation and operation of the NT Volatile Substance Abuse Prevention Bill and attached program is conducted and that findings are made public.**

## **SECTION THREE**

### **Summary of CAYLUS Recommendations**

#### ***Recommendation 1 – Application of royalties to community development***

**That the NT Government enter into negotiations with the CLC regarding a financial partnership in relation to the prompt provision of improved youth services and substance abuse programs in the remote Indigenous communities of the South West region of the NT.**

#### ***Recommendation 2 – Support for Ilpurla and other Outstations***

**That the NT Government provide support for Ilpurla and the other two inhalant oriented outstation programs (Ipolera and Mt Theo) in the form of targeted resources that would allow for the services to develop in the ways suggested by the last coronial. This would include :**

- **a dramatic increase in funding for operational positions to work with the clients – a minimum of ten positions in each service would be more realistic;**
- **provision for administrative services, which would increase accountability and thus provide justification for further resources;**
- **funding for professional caseworkers who would undertake referral and after-care placement support and monitoring;**
- **funding for training and education programs at the outstations.**

#### ***Recommendation 3 – Self governance for Willowra***

**That self governance is a basic human right is recognised. That the Northern Territory Government meaningfully engage with local agencies and community members in Willowra to develop and support a governing body for Willowra.**

An external agency should be adequately resourced through Local Government funds to work with Yuendumu council and staff, CDSCA and Willowra community members to develop a formal mechanism through which Willowra community members can have input into the management of affairs at Willowra. The support of the external agency should be long term and should include governance training and support.

#### ***Recommendation 4 – Essential services delivery for Willowra***

**That essential service delivery reliably resumes to Willowra. This should be adequately funded through Local Government the ICC and other relevant agencies.**

Adequate funding should include additional investment in the administrative capacity of Yuendumu council, so that dedicated Willowra workers with decision making ability, preferably based at Willowra are working full time developing service delivery to Willowra. Staged independent evaluations of service delivery are funded and that if services do not improve within 6 months, alternate funding arrangements are made to replace the current auspice arrangements with a functioning system.

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### **References**

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- (2) Molly Nungarrayi- Warlpiri Womens Voices IAD press 1995
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- (4) HC Coombes Willowra Discussion Paper, ANU North Australia Research Unit No 12 1993
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- (6) Marg Reilly - electoral officer Peter Toyne 1997-2004
- (7) Marg Reilly - electoral officer Peter Toyne 1997-2004
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- (9) An Evaluation of the Comgas Scheme, Australian Govt Dept of Health and Ageing 2004
- (10) Northern Territory Police Fire and Emergency Services SCDOC 2004/3327 Internal memorandum From Constable Damian Shaw undated
- (11) Letter from Andrew Stojanovski Manager of the Mt Theo Yuendumu Substance Misuse Aboriginal Corporation entitled Information for the Ti Tree Police in Regards to Mt Theo Program-prepared in the context of an enquiry into the death of Naptom (sic) Presley 23/3/04 dated 21/4/04
- (12) Based on supply of 110,000 litres (Willowra unleaded consumption between Nov 03 and Nov 04) at the current subsidy rate of \$.33 per litre
- (13) Personal communication from unnamed community member Willowra Community 28/6/05